



California Public Utilities Commission



September 25, 2026

Dustin Joseph
LS Power Grid California, LLC
Via email: DJoseph@lspower.com

Re: CPUC Approval of Minor Project Refinement 3 for the Power the South Bay Project

Mr. Joseph,

On September 11, 2026, LS Power Grid California, LLC (LSPGC) requested the California Public Utilities Commission's (CPUC) approval of LSPGC's proposed Minor Project Refinement 3 (MPR-3) for the Power the South Bay Project (Project) (Application 24-05-014). MPR-3 seeks authorization to use a 0.64-acre portion of the 1.8-acre area that was previously defined as Staging Area 6 in the Final Environmental Impact Report (EIR) prepared for the Project. The use of Staging Area 6 as proposed in MPR-3 would include bore pit excavation, equipment staging, and drilling fluid management activities associated with the horizontal directional drilling (HDD) segment HDD-5, which was previously identified as HDD-6 in the Final EIR.

Pursuant to the Mitigation Monitoring, Compliance, and Reporting Program (MMCRP) adopted by the CPUC in its decision to approve the Project on March 19, 2026, CPUC Energy Division staff may approve requests by LSPGC for minor project refinements if such refinements do not: (1) increase the severity of an environmental impact or result in a new significant impact based on the criteria used in the Final EIR certified for the Project; (2) substantively conflict with any adopted mitigation measure or applicable law or policy; or (3) trigger a new permit requirement.

Staging Area 6 is a disturbed grassland located just south of McCarthy Boulevard near 1601 Dixon Landing Road in the City of San José, California. The Final EIR analyzed Staging Area 6 as a staging area, which would include ground disturbance activities limited to clearing, grubbing, and minor grading to establish a level working surface. Though the exact locations of the sending and receiving pits for HDDs were not specified in the Final EIR, the southern bore pit location for HDD-5 was originally intended to be located within the McCarthy Boulevard right-of-way (ROW). However, to accommodate the bore geometry and required clearance from Coyote Creek, LSPGC asserts that it is necessary to locate the HDD-5 southern bore pit outside of the McCarthy Boulevard ROW.

The MPR-3 work area would be used as a temporary workspace for bore pit excavation and staging equipment associated with HDD construction activities. The bore pit that would be located within the MPR-3 work area would be excavated using an excavator backhoe and the bore pit would be used to contain fluid before it is pumped to the control equipment for cleaning and recirculation. The bore pit would measure approximately 20 feet long by 6 feet wide and would require the removal of approximately 20 cubic yards of spoils, which would be stockpiled on-site and replaced and compacted once HDD-5 operations are complete. Implementation of MPR-3 would not expand the Project's disturbance acreage, as identified in the Final EIR, as the 0.64-acre MPR-3 work area would be located within the 1.8-acre Staging Area 6 that was previously analyzed in the Final EIR.

The MPR-3 request asserts that the use of the MPR-3 work area in Staging Area 6 would have the potential to impact the following California Environmental Quality Act (CEQA) resource areas: biological resources and paleontological resources. The use of the MPR-3 work area would not change the nature or substantially increase the severity of any impacts disclosed within the Final EIR; would not require alteration to applicant-proposed measures (APMs) or mitigation measures (MMs); would not require new MMs; and would not require any new regulatory approval.

The CPUC has reviewed the MPR-3 request, which includes the CPUC Minor Project Refinement Form (Attachment A), and the following changes have been made to the form:

- Revised the Best Management Practices to include the nuance that spoils shall be stored at least 25 feet from any body of water, consistent with the Final EIR.
- Revised the Survey Requirements in Table 1 (Special-Status Species PTO for MPR-3 Work Area) to include all the necessary measures for the salt marsh harvest mouse, including measures outlined in the Project's Biological Opinion.
- Revised the Biological Resources and Cultural Resources section to include a yes/no field to make clear that consultation with other agencies was not needed for those resources for MPR-3.

I concur that the aforementioned impacts would be consistent with the impacts analyzed in the Final EIR and would be addressed by existing measures in the MMCRP adopted for the Project.

