



Dustin Joseph  
Director of Environmental Permitting  
LS Power Grid California, LLC  
DJoseph@lspower.com

June 28<sup>th</sup>, 2023

Boris Sanchez  
Project Manager  
California Public Utilities Commission  
505 Van Ness Avenue, 4<sup>th</sup> floor  
San Francisco, CA 94102

**Re: Minor Project Refinement No. 2 for the Gates 500 kV Dynamic Reactive Support Project**

Mr. Sanchez:

LS Power Grid California, LLC (LSPGC) is hereby requesting approval of Minor Project Refinement No. 2 (MPR-2) from the California Public Utilities Commission (CPUC) for the Gates 500 kilovolt (kV) Dynamic Reactive Support Project (Orchard Substation or Project). Approval of MPR-2 will authorize the expansion of the temporary storage area approved in MPR-1 in order to accommodate additional space for materials storage to facilitate construction of the Orchard Substation. MPR-2 will result in approximately 136,000 square feet, or 3.1 acres of additional temporary disturbance to previously disturbed, fallow agricultural lands. In addition to the MPR-2 temporary storage expansion area, mapping corrections to MPR-1 components (described in **Attachment A: MPR-2 Form**) can be viewed within **Attachment B, MPR-2 Figure 1**. Please refer to **Attachment C, MPR-2 Site Photographs** to view the MPR-2 temporary storage expansion area.

Attachment A: MPR-2 Form  
Attachment B: MPR-2 Figure 1  
Attachment C: MPR-2 Site Photographs

**Preconstruction Requirements and Permit/Approvals**

The activities described above will not change the conditions set forth in the Initial Study/Mitigated Negative Declaration (IS/MND), nor will it change the type of equipment, number of construction personnel, or the status of any Mitigation Monitoring Compliance and Reporting Plan pre-construction requirements. No new permits are required for activities that are proposed within MPR-2.

## **MPR-2 Request for Approval**

LSPGC respectfully requests approval of MPR-2 to expand the existing temporary storage area within the Project site boundary as described within this MPR-2 request by June 30, 2023. Should you have any questions or need additional information, please do not hesitate to contact me at [djoseph@lspower.com](mailto:djoseph@lspower.com).

Sincerely,

Dustin Joseph  
Director of Environmental Permitting

cc: Michael Manka, ESA  
David Wilson, LSPGC  
Mark Milburn, LSPGC  
Emily Critchfield, KPE

**ATTACHMENT A**  
**MPR-2 Form**



## Gates 500 kilovolt (kV) Dynamic Reactive Support Orchard Substation Project CPUC Minor Project Refinement Form

**Minor project refinements** are strictly limited to changes that will not trigger an additional permit requirement, do not substantially increase the severity of a previously identified significant impact, create a new significant impact, would clearly and strictly comply with the intent of the IS/MND mitigation measures, and that don't conflict with any applicable law or policy.

**Date Requested:** June 28, 2023

**Report No.:** 1

**Date Approved:** TBD

**Approval Agency:** California Public Utilities Commission (CPUC).

**Property Owner(s):** The proposed Minor Project Refinement No. 2 (MPR-2) temporary storage area is located within LS Power Grid California, LLC (LSPGC)-owned property.

**Location/Milepost:** The proposed MPR-2 temporary storage area is located east of the planned Orchard Substation location and north of West Jayne Avenue in Fresno County, California.

**Land Use/Vegetative Cover:** The land use and vegetative cover for the additional temporary area proposed in MPR-2 consists of approximately 136,000 square feet (340 feet by 400 feet or 3.1 acres) of previously disturbed agricultural lands.

**Sensitive Resources:** None. See resource discussions below.

**Modification From:**

<input type="checkbox"/> Permit	<input type="checkbox"/> Plan/Procedure	<input type="checkbox"/> Specification	<input type="checkbox"/> Drawing
<input type="checkbox"/> Mitigation Measure	<input checked="" type="checkbox"/> Other:		

LSPGC is requesting approval of MPR-2 to expand the temporary storage area for the Gates 500 kilovolt (kV) Dynamic Reactive Support Project (Orchard Substation or Project) by 136,000 square feet (340 feet by 400 feet), or 3.1 acres. Please note, in addition to the MPR-2 temporary storage expansion area, the following mapping corrections from MPR-1 can be viewed within **Attachment B, MPR-2 Figure 1:**

- The size of the previously approved temporary storage area (blue polygon) was described correctly in the MPR-1 text (260 feet by 400 feet), however the MPR-1 figure did not show the area to scale. This has been corrected in **Attachment B**.

