

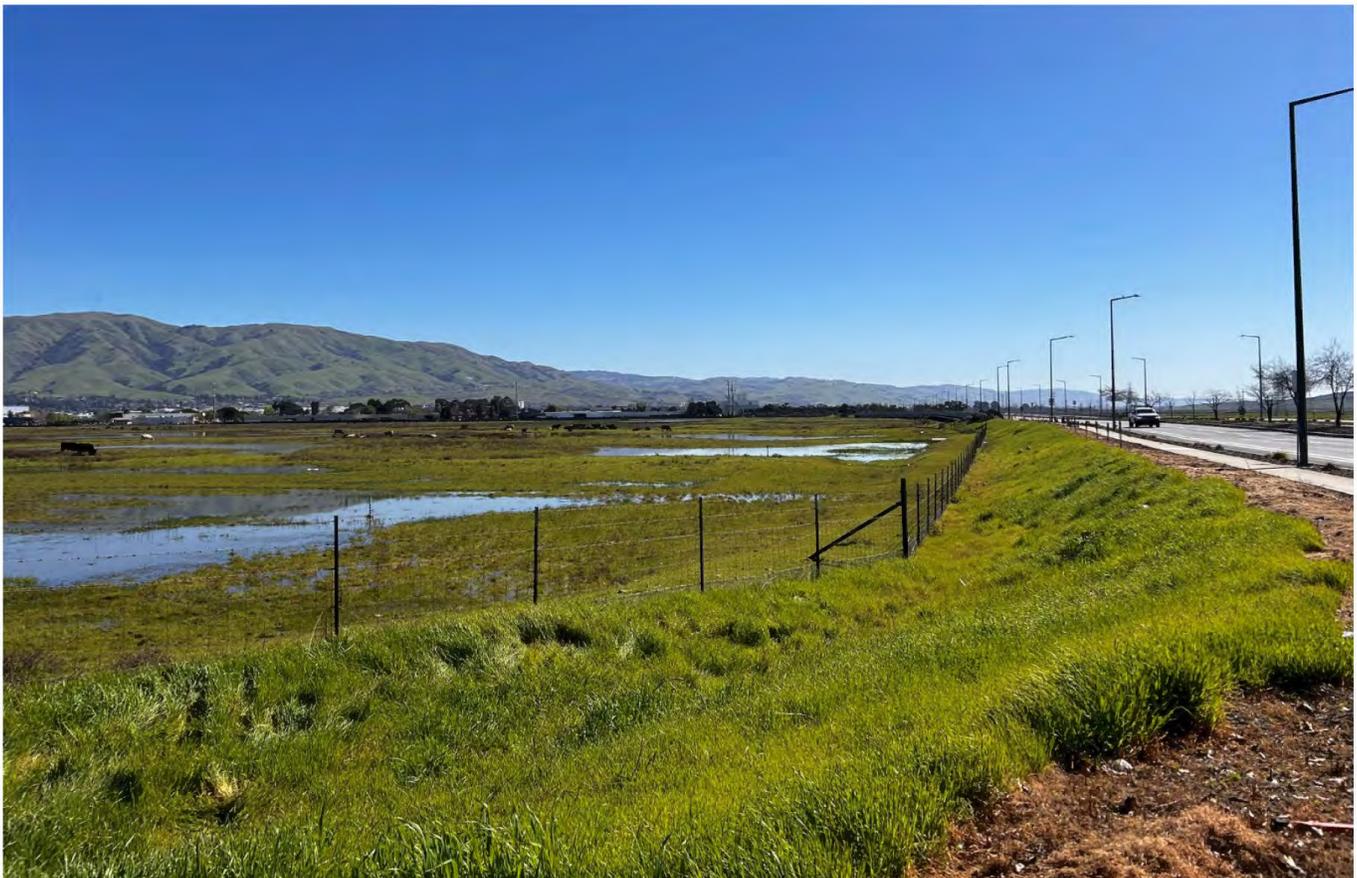


# CALIFORNIA PUBLIC UTILITIES COMMISSION

## LS POWER GRID CALIFORNIA'S POWER THE SOUTH BAY PROJECT

### Final Environmental Impact Report Errata 1

February 2026



A.24-05-014

State Clearinghouse No. 2024071095

**Prepared for:**  
**California Public Utilities Commission**

**Prepared by:**  
**Environmental Science Associates**





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# POWER THE SOUTH BAY PROJECT

## Final Environmental Impact Report

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### Errata 1

#### 1.1 Purpose of This Document

The California Public Utilities Commission (CPUC) published the Final Environmental Impact Report (EIR) for the Power the South Bay Project (Project) on December 12, 2025. The Final EIR will be used to support the CPUC’s decision with respect to LS Power Grid California, LLC’s (LSPGC) application (A.24-05-014) for a certificate of public convenience and necessity (CPCN) to construct and operate the Project.