Furthermore, I concur that the use of the MPR-3 work area would not increase the severity of any environmental impact or result in a new significant impact, substantively conflict with any mitigation measure or applicable law or policy, or trigger any new discretionary permit requirement. **Therefore, I approve LSPGC's requested MPR-3, provided that the proposed activities are carried out in accordance with the methods, measures, and conditions set forth in the Final EIR, MMCRP, Notice to Proceed #5 (NTP-5), and this letter, including the conditions of approval specified in the approved MPR-3 form enclosed herein as Attachment A.**

Please feel free to contact me at tommy.alexander@cpuc.ca.gov with any questions or concerns regarding this letter.

Thank you,

A handwritten signature in black ink, reading "Tommy Alexander". The signature is written in a cursive, flowing style.

Tommy Alexander
CEQA Project Manager
California Public Utilities Commission

Cc: Lucy Marton, LSPGC
Michelle Wilson, CPUC
Phill Peters, ESA
Vince Molina, ESA

Attachment:

- A. Power the South Bay Project LSPGC MPR-3 Request (Approved)

Attachment A

Power the South Bay Project LSPGC MPR-3 Request (Approved)



Power the South Bay Project CPUC Minor Project Refinement Form

Minor project refinements are strictly limited to changes that will not trigger an additional permit requirement (except local government ministerial permits and associated requirements), do not substantially increase the severity of a previously identified significant impact based on criteria used in the EIR, create a new significant impact, are located within the geographic boundary of the study area of the EIR, and that do not conflict with any mitigation measure or applicable law or policy.

Date Requested: September 11, 2026

Report No.: MPR-3

Date Approved: September 25, 2026

Approval Agency: California Public Utilities Commission (CPUC).

Property Owner(s): The proposed Minor Project Refinement No. 3 (MPR-3) area (HDD-5 southern bore pit temporary work area) is located within private property

Location/Milepost: The proposed MPR-3 work area is located just south of McCarthy Boulevard near 1601 Dixon Landing Road in the City of San Jose, California.

Land Use/Vegetative Cover: The MPR-3 work area is located within approximately 0.64 acres of disturbed grassland.

Sensitive Resources: There is potential to occur (PTO) for sensitive wildlife species within the vicinity of the MPR-3 work area, and soils classified as having high paleontological potential 7 or more feet below ground surface. See resource discussions below.

**Modification
From:**

☐ Permit

☐ Plan/Procedure

☐ Specification

☐ Drawing

☐ Mitigation
Measure

☒ Other:

LS Power Grid California, LLC (LSPGC) is requesting approval of MPR-3 for use of a temporary work area that will include excavation of the southern bore bit associated with the horizontal directional drilling (HDD) segment that was previously approved in the Project's Final Environmental Impact Report (FEIR) where the Newark to Northern Receiving Station (NRS) 230 kilovolt (kV) alternating current (AC) transmission line crosses Coyote Creek (HDD-5). The MPR-3 work area occurs within an approximate 0.64-acre portion of a 1.8-acre disturbed grassland area that was previously defined as Staging Area 6 in the Project's FEIR.

HDD Construction Technique

The MPR-3 work area will be used as a temporary workspace for bore pit excavation and staging of equipment associated with HDD construction activities. Trenchless construction via the HDD construction technique will use a drill head with a spray nozzle on the end of a hollow drill to bore under Coyote Creek. Using a horizontal drill rig, the bore hole is installed in two stages: (1) A small-diameter pilot hole is directionally drilled along a desired directional path; and (2) the pilot hole is then enlarged to a diameter that will accommodate the transmission line duct package. The trenchless crossing will be filled from end to end with flowable thermal grout to ensure consistent thermal contact between the conduits and the earth to promote heat dissipation.

The HDD crossing will include two 34-inch casings, each with four 10-inch ducts: three ducts to house the installed cable and one spare duct, two 3-inch ducts for fiber optic cable, one 3-inch duct for ground continuity cable. The two HDD bore holes are drilled separately, designed to converge at the intersection location where they will enter the duct bank. The connection area will be located on McCarthy Boulevard outside of the private property. The HDD bore hole will be backfilled with native material once the connection in McCarthy Boulevard is complete.

Either the ducts will be pulled through the unreinforced bore hole or a casing pipe will be installed. If a casing pipe is used, the ducts will be pulled through the casing and the remaining space will be backfilled with thermal grout.