- The parking area (black polygon) is located within the previously approved temporary storage area (blue polygon). The size of the parking area (160 feet by 160 feet) has not changed.
- The borrow area (red polygon) should be shifted south approximately 140 feet from where it is shown in the MPR-1 Figure. The size of the borrow area (400 feet by 120 feet) has not changed. The scope of work and description of the MPR-1 components remains the same as described in MPR-1.

The materials planned for storage within the MPR-2 temporary storage expansion area are primarily substation components and topsoil. No grading or placement of gravel is anticipated. If gravel placement is necessary to maintain a stabilized surface, the gravel would be underlain by geotextile to facilitate removal once the area is no longer in use. Security fencing is not anticipated to be installed around the MPR-2 temporary storage expansion area. The storage area will be accessed via overland travel. Following completion of Project construction, the MPR-2 temporary storage expansion area would be restored to pre-construction conditions in compliance with APM AE-1 and the Project's Stormwater Pollution Prevention Plan (SWPPP).

**Describe how project refinement deviates from current project. Include photos.**

Original Condition: The MPR-2 temporary storage expansion area is located within the geographic study area of the Initial Study Mitigated Negative Declaration (IS/MND) and therefore has been previously analyzed. There is no change to the original condition of the Project site, i.e., previously disturbed, fallow agricultural land; however, the modifications in MPR-2 are being proposed in order to construct the Project as approved for the reasons described below.

Justification for Change: LSPGC's construction contractor has identified the need for the expansion of the temporary storage area (approved in MPR-1) in order to facilitate substation construction activities. Deliveries of substation components have been ongoing and the temporary storage area approved in MPR-1 is nearly filled. The expansion of the temporary storage area will allow for additional space to store the substation construction components, which would otherwise cause congestion and inefficiency if stored within the previously approved staging area. The proposed change will help keep the staging area as clear as practicable to support the safe and efficient operation of vehicles of equipment within the Project site. In addition, storing the substation components at an offsite storage location would result in added construction-related trips and potential additional air quality and traffic impacts. Therefore, MPR-2 is proposing the expansion of the temporary storage area which is necessary to construct the Project as described in Section 2.0 of the IS/MND.

Maps & Figures: Refer to **Attachment B, MPR-2 Figure 1**, for a map showing the revised (to scale) temporary storage area as approved in MPR-1 as well as the proposed MPR-2 temporary storage area extension. Refer to **Attachment C, MPR-2 Site Photographs**, for pictures of the current conditions within the MPR-2 temporary storage area.

Environmental Impact: Utilization of the MPR-2 temporary storage area would not change the nature or increase the severity of any impacts disclosed within the IS/MND; would not result in alteration to Applicant Proposed Measures (APMs) or existing Mitigation Measures (MMs); would not require new mitigation measures; and would not require new permits or new regulatory approval. The new temporary disturbance resulting from expansion of the storage area is approximately 136,000 square feet (3.1 acres) located within the Project site boundary and in a disturbed area previously utilized for agricultural use. Specific discussions for each resource area are provided below.

Concurrence (if appropriate): Concurrence is not required as the revised temporary storage area is located immediately adjacent to previously approved Project components within the overall site boundary and are therefore within the geographic study area analyzed in the California Environmental Quality Act (CEQA) review process.