This errata document includes minor clarifications to the Final EIR that were identified following the publication of the Final EIR. Revisions presented in this errata document do not present significant new information that would deprive the public of a meaningful opportunity to comment on a significant environmental impact of the proposed project or a feasible way to mitigate or avoid such an impact. Additionally, information clarified in this errata document does not present a new feasible project alternative or mitigation measure that is considerably different from what was previously analyzed in the Final EIR. All of the information in this document merely clarifies or amplifies the Final EIR. Because the clarifications in this document are not considered to be “significant new information,” as set forth in Section 15088.5 of the California Environmental Quality Act (CEQA) Guidelines, recirculation of the Final EIR is not required.

#### 1.2 Errata Items

On January 16, 2026, the Alameda County Water District (ACWD) submitted comments on the Final EIR (see Exhibit A). These comments were directed toward certain responses by the CPUC to ACWD’s comments, received on October 3, 2025, on the Draft EIR, which circulated for a 45-day public and agency comment period from June 9, 2025 to July 24, 2025.<sup>1</sup> ACWD’s comment letter on the Final EIR focused on three points, as presented and addressed by the CPUC below.

1. ACWD has requested clarification as to whether the Frac-out Plan will include planned response actions and notification requirements for affected agencies in case of a frac-out event and whether the frac-out plan will assess potential risks to water supply

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<sup>1</sup> The Alameda County Water District is a local public agency responsible for managing water system infrastructure in the Project vicinity and for managing and protecting groundwater in the Project vicinity within Alameda County. Although ACWD’s comment letter on the Draft EIR was received after the close of the official public comment period, the comments contained therein were addressed in the Final EIR.

infrastructure and include mitigative actions to avoid service interruption and protect water supply reliability.

To clarify the CPUC's response to ACWD's Draft EIR comment LA5-10 regarding **Mitigation Measure 3.4-1c: Frac-out Plan**, the CPUC's review will include assurances that other agencies with jurisdiction over water resources in the Project area will have the opportunity to review and provide input on the Frac-out Plan, including ACWD and other jurisdictional agencies. The CPUC assumes that each agency reviewing the Frac-out Plan will provide input to LSPGC that addresses its concerns and jurisdiction. For example, Mitigation Measure 3.4-1c specifies that the Frac-out Plan shall include response materials to be available on site to minimize frac-out effects and *effective responses* [emphasis added] to potential releases of drilling fluids used during the trenchless technique process. As such, response materials and effective responses are expected to include response actions and notification requirements for affected agencies in case of a frac-out event.

With regard to Mitigation Measure 3.4-1c and risks to water supply infrastructure and reliability and service interruptions, those issues are addressed in Final EIR Section 3.19, *Utilities and Service Systems*. **Applicant-proposed Measure (APM) UTIL-1: Coordination with Utilities** requires LSPGC to notify all utility companies with utilities within the Project right-of-way, prohibits subsurface work that would conflict with buried utilities, and provides a remedy if a conflict arises. The CPUC interprets APM UTIL-1 to apply to municipal utility infrastructure in addition to infrastructure owned by private entities, and further clarifies that as part of the implementation of APM UTIL-1, LSPGC is expected to assess potential risks to water supply infrastructure and include actions to avoid service interruption and protect water supply reliability.

Therefore, the Frac-out Plan will assess the potential risks to water supply infrastructure and will include planned response actions and notification requirements for affected agencies in case of a frac-out event, including actions to avoid service interruptions and protect water supply reliability.

2. ACWD has requested that **Mitigation Measure 3.9-1c: Soil and Groundwater Management Plan** require the development and inclusion of a Dewatering Plan, as part of the Soil and Groundwater Management Plan (SGMP), that quantifies anticipated groundwater extraction volumes and identify appropriate mitigation measures. Also, ACWD requested that a draft of the Dewatering Plan should be subject to review and approval by ACWD for areas within the Niles Cone Groundwater Basin (Niles Cone). The intent of Mitigation Measure 3.9-1c is clarified as follows.