The southern bore pit for HDD-5 located within the MPR-3 work area will be excavated using an excavator or backhoe and will measure approximately 20 feet long by 6 feet wide. The bore pit will be used to contain fluid before it is pumped to the control equipment for cleaning and recirculation. The pullback area for pipe staging and fusion will begin at the receiving pit and will be longer than the entirety of the HDD's bore path.

The bore pit within the MPR-3 work area will be shored where necessary to meet California Occupational Safety and Health Administration (Cal/OSHA) requirements and will require the removal of approximately 20 cubic yards of spoils. The spoils from the bore pit will be stockpiled onsite, and replaced and compacted once HDD-5 operations are complete.

Geotechnical and topographical survey data has been used to design an HDD path that is adequately deep beneath the streambed of Coyote Creek to minimize the likelihood of an inadvertent release of drilling fluids occurring.

HDD construction activities will adhere to the procedures within the Project's approved Frac-Out Plan (MM 3.4-1c), which include monitoring protocol, and response protocol in the event of an inadvertent release of drilling fluid.

Best Management Practices (BMPs)

Drilling mud and bore lubricant, control, monitoring, and containment measures will be established before the start of trenchless construction activities and will remain in place until after trenchless construction activities are completed. The following BMP measures will occur as part of construction activities: All sediment and erosion control measures will be installed, such as storm drain protection and straw wattles/silt fences; the site will be evaluated for areas that are prone to inadvertent release of fluids (typically dry/cracked soils), and proper equipment/materials will be available on-site to address these issues; containment areas will be set up for equipment, drilling mud/lubricants, and cuttings storage; and HDD equipment containing drilling mud will be set up in the MPR-3 work area receiving pit to contain potential spills. Spoils will be stored at least 25 feet from any body of water and contained by a sediment barrier and plastic sheeting where practical. If spoils are used as backfill, pits will be stabilized after backfilling is complete. Drilling fluid will be stored in watertight containers when not in use. Emergency spill/inadvertent release kits will be staged near trenchless construction equipment. Equipment within 100 feet of any drainage or water resource will be placed in a double containment area. A vacuum truck with sufficient hoses will be staged on-site before and during drilling operations for emergency response, and a pump will be available to assist the vacuum truck.

If soil or groundwater suspected of being contaminated (based on visual, olfactory, or other evidence) is removed during trenching operations, the excavated soil or groundwater will be tested, and, if contaminated above hazardous

waste levels, the soil or groundwater will be contained and disposed of at a licensed hazardous waste facility. All hazardous materials and hazardous waste will be handled, stored, and disposed of in accordance with applicable regulations by personnel qualified to handle hazardous materials.

A qualified monitor will monitor conditions during drilling activities to minimize the likelihood of an inadvertent release of drilling fluids from occurring. The monitor will continually monitor drilling mud pressures and returns and will immediately shut down drilling operations during any loss of fluid exceeding two percent. The monitor will also visually inspect the bore path at the completion of each joint and 100 feet upstream and downstream along the bore alignment.

Temporary Workspace

Temporary workspace for HDD-5 will be established within the MPR-3 work area portion of the area identified as Staging Area 6 in the FEIR. This work area will be used as temporary workspace only; no long-term staging and no permanent underground infrastructure will be located within the MPR-3 temporary work area. Following completion of HDD-5 activities, temporarily disturbed areas will be restored to their original contours and drainage patterns, or as otherwise agreed to with the private property owner.

Salt Marsh Harvest Mouse (SMHM) Fencing and BMPs

Due to the proximity to SMHM habitat, a wildlife exclusion fence will be installed prior to construction activities within the MPR-3 work area. A qualified SMHM biologist will conduct a standard sweep within 7 days of the start of work and will be on site during vegetation clearing and fence installation. Vegetation will be removed using hand tools to bare ground (less than 1 inch) and disposed of off-site, after which the fence will be installed working from the point furthest from suitable habitat toward the habitat. The fence will consist of heavy plastic sheeting buried 4 inches at the base, extending at least 12 inches above adjacent vegetation to a maximum height of 4 feet, with supports on the inside of the work area and one-way funnel doors every 100 feet to ensure that SMHM are not trapped within the work area. A biological monitor will inspect the fence daily on active construction days until it is removed and will monitor its removal. These procedures are consistent with the Project's Biological Opinion issued by United States Fish and Wildlife Service (USFWS) May 18, 2026.