<b><u>Resources:</u></b>			
<b>Biological</b>	<input checked="" type="checkbox"/> No Resources Present	<input type="checkbox"/> Resources Present	<input type="checkbox"/> N/A, Change would not affect resources
<b>Previous Biological Survey Report Reference:</b> Biological resources within the Project site boundary were studied, reviewed, and documented as part of LSPGC's application for a Permit to Construct (PTC) for the Project and Proponent's Environmental Assessment (PEA). Biological resources were also discussed within the CPUC-conducted CEQA review process. On June 19, 2023, the Project biologist verified that the current condition of the MPR-2 temporary storage area is consistent with the results provided in previous biological studies. The MPR-2 temporary storage area consists of disturbed agricultural lands and does not contain any sensitive biological resources.  Vegetation trimming may occur as needed within the revised temporary storage area for fire mitigation. In accordance with APM BR-4 and APM BR-5 within the Project's Mitigation Monitoring, Compliance, and Reporting Program (MMCRP), a pre-construction nesting bird survey was performed on April 23, 2023 and was negative for nesting birds, including raptor species, within 500 feet of the MPR-2 revised temporary storage area.			
<b>Cultural</b>	<input checked="" type="checkbox"/> No Resources Present	<input type="checkbox"/> Resources Present	<input type="checkbox"/> N/A, changes would not affect resources
<b>Previous Cultural Survey Report Reference:</b> Cultural resources within the Project's study area (including the MPR-2 temporary storage area) were studied, reviewed, and documented as part of LSPGC's application for a PTC for the Project and PEA. These resources were also discussed within the CPUC-conducted CEQA review process (see the Project's IS/MND, Sections 3.5 and 3.18). There are no known archaeological resources within the Project study area or within the MPR-2 temporary storage area.			
<b><u>Disturbance Acreage Changes:</u></b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
The additional temporary disturbance resulting from the proposed MPR-2 temporary storage expansion area (340 feet by 400 feet) is 136,000 square feet (3.1 acres).  As the additional parking area approved in MPR-1 (160 feet by 160 feet) is actually located within the previously approved temporary storage area, the overall temporary disturbance area within the Project site has been reduced by 25,600 square feet (0.6 acre).  As such, the net increase in temporary disturbance resulting from MPR-2 is 110,400 square feet (2.5 acres).			

*The following table includes environmental analysis representative of the CEQA Appendix G Checklist Sections addressed in the IS/MND as it relates to MPR-2. MPR-2 would have no potential to impact the following environmental resource areas, and therefore are not included in the table*

below: Energy, Greenhouse Gas Emissions, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, and Utilities and Service Systems.

CEQA Section	Applicable	(Y) Define potential impact or (N) briefly explain why CEQA section isn't applicable. If (Y), describe original and new level of impact, and avoidance/minimization measures to be taken.
Aesthetics	<input type="checkbox"/> Y	The MPR-2 temporary storage area is located out of the public's view in an unpopulated area. The MPR-2 temporary storage area is also temporary in nature and would not affect the design of the Orchard Substation. In addition, the area would be stabilized and restored in accordance with the SWPPP and APM AE-1 following construction. Therefore, impacts would remain similar to those addressed in the Project's IS/MND, Section 3.1. No new or altered APMs or MMs would be required.
	<input checked="" type="checkbox"/> N	
Agency Consultation?	<input type="checkbox"/> Y	MPR-2 activities would not require agency consultation relating to aesthetics or visual resources.
	<input checked="" type="checkbox"/> N	
Agriculture and Forestry Resources	<input type="checkbox"/> Y	As discussed in Section 3.2 of the Project's IS/MND, only the permanent portions of the Project site will convert prime farmland to non-agricultural use. The temporary disturbance associated with the Project such as that proposed in MPR-2 would not be developed with permanent facilities and would remain available for potential future agricultural use following restoration of the temporary construction disturbance. In addition, the MPR-2 temporary storage expansion area is located within the Project site boundary which has been confirmed to not contain any land defined as forest land. Therefore, impacts would remain similar to those addressed in the Project's IS/MND, Section 3.2. No new or altered APMs or MMs would be required.
	<input checked="" type="checkbox"/> N	
Agency Consultation?	<input type="checkbox"/> Y	MPR-2 activities would not require agency consultation relating to agriculture and forestry resources.
	<input checked="" type="checkbox"/> N	
Air Quality	<input checked="" type="checkbox"/> Y	<p>There is no ground disturbance anticipated within the MPR-2 temporary storage expansion area. There is also no change to the overall construction schedule that will result from the modifications proposed in MPR-2. Additionally, all MPR-2 activities would take place in accordance with air quality APMs in the MSCR as well as the requirements in the Project's Dust Control Plan (DCP) including but not limited to;</p> <ul style="list-style-type: none"> <li>• Emissions and equipment tracking with monthly reporting to the CPUC in accordance with APM AQ-1,</li> <li>• Valley fever awareness training for all workers presented within the required Worker Environmental Awareness Program (WEAP) in accordance with APM AQ-3,</li> </ul>
	<input type="checkbox"/> N	