Mitigation Measure 3.9-1c specifies procedures for containment, handling, and disposal of groundwater generated from construction dewatering, including the appropriate treatment and/or disposal methods. Mitigation Measure 3.9-1c also specifies that the SGMP shall include all necessary procedures to ensure that excavated materials and fluids generated during construction are stored, managed, and disposed of in a manner

that is protective of human health and in accordance with applicable laws and regulations. As such, in implementing Mitigation Measure 3.9-1c, LSPGC will prepare a Dewatering Plan, either as a part of the SGMP or as a standalone document, that quantifies anticipated groundwater extraction volumes and identifies appropriate measures.

In the Final EIR, as discussed in the response to comment LA5-9, Mitigation Measure 3.9-1c was revised to include ACWD as a SGMP reviewer. In this capacity, ACWD will have the opportunity to review the Dewatering Plan as an adjunct to the SGMP, or separately as a stand-alone document, ensuring that ACWD can provide input on both plans. Therefore, a draft of the Dewatering Plan will be subject to review by ACWD for areas within the Niles Cone Groundwater Basin.

3. ACWD has requested that the SGMP required by Mitigation Measure 3.9-1c include provisions that LSPGC coordinates with ACWD and provides the groundwater testing results for ACWD's review and approval prior to the application of groundwater for dust control, specific to the Project area within the Niles Cone Groundwater Basin, and that such water is subject to the Replenishment Assessment Act of the ACWD and corresponding fees. The intent of Mitigation Measure 3.9-1c is clarified as follows.

Mitigation Measure 3.9-1c specifies that the Project's SGMP is subject to review by ACWD, in addition to the CPUC and the San Francisco Bay Regional Water Quality Board. **APM WQ-1: Groundwater Dewatering and Discharge Measures** requires that groundwater, if encountered during construction, shall be handled and discharged in accordance with all state and federal regulations, including testing for recovered groundwater prior to land application. Mitigation Measure 3.9-1c further requires LSPGC to specify its method(s) for handling and disposal of groundwater. This is articulated in more detail in the third bullet point of the mitigation measure, wherein the SGMP shall include procedures for containment, handling, and disposal of groundwater generated from construction dewatering and the appropriate treatment and/or disposal methods. Therefore, as part of the implementation of Mitigation Measure 3.9-1c, LSPGC will coordinate with ACWD and provide the groundwater testing results for ACWD's review and approval prior to the application of groundwater for Project dust control within the Niles Cone Groundwater Basin.

The CPUC clarifies that APM WQ-1 and Mitigation Measure 3.9-1c will be applicable to the use of groundwater as a means of dust control, in accordance with all state and federal regulations, for example, in accordance with the provisions of Attachment J to the General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order WQ 2022-0057-DWQ). As part of the Dewatering Plan to be developed by LSPGC to comply with San Francisco Bay Regional Water Quality Board requirements and Mitigation Measure 3.9-1c, groundwater testing results will be included in the Dewatering Plan, and any groundwater used for dust control within ACWD's jurisdiction will be subject to ACWD's Replenishment Assessment Act and corresponding fees. The CPUC assumes that ACWD will be responsible for enforcing its jurisdiction through the review process specified in Mitigation Measure 3.9-1c.

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January 16, 2026

VIA ELECTRONIC MAIL

Mr. Tommy Alexander ([PowertheSouthBay@esassoc.com](mailto:PowertheSouthBay@esassoc.com))  
CPUC Project Manager  
Power the South Bay Project; Attn. D. Davis  
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Dear Mr. Alexander:

Subject: ACWD Comments on the Final Environmental Impact Report for the LS Power Grid California Power the South Bay Project (A.24-05-014)

The Alameda County Water District (ACWD) wishes to thank you for the opportunity to comment on the Final Environmental Impact Report (FEIR) for the LS Power Grid California (LSPGC) Power the South Bay Project (Project). ACWD has reviewed the FEIR and the response to ACWD's comments provided in our letter on October 3, 2025 (ACWD's Letter) and offers the following additional comments for your review and response to ensure potential impacts to the Niles Cone Groundwater Basin are appropriately addressed:

1. ACWD's Letter included the following comment under *d. Hazards and Hazardous Materials*, Section ii:

“Page 3.4-55 of the Draft EIR states, ‘To avoid potential indirect impacts to aquatic resources and associated habitats during horizontal boring or horizontal directional drilling (i.e., trenchless techniques) using pressurized drilling fluids, LSPGC or its contractors shall prepare and submit a Frac-out Plan to the CPUC for preventing and addressing potential inadvertent frac-outs.’ ACWD requests the opportunity to receive and review a copy of this plan when it becomes available. Please note that in addition to the biological monitoring described in the Draft EIR, the plan should also include clear protocols for immediate response to a frac-out that could impact surface water or other sources of drinking water (e.g., groundwater). This should include notification requirements for all affected agencies including ACWD. The plan should evaluate the potential for drilling fluids to migrate into groundwater-bearing zones and propose appropriate monitoring and contingency measures.