All activities within the MPR-3 work area will adhere to the procedures within the Project's Frac-Out Plan (MM 3.4-1c), Hazardous Materials Management Plan (HMMP) (APM HAZ-2), Health and Safety Plan (HASP) (MM 3.9-1b), and Spill Prevention, Control, and Countermeasure Plan (SPCCP) (APM HAZ-1). Stormwater BMPs such as silt fence and straw wattle will be installed within and surrounding the MPR-3 work area in accordance with the requirements of the Project's Stormwater Pollution Prevention Plan (SWPPP).

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

Original Condition: As outlined in Section 2.8.6.3 of the FEIR, the sending and receiving pits for HDD segments would be located on either side of the features to be crossed, within the public right-of-way (ROW). The HDD bore pit and temporary work area locations vary based on site-specific constraints, as well as geotechnical and topographical survey data used to design the HDD path adequately deep beneath the streambed. The MPR-3 work area containing the intended southern bore pit location for HDD-5 occurs in Staging Area 6, which is a disturbed grassland that was previously analyzed in the FEIR as a staging area with ground disturbance limited to clearing, grubbing, and minor grading to establish a level working surface. The MPR-3 work area is mostly flat with no native vegetation or sensitive aquatic resources present, as described in the Resources section below.

Justification for Change: Though the exact locations of the sending and receiving pits for HDDs were not specified in the Project's FEIR, the southern bore pit location for HDD-5 was originally intended to be located within the McCarthy Boulevard ROW. However, it is necessary to locate the HDD-5 southern bore pit within the MPR-3 work area outside of the McCarthy Boulevard ROW to accommodate the bore geometry and required clearance from Coyote Creek.

Placement of the southern bore pit within the MPR-3 work area would also relieve potential traffic congestion that would otherwise result from locating the southern bore pit within the roadway. Although HDD and excavation activities were not identified as being required within Staging Area 6 containing the MPR-3 work area in the Project's FEIR, there are no permanent electrical infrastructure installations proposed, and the scope of work is consistent with the temporary workspace intention of the previous analysis.

Maps & Figures: Refer to **Attachment B, MPR-3 Figure**, for a map of the proposed MPR-3 work area containing the HDD-5 bore pit location. Refer to **Attachment C, MPR-3 Photograph Log**, for pictures of the current conditions within the MPR-3 work area.

Environmental Impact: Use of the MPR-3 work area would not change the nature or substantially increase the severity of any impacts disclosed within the FEIR; would not require alteration to Applicant Proposed Measures (APMs) or existing Mitigation Measures (MMs); would not require new mitigation measures; and would not require new regulatory approval. The MPR-3 work area is within disturbed grassland containing non-native vegetation located on a parcel owned by the private property owner. Specific discussions for each resource area are provided below.

Concurrence (if appropriate): Concurrence is not required as the proposed MPR-3 work area is located within Staging Area 6 which is within the geographic study area that was analyzed in the California Environmental Quality Act (CEQA) review process. Use of the MPR-3 work area would not require approval from any agencies not disclosed within the FEIR.

Resources:				
Biological	☐ No Resources Present	☒ Resources Present	☐ N/A, Change would not affect resources	
Previous Biological Survey Report Reference: As the proposed MPR-3 work area is located within Staging Area 6 which was previously analyzed in the FEIR, the biological and aquatic resource surveys described in the FEIR covered the MPR-3 area (refer to FEIR Section 3.4, Figure 3.4-1D). The MPR-3 work area was assessed by a qualified biologist on September 1, 2026 to confirm that the current conditions are consistent with the description in the FEIR. The MPR-3 work area is a disturbed grassland area that appears to be subject to routine discing, mowing, or other vegetation management activities. There were no special-status plant or wildlife species identified during the survey, and no aquatic features (e.g., wetlands or waters) are present within MPR-3 work area. Species noted within the MPR-3 work area include smilgrass (<i>Oloptum miliaceum</i>), broadleaved pepperweed (<i>Lepidium latifolium</i>), and bristly oxtongue (<i>Helminthotheca echioides</i>). No native plant species were identified in the work area. Based on the analysis within the FEIR, SMHM has PTO within the vicinity of the MPR-3 work area. Refer to FEIR Table 3.4-3 and Table 1 below. PTO for all other plant and wildlife special-status species listed in FEIR Tables 3.4-2 and 3.4-3 is considered Low or None, and there was no PTO for special-status species not disclosed within the FEIR.				
Table 1: Special-Status Species PTO for MPR-3 Work Area				
Common Name <i>Scientific Name</i>	Status (State/ Federal)	Identification Period	Potential to Occur	Survey Requirements
Mammals				
Salt marsh harvest mouse <i>Reithrodontomys raviventris</i>	FE/CE, FP	Year-round	Moderate. Suitable foraging and nesting habitat for this species occurs in the vicinity of the MPR-3 work area. There are numerous	APM BIO-7: Suitable adjacent habitat areas will be marked as sensitive prior to construction. Additionally, vegetation removal, wildlife exclusion