CEQA Section	Applicable	(Y) Define potential impact or (N) briefly explain why CEQA section isn't applicable. If (Y), describe original and new level of impact, and avoidance/minimization measures to be taken.
		<ul style="list-style-type: none"> <li>• Utilizing water trucks to wet down dry areas prior to and during ground disturbing activities as well as wetting down access roads throughout construction,</li> <li>• Posting speed limit signs of not more than 15 miles per hour, and</li> <li>• Loading haul trucks such that the freeboard is not less than six inches when transported across any paved public road.</li> </ul> <p>Therefore, the use of the MPR-2 temporary storage area would not result in new significant impacts or a substantial increase in the severity of impacts analyzed and disclosed within the Project's IS/MND, Section 3.3. No new or altered APMs or MMs would be required.</p>
Agency Consultation?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<p>The entire Project is subject to air quality thresholds maintained by the San Joaquin Valley Air Pollution Control District (SJVAPCD). However, the modifications proposed within MPR-2 would not require agency consultation relating to air quality as the Project would adhere to the requirements described above which are designed to keep the Project in compliance with said thresholds.</p>
Biological Resources	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<p>Due to the Project site's history of agricultural use, the site (including the MPR-2 temporary storage expansion area) is disturbed and does not contain any suitable habitat for special-status species as described in the Project's IS/MND Section 3.4. In addition, in accordance with MM BIO-1, the Project site is not considered suitable habitat for San Joaquin Kit Fox as it has been cultivated within the past 12 months.</p> <p>Vegetation trimming may take place as needed during construction for fire mitigation. A pre-construction nesting bird survey was conducted in accordance with APM BIO-3 and APM BIO-4 on April 23, 2023 and was negative for nesting birds, including raptors, within 500 feet. Daily nest sweeps have also been taking place during construction, and there are no nests within 500 feet of the MPR-2 temporary storage area. Biological monitoring is not anticipated to be required for MPR-2 activities. Nest monitoring will take place if needed.</p> <p>Although no direct impacts to sensitive biological resources are anticipated as a result of the use of the MPR-2 temporary storage expansion area, any indirect impacts that may occur to sensitive species in the vicinity of the storage area will be mitigated in accordance with biological APMs and MMs in the MMCRP. Therefore, impacts to biological resources would remain similar to those addressed in the Project's IS/MND,</p>



CEQA Section	Applicable	(Y) Define potential impact or (N) briefly explain why CEQA section isn't applicable. If (Y), describe original and new level of impact, and avoidance/minimization measures to be taken.
		Section 3.4. No new or altered APMs or MMs would be required.
Agency Consultation?	<input type="checkbox"/> Y	MPR-2 activities would not require agency consultation relating to biological resources.
	<input checked="" type="checkbox"/> N	
Cultural and Tribal Cultural Resources	<input type="checkbox"/> Y	As described in Sections 3.5 and 3.18 of the Project's IS/MND, there are no known cultural or tribal cultural resources within the Project site, including the MPR-2 temporary storage expansion area. As such, cultural and tribal monitoring is not anticipated to be required for MPR-2 activities. Although no direct impacts to cultural or tribal cultural resources are anticipated as a result of the use of the MPR-2 activities, any indirect impacts that may occur will be mitigated in accordance with cultural APMs in the MMCRP. Therefore, impacts to cultural and tribal cultural resources would remain similar to those addressed within the Project's IS/MND, Sections 3.5 and 3.18. No new or altered APMs or MMs would be required.
	<input checked="" type="checkbox"/> N	
Agency Consultation?	<input type="checkbox"/> Y	MPR-2 activities would not require agency consultation relating to cultural or tribal cultural resources.
	<input checked="" type="checkbox"/> N	
Geology and Soils	<input type="checkbox"/> Y	MPR-2 activities do not involve the installation of any new permanent facilities, performance of any new activities, nor does it propose new ground disturbance. Accordingly, approval of MPR-2 would not create any new geological related hazard not previously disclosed in the Project's IS/MND, Section 3.7. In addition, the SWPPP would be amended to include the MPR-2 temporary storage expansion area and all MPR-2 construction activities will adhere to requirements in the SWPPP including the implementation of erosion control best management practices (BMPs).
	<input checked="" type="checkbox"/> N	<p>The Project site and the MPR-2 temporary storage expansion area is located within an area with low paleontological potential. As such, paleontological monitoring is not anticipated to be required for MPR-2 activities. Although no direct impacts to paleontological resources are anticipated as a result of the use of the MPR-2 activities, any indirect impacts that may occur will be mitigated with the implementation of paleontological APMs and MMs in the MMCRP, as well as the Paleontological Resources Monitoring and Mitigation Plan (PRMMP).</p> <p>Therefore, impacts to geology, soils, and paleontological resources would remain similar to those addressed within the Project's IS/MND, Section 3.7. No new or altered APMs or MMs would be required.</p>