Additionally, the plan should assess potential risks to water supply infrastructure (e.g., pipelines, wells, etc.) and identify mitigation measures to avoid service interruptions and protect water supply reliability.”

In *FEIR Volume III – Comments and Responses to Comments on the Draft Environmental Impact Report*, CPUC response **LA5-10** indicates that LSPGC would continue to coordinate with ACWD on Project construction activities, including review of the Frac-out Plan. However, ACWD’s initial comment does not appear to have been fully acknowledged and addressed. Please clarify whether the Frac-out Plan will include planned response actions and notification requirements for affected agencies in case of a frac-out event that could impact surface water or other sources of drinking water. Please also ensure the Frac-out Plan assesses the potential risks to water supply infrastructure and mitigation actions to avoid service interruptions and protect water supply reliability.

2. ACWD’s Letter included the following comment under *f. Section 2.8.10 Water Use and Dewatering*, Section i, 2:

“Since groundwater is an important component of ACWD’s water resources the EIR should estimate the amount of water that may be extracted by dewatering and the potential impact of the Project on the local drinking water supply. Alternative designs should be evaluated to minimize the amount of dewatering required during and after construction. Groundwater losses resulting from dewatering should be measured and may be subject to a replenishment assessment fee. Mitigation measures should be proposed to offset all significant losses of ACWD water supplies.”

In *FEIR Volume III – Comments and Responses to Comments on the Draft Environmental Impact Report*, CPUC response **LA5-13** states that the volume of groundwater generated from dewatering activities is unknown due to variability in excavation depth and groundwater seepage, and therefore cannot be quantified without being speculative. Since geotechnical analysis has been completed and there are draft drawings showing approximate location and depths of facilities to be installed, the amount of groundwater that may be extracted can be estimated and included in either the Soil and Groundwater Management Plan or a supplemental Dewatering Plan. Potential impacts to groundwater resources and ACWD’s water supply should not be dismissed solely due to uncertainty. CEQA requires disclosure and evaluation of potential impacts to the extent feasible using available information.

Therefore, ACWD requests that Mitigation Measure 3.9-1C be modified to address ACWD’s comment by requiring the development and inclusion of a Dewatering Plan as part of the Soil and Groundwater Management Plan. The Dewatering Plan should quantify anticipated groundwater extraction volumes and identify appropriate mitigation measures. A draft of the Dewatering Plan should be subject to review and approval by ACWD for areas within the Niles Cone Groundwater Basin (Niles Cone).

3. ACWD's Letter included the following comment under *f. Section 2.8.10 Water Use and Dewatering*, Section ii:

“Page 2-56 of the Draft EIR states, ‘[Dewatering] discharge may also be applied to flat, vegetated, upland areas, may be used for dust control, or may be used in other suitable construction operations if testing determines that the water is suitable for such use.’ Any groundwater extracted within ACWD’s services area that is used for dust control is considered beneficial use and is subject to the Replenishment Assessment Act as a regional regulation relevant to the proposed Project, and to which the proposed Project will be subject, in the Regulatory Setting section. In addition, ACWD requests that the EIR include a provision that Project Proponents coordinate and provide the groundwater testing results for ACWD’s review and approval prior to the application for dust control, specific to the Project area within the Niles Cone.”

While LSPGC has been actively coordinating with ACWD regarding our utility locations and drilling permits, neither AMP UTIL-1 nor Mitigation Measure 3.19-5 address the Project’s compliance with groundwater quality, groundwater quantity, or the Replenishment Assessment Act of the Alameda County Water District (Replenishment Assessment Act). Therefore, ACWD requests that the Soil and Groundwater Management Plan in Mitigation Measure 3.9-1C include a provision that Project Proponents coordinate and provide the groundwater testing results for ACWD’s review and approval prior to the application of groundwater for dust control, specific to the Project area within the Niles Cone, and that such water is subject to the Replenishment Assessment Act and corresponding fees.

Thank you again for the opportunity to comment on the FEIR for the Power the South Bay Project.

Sincerely,



Laura J. Hidas  
Director of Water Resources

kl/tn

cc: Girum Awoke, ACWD  
Michelle A. Walden, ACWD  
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