			CNDDB records of this species within five miles.	fence installation, and biological monitoring will occur within the MPR-3 work area prior to and during construction activities in accordance with APM BIO-7 and the Project's Biological Opinion issued by the USFWS to reduce any potential impacts to SMHM.
Status Code: FE = Federally Endangered FP = Federally Proposed CE = California State Endangered				
Agency Consultation?	☐ Y ☒ N			
Cultural	☒ No Resources Present	☐ Resources Present	☐ N/A, changes would not affect resources	
Previous Cultural Survey Report Reference: Cultural resources within the Project's study area, including the MPR-3 work area, were studied, reviewed, and documented as part of the Proponent's Environmental Assessment (PEA). These resources were also discussed within the CPUC-conducted CEQA review process. Pedestrian surveys for the PEA were completed in November 2023, January 2024, and March 2024 for the Project's study area where access was available. No cultural resources were identified within 100 feet of the proposed MPR-3 work area. Based on the cultural records search, background research, and pedestrian surveys conducted for the PEA, cultural monitoring is not proposed for ground disturbance activities within the MPR-3 work area.				
Agency Consultation?	☐ Y ☒ N			
Paleontological	☐ No Resources Present	☒ Resources Present	☐ N/A, Change would not affect resources	
Previous Paleontological Survey Report Reference: Paleontological resources within the Project's study area, including the MPR-3 work area, were studied, reviewed, and documented as part of the PEA. These resources were also discussed within the CPUC-conducted CEQA review process (see the Project's FEIR, Section 3.7). No records of paleontological resources were identified within the MPR-3 area in the records search performed by the San Diego Natural History Museum (SDNHM) and the University of California Museum of Paleontology (UCMP). Within the MPR-3 work area, the soil strata between the ground surface and a depth of 7 feet below ground surface (bgs) is classified as having low paleontological potential, and high paleontological potential at depths greater than 7 feet bgs. Excavation past 7 feet bgs will be required for excavation of the southern bore pit within the MPR-3 work area. Excavation below 7 feet bgs will be monitored in accordance with the Project's Paleontological Resources Mitigation Monitoring Plan (PRMMP).				
Disturbance Acreage Changes: ☐ Yes ☒ No				

The 0.64-acre MPR-3 work area is located within the 1.8-acre disturbed grassland previously defined as Staging Area 6 within the Project's FEIR and will include temporary excavation followed by restoration of the work area to approximate preconstruction conditions. Therefore, there is no additional temporary or permanent disturbance area that would result from use of the MPR-3 work area.

The following table includes environmental analysis representative of CEQA Appendix G Checklist Sections addressed in the FEIR as it relates to MPR-3.