CEQA Section	Applicable	(Y) Define potential impact or (N) briefly explain why CEQA section isn't applicable. If (Y), describe original and new level of impact, and avoidance/minimization measures to be taken.
Agency Consultation?	<input type="checkbox"/> Y	MPR-2 activities would not require agency consultation relating to geology, soils, or paleontological resources.
	<input checked="" type="checkbox"/> N	
Hazardous Materials	<input type="checkbox"/> Y	MPR-2 does not involve the performance of any new construction activities or the use of any new equipment. Accordingly, utilization of the MPR-2 temporary storage expansion area would not require any new potentially hazardous materials to be used, would not create any new hazardous waste, would not expose any sensitive receptors not previously identified, and would not create any new hazard not previously disclosed in the Project's IS/MND, Section 3.9. Although no direct impacts relating to hazards or hazardous materials are anticipated as a result of MPR-2 activities, any indirect impacts that may occur will be mitigated in accordance with hazardous materials APMs in the MMCRP, as well as the implementation of the Hazardous Materials Management Plan (HMMP). Therefore, impacts related to hazardous materials would remain similar to those addressed within the Project's IS/MND, Section 3.9. No new or altered APMs or MMs would be required.
	<input checked="" type="checkbox"/> N	
Agency Consultation?	<input type="checkbox"/> Y	MPR-2 activities would not require agency consultation relating to hazards or hazardous materials.
	<input checked="" type="checkbox"/> N	
Hydrology and Water Quality	<input type="checkbox"/> Y	There are no jurisdictional or non-jurisdictional drainages that would be affected by the use of the MPR-2 temporary storage expansion area. There are also no new permanent facilities being proposed. In addition, the SWPPP will be amended to include MPR-2 temporary storage area and all Project activities would adhere to requirements and BMPs included in the SWPPP. MPR-2 activities would therefore not impede or redirect flood flow, alter the existing drainage pattern of the area, or otherwise result in hydrology and water quality impacts that would be different from the impacts addressed in the Project's IS/MND, Section 3.10. No new or altered APMs or MMs would be required.
	<input checked="" type="checkbox"/> N	

CEQA Section	Applicable	(Y) Define potential impact or (N) briefly explain why CEQA section isn't applicable. If (Y), describe original and new level of impact, and avoidance/minimization measures to be taken.
Agency Consultation?	<input type="checkbox"/> Y	MPR-2 activities would not require agency consultation relating to hydrology or water quality.
	<input checked="" type="checkbox"/> N	
Noise and Vibration	<input type="checkbox"/> Y	Per Section 3.13 in the IS/MND, the closest sensitive receptor to the Project site (including the MPR-2 temporary storage expansion area) is approximately 1.8 miles northeast of the Project. MPR-2 does not propose any activities outside of the Project site, nor would it involve the performance of any new activities or installation of any new permanent facilities. Accordingly, utilization of the MPR-2 temporary storage area would not be expected to create any new impacts relating to noise and vibration not already analyzed and disclosed within in the Project's IS/MND, Section 3.13. No new or altered APMs or MMs would be required.
	<input checked="" type="checkbox"/> N	
Agency Consultation?	<input type="checkbox"/> Y	MPR-2 activities would not require agency consultation relating to noise and vibration.
	<input checked="" type="checkbox"/> N	
Traffic and Transportation	<input type="checkbox"/> Y	As stated in Section 3.17 of the IS/MND, peak construction would be anticipated to include 20 workers, with worker trips primarily anticipated to originate from the greater Fresno area. The peak daily vehicle trips during the construction period would be approximately 45 trips per day. MPR-2 is not proposing any new activities be performed or new permanent facilities be installed that would change the amount of workers or number of trips beyond what was analyzed and disclosed in Section 3.17 of the IS/MND. There are also no changes to the construction schedule that would result from the modifications proposed in MPR-2.
	<input checked="" type="checkbox"/> N	Additionally, there are no modifications to access roads proposed in MPR-2 and all applicable Project activities would follow the designated Traffic Control Plans in accordance with APM TRA-1. LSPGC would also coordinate construction activities with local law enforcement and protection agencies as required by APM PS-1. Accordingly, traffic and circulation impacts resulting from MPR-2 would remain similar to those disclosed in the IS/MND, Section 3.17. No new or altered APMs or MMs would be required.
Agency Consultation?	<input checked="" type="checkbox"/> Y	LSPGC will coordinate with local emergency response agencies during Project construction. Emergency access will be maintained throughout construction.
	<input type="checkbox"/> N	






















CEQA Section	Applicable	(Y) Define potential impact or (N) briefly explain why CEQA section isn't applicable. If (Y), describe original and new level of impact, and avoidance/minimization measures to be taken.
Wildfire	<input type="checkbox"/> Y	<p>The Project site and MPR-2 temporary storage expansion area is not located within a CPUC High Fire Threat District (HFTD) or an area otherwise considered to be of high fire risk. LSPGC and its contractors will conduct all activities in accordance with the Project's Construction Fire Prevention Plan (CFPP) and APM HAZ-4 requirements including but not limited to;</p> <ul style="list-style-type: none"> <li>• All construction/maintenance crews and inspectors shall be provided with radio and cellular telephone access that is operational to allow for immediate reporting of fires,</li> <li>• All fires shall be reported to the fire agencies with jurisdiction in the area immediately upon discovery of the ignition,</li> <li>• All construction/maintenance personnel shall be trained in fire-safe actions, initial attack firefighting, and fire reporting,</li> <li>• All construction/maintenance personnel shall carry at all times a laminated card and be provided a hard hat sticker that lists pertinent telephone numbers for reporting fires and defining immediate steps to take if a fire starts,</li> <li>• Construction/maintenance personnel shall have fire suppression equipment on all construction vehicles, and</li> <li>• Pre-activity tailgate meetings shall be conducted that include fire safety discussions.</li> </ul> <p>Therefore, potential impacts related to wildfire resulting from MPR-2 would be similar to those disclosed in the IS/MND, Section 3.20. No new or altered APMs or MMs would be required.</p>
	<input checked="" type="checkbox"/> N	
Agency Consultation?	<input checked="" type="checkbox"/> Y	As needed, LSPGC will coordinate with local emergency response agencies such as fire departments and police during Project construction. Emergency access will be maintained throughout construction.
	<input type="checkbox"/> N	