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.
Geology, Soils, Seismicity, Paleontological Resources	☒ Y	Construction activities within the MPR-3 work area would not result in the installation of any new permanent facilities, nor performance of any new construction activities that have not been analyzed in the Project's FEIR. Excavation and staging for the HDD bore pit within the MPR-3 work area would involve the same construction techniques and equipment as described in the FEIR for HDD construction. Accordingly, approval of MPR-3 would not create any new geological related hazard not previously disclosed in the Project's FEIR, Section 3.7. The Project's Frac-Out Plan (MM 3.4-1c) includes monitoring and response protocol in the event of an inadvertent release of drilling fluid that will be adhered to during HDD construction activities. The Project SWPPP will be revised to include the MPR-3 work area, and all construction activities within the MPR-3 work area will adhere to requirements and BMPs within the SWPPP. In compliance with the Project SWPPP and APM GEO-1, the MPR-3 work area will be stabilized and returned to approximate pre-construction conditions following the conclusion of HDD construction activities. There are no records of paleontological resources within the MPR-3 work area. Within the MPR-3 work area, the soil strata between the ground surface and a depth of 7 feet bgs is classified as having low paleontological potential and classified as having high paleontological potential at depths greater than 7 feet bgs. Excavation below 7 feet bgs for the southern bore pit of HDD-5 will be monitored in accordance with the Project's PRMMP (APM PALEO-1). Any unanticipated discovery of paleontological resources would be addressed according to the Project's PRMMP and APM PALEO-2. For these reasons, impacts to geology, soils, seismicity and paleontological resources would remain similar to those addressed within the Project's FEIR, Section 3.7. No new or altered APMs or MMs would be required.
	☐ N	
Agency Consultation?	☐ Y	The MPR-3 work area would not require agency consultation relating to geology, soils, or paleontological resources.
	☒ 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.
Hazardous Materials and Waste	☒ Y	LSPGC and its contractors would comply with applicable rules and regulations pertaining to hazardous materials during construction activities within the MPR-3 work area to minimize the risk of a significant hazard from material transport, use, storage, and disposal. Activities within the MPR-3 work area would not result in the performance of any new construction activities, an increase or change in the anticipated amounts or type of hazardous materials, nor create any new hazardous waste that could expose the public to hazards. There are no known soil contaminants within the MPR-3 work area. Personnel will be equipped with secondary containment that meets applicable regulatory guidelines as outlined in the Project's HMMP. Setup of HDD construction equipment containing drilling mud would adhere to the requirements of the Project's SPCCP (APM HAZ-1), HMMP (APM HAZ-2), HASP (MM 3.9-1b), MM 3.9-1c, and APM WQ-1, as applicable. Therefore, impacts related to hazards and hazardous materials would remain similar to those analyzed within the Project's FEIR, Section 3.9. No new or altered APMs or MMs would be required.
	☐ N	
Agency Consultation?	☐ Y	No additional agency consultation is required for MPR-3.
	☒ N	
Hydrology/ Water Quality	☒ Y	The temporary staging and construction activities within the MPR-3 work area for the HDD-5 bore pit would not involve the installation of any permanent facilities or the performance of any new construction activities not already outlined in the Project's FEIR. There are no aquatic features within the MPR-3 work area. Although impacts to hydrology and water quality are not anticipated, any indirect impacts that might occur would be mitigated with the implementation of APM BIO-17, APM WQ-1, APM HAZ-2, MM 3.4-1b, MM 3.4-1c, and the Project SWPPP, which contain measures to reduce or eliminate pollutants in storm water discharges from the site during construction that may otherwise violate water quality standards. Given the scope of HDD-5 across Coyote Creek, HDD activities within the MPR-3 work area will be restricted to occur during the dry season (generally May 1 through October 15) to the maximum extent feasible in accordance with APM BIO-17. The Project's Frac-Out Plan (MM 3.4-1c) includes monitoring and response protocols in the event of an inadvertent release of drilling fluid that will be adhered to during HDD construction activities. All construction activities will adhere to requirements in the SWPPP, including the implementation of erosion control BMPs. The MPR-3 work area will be restored to approximate preconstruction conditions following the completion of construction activities in accordance with APM BIO-1. MPR-3 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 FEIR, Section 3.10. No new or altered APMs or MMs would be required.