**ATTACHMENT B**  
**MPR-2 Figure**



**LEGEND**


**Project Components**

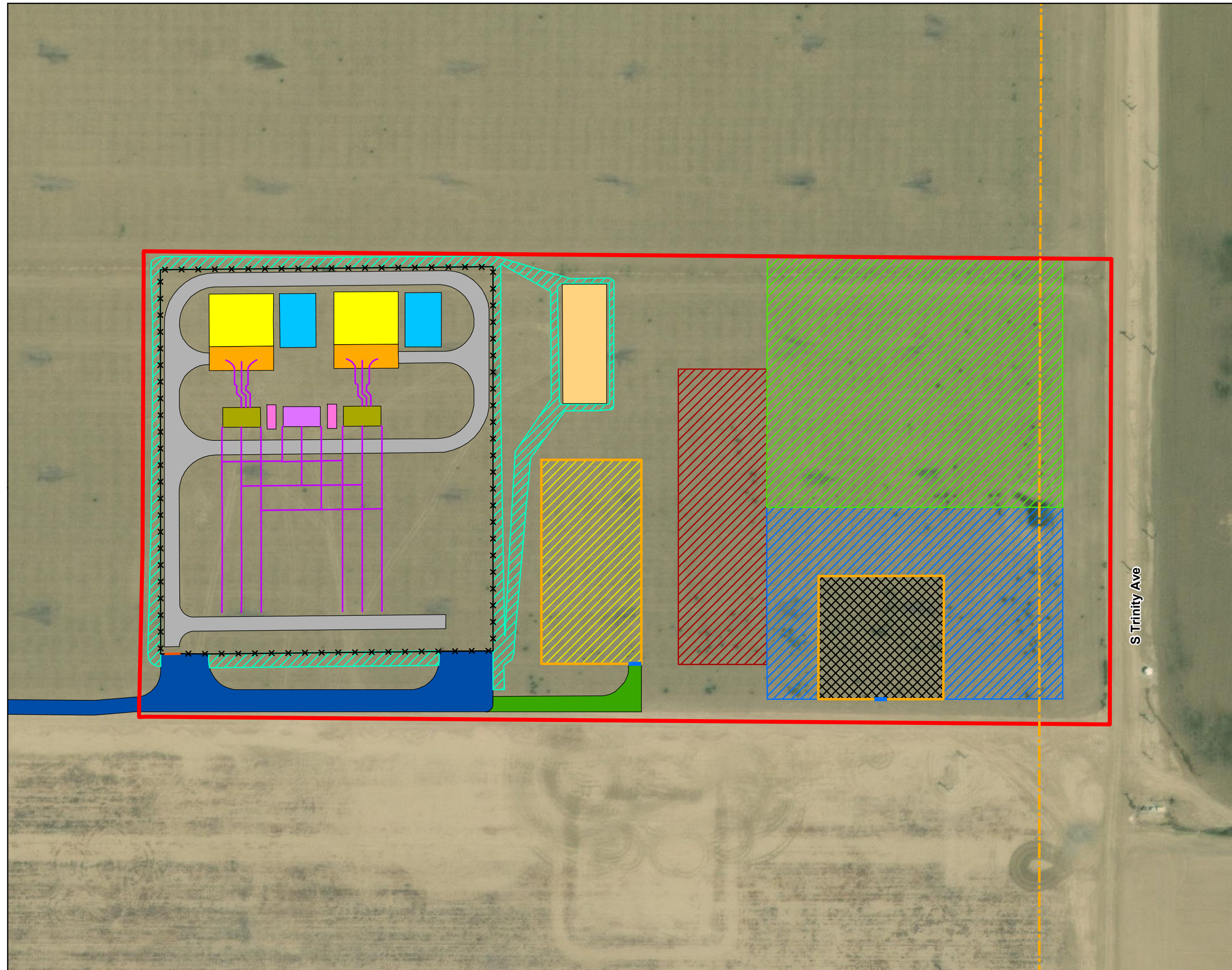
-  500kV Bus and Switchgear
-  Substation Fence
-  Security Fence
-  Construction Gate
-  Gate
-  Transformer
-  Spare Transformer
-  Outdoor Cooler
-  Reactor
-  Firewall
-  Converter & Control
-  Stormwater Conveyance System
-  Stormwater Detention Basin
-  Temporary Staging Area (280 feet x 140 feet)
-  Borrow Area (400 feet x 120 feet)
-  Additional Parking Area (160 feet x 160 feet)
-  Temporary Storage Area (260 feet x 400 feet)
-  Access Road - Exterior
-  Access Road - Laydown
-  Access Road - Interior
-  Site Boundary - Approx. 19 Acres

**MPR-2 Components**

-  Revised Temporary Storage Area (340 feet x 400 feet)

**Existing Utilities**

-  Existing <100kV Transmission Line



**ATTACHMENT C**  
**MPR-2 Site Photographs**



Gates 500 kilovolt (kV) Dynamic Reactive Support Orchard Substation Project

MPR-2 PHOTO LOG