	☐ 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?	☐ Y	The MPR-3 work area would not require agency consultation relating to hydrology or water quality.
	☒ N	
Cultural and Tribal Cultural Resources	☒ Y	Cultural resources within the Project's study area, which included the MPR-3 work area, were studied, reviewed, and documented as part of the Project's PEA. There were no cultural resources that were identified within 100 feet of the proposed MPR-3 work area. As such, cultural and tribal monitoring is not anticipated to be required for MPR-3 activities. Although no direct impacts to cultural or tribal cultural resources are anticipated as a result of the temporary staging and construction activities within the MPR-3 work area, any indirect impacts that may occur as a result of an unanticipated discovery of cultural resources would be mitigated through implementation of APM CUL-1, APM CUL-2, APM CUL-3, APM CUL-4, APM CUL-5, MM 3.5-1, and MM 3.5-2 as needed. Therefore, there would be no change in impacts compared to those addressed within the Project's FEIR, Sections 3.5 and 3.18. No new or altered APMs or MMs would be required.
	☐ N	
Agency Consultation?	☐ Y	The MPR-3 work area would not require agency consultation relating to cultural or tribal cultural resources.
	☒ N	
Traffic and Circulation	☒ Y	The MPR-3 work area will be accessed directly from McCarthy Boulevard. LSPGC is not proposing any new activities or change in the volume of workers or construction-related vehicle trips disclosed in the FEIR, Section 3.17. The MPR-3 work area is located within the Project limits of construction that were analyzed within the FEIR. Access to the MPR-3 work area will not result in new significant impacts that have not already been outlined in the FEIR, and placement of the southern bore pit for HDD-5 within the MPR-3 work area rather than within the McCarthy Boulevard ROW would alleviate potential congestion and safety concerns along the roadway. The temporary staging and construction activities within the MPR-3 work area for the HDD-5 bore pit are not anticipated to require any closure of any sidewalks or trails. Traffic will be required for activities within the MPR-3 work area and will be performed in accordance with MM 3.17-2a. Any damage to roads or other infrastructure would be repaired per MM 3.17-2b. In addition, there are no bus stops that would be impacted by use of the MPR-3 work area. Accordingly, impacts resulting from the use of the MPR-3 work area would remain similar to those analyzed within the Project's FEIR, Section 3.17, and no new or altered APMs or MMs would be required.
	☐ N	
Agency Consultation?	☐ Y	The MPR-3 work area would not require new agency consultation related to traffic and circulation.
	☒ 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.
Air Quality	☒ Y	The temporary staging and construction activities within the MPR-3 work area for the HDD-5 bore pit would not result in new construction activities that have not been previously analyzed and disclosed within the Project's FEIR. There is no change to the overall construction schedule or equipment used that will result from the staging and bore pit construction activities within the MPR-3 work area. Activities within the MPR-3 work area would occur in accordance with MM 3.3-2a, ensuring that at least 75 percent of equipment horsepower hours related to off-road construction equipment includes Tier 4 Final emission controls, and equipment documentation and tracking is performed as needed. In addition, fugitive dust control measures defined in MM 3.3-2b would be followed. Therefore, use of the MPR-3 work area for the location of the HDD-5 southern bore pit as proposed herein would not result in new significant impacts or a substantial increase in the severity of impacts analyzed and disclosed within the Project's FEIR, Section 3.3, and no new or altered APMs or MMs would be required.
	☐ N	
Agency Consultation?	☐ Y	MPR-3 would not require agency consultation relating to air quality.
	☒ N	
Noise and Vibration	☒ Y	There are no sensitive noise receptors within 1,000 feet of the MPR-3 work area. The temporary staging and construction activities within the MPR-3 work area for the HDD-5 bore pit also do not propose the performance of any new activities not disclosed within Section 3.13 of the Project's FEIR. As such, there would be no change to impacts analyzed in the FEIR, Section 3.13, and no new or altered APMs or MMs would be required.
	☐ N	
Agency Consultation?	☐ Y	The MPR-3 work area would not require agency consultation relating to noise and vibration.
	☒ N	
Aesthetics/ Visual Resources	☒ Y	The MPR-3 work area is located within the limits of construction previously analyzed in the FEIR. Additionally, no permanent infrastructure installation would occur within the MPR-3 work area. The temporary staging and construction activities within the MPR-3 work area for the HDD-5 bore pit would not affect any scenic resources identified in the Project's FEIR, Section 3.1. Nighttime lighting, if needed, would be used in accordance with APM BIO-10 and MM 3.1-2. Therefore, impacts to aesthetics and visual resources would remain similar to those analyzed within the FEIR, Section 3.1, and no new or altered APMs or MMs would be required.
	☐ N	
Agency Consultation?	☐ Y	The MPR-3 work area would not require agency consultation relating to aesthetics or visual resources.
	☒ 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.
Vegetation and Wildlife	☒ Y	The MPR-3 work area occurs within disturbed grassland that was previously analyzed as Staging Area 6 in the Project's FEIR. There are no aquatic features or native vegetation present within the work area according to the field assessment performed by the qualified biologist on September 1, 2026. Although there were no sensitive wildlife species observed during biological surveys, the MPR-3 work area has a moderate PTO for SMHM due to suitable habitat for this species being located near the site. Protocol-level surveys for rare plants, Ridgway's rail, and California black rail have been completed in accordance with APM BIO-2 and APM BIO-11, and special status invertebrate surveys were completed per APM BIO-16. Preconstruction survey sweeps will occur within 7 days of construction activities in accordance with MM 3.4-1d and will include nesting bird surveys and focused surveys for white-tailed kite, northern harrier, and tricolored blackbird for any work activities that occur within the MPR-3 work area during the nesting season in accordance with APM BIO-11 and APM BIO-15. Additionally, vegetation removal, wildlife exclusion fence installation, and biological monitoring will occur within the MPR-3 work area prior to and during construction activities in accordance with APM BIO-7 and the Project's Biological Opinion issued by the USFWS to reduce any potential impacts to SMHM. Direct impacts to biological resources are not anticipated, but to the extent that any indirect impacts may occur to sensitive species in the vicinity of the MPR-3 work area, those impacts would be mitigated through the implementation of the following APMs and MMs: • APM BIO-1: Restoration of Disturbed Areas • APM BIO-3: Preconstruction Sweeps • APM BIO-4: Sensitive Area Demarcation • APM BIO-6: Vehicle Speed Limits • APM BIO-7: Salt Marsh Harvest Mouse Surveys • APM BIO-8: Excavation Wildlife Safety Best Management Practices • APM BIO-9: Worker Environmental Awareness Program (WEAP) Training • APM BIO-10: Outdoor Lighting Measures • APM BIO-11: Special-Status Bird Surveys • APM BIO-12: Nesting Bird Protection Measures • APM BIO-13: Raptor Surveys • APM BIO-15: Nesting Bird Surveys • APM BIO-16: Special-Status Invertebrate Surveys • APM BIO-17: Wetland, Vernal Pool, and Waterway Construction Timing Restrictions
	☐ 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.
		- MM 3.1-2: Minimize Fugitive Light from Temporary Sources Used for Construction - MM 3.4-1b: Habitat Restoration and Monitoring - MM 3.4-1c: Frac-Out Plan - MM 3.4-1d: Protection of Special-Status Wildlife - MM 3.4-1e: Construction WEAP As such, impacts to biological resources would remain similar to those addressed in the Project's FEIR, Section 3.4. No new or altered APMs or MMs would be required.
Agency Consultation?	☐ Y	The MPR-3 work area would not require agency consultation relating to biological resources.
	☒ N	
Wildfire	☒ Y	The MPR-3 work area is not located in a high-fire severity zone as determined by the Department of Forestry and Fire Protection (CAL FIRE), nor is it located in an area of elevated or extreme fire-threat as determined by CPUC. The Project's WEAP training will be provided prior to and throughout construction activities within the MPR-3 work area to educate Project personnel regarding fire safety, prevention, and response procedures. Therefore, potential impacts related to wildfire resulting from MPR-3 would be similar to those disclosed in the FEIR, Section 3.20. No new or altered APMs or MMs would be required.
	☐ N	
Agency Consultation?	☐ Y	The MPR-3 work area would not require agency consultation related to wildfire.
	☒ N	

Approvals	Date	Name (print)	Signature	
LSPGC Project Manager		Lucy Marton		☐ Reviewed
LSPGC Environmental Project Manager		Dustin Joseph		☐ Reviewed
CPUC Project Manager	9/25/26	Tommy Alexander	Tommy Alexander	☒ Approved ☐ Approved with conditions (see below) ☐ Denied

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☒ Refinement Approved	☐ Refinement Denied	☐ Beyond Authority

<u>Conditions of Approval or Reason for Denial:</u> N/A		
Prepared by: Tommy Alexander, CPUC	Date: 9/25/2026	