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

March 20, 2026

Thomas Alexander
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, California 94102

Re: Minor Project Refinement No. 1 for the Power the South Bay Project (Application 24-05-014)

Mr. Alexander:

LS Power Grid California, LLC (LSPGC) is hereby requesting approval of Minor Project Refinement No. 1 (MPR-1) from the California Public Utilities Commission (CPUC) for the Power the South Bay Project (Project). Approval of MPR-1 would authorize the use of a new staging area (Fremont Staging Yard) and construction of a new temporary access road for Project construction. The proposed Fremont Staging Yard is located south of the Newark Substation along Auto Mall Parkway in the City of Fremont, California. See additional details in **Attachment A, MPR-1 Form**.

The Project's Final Environmental Impact Report (FEIR) identified 12 potential staging areas for Project use. It is stated in Section 2.8.2 of the FEIR that although only three or four staging areas were anticipated for use during construction, optionality was included because site availability during construction was an uncertainty. As expected, the majority of the staging areas included in the FEIR are either not available for use or have restrictive environmental constraints. As such, LSPGC is proposing the use of Fremont Staging Yard as one of the Project's three or four yards, in order to construct the Project as described in the FEIR. Please refer to **Attachment B, MPR-1 Figure** and **Attachment C, MPR-1 Photograph Log** to view the proposed MPR-1 staging area.

Attachment A: MPR-1 Form
Attachment B: MPR-1 Figure
Attachment C: MPR-1 Photograph Log
Attachment D: MPR-1 Jurisdictional Delineation Survey Report
Attachment E: MPR-1 Habitat Assessment Survey Report
Attachment F: MPR-1 Cultural Field Survey Report

Preconstruction Requirements and Permit/Approvals

Approval of MPR-1 will not change the conditions set forth in the FEIR, 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 or construction requirements. LSPGC will enter into a lease agreement with the property owner of the staging yard, the City of Fremont, prior to use. There are no other agency permits required for use of the Fremont Staging Yard.

MPR-1 Request for Approval

LSPGC respectfully requests approval of MPR-1 for the use of approximately 10-acre Fremont Staging Yard, as described within this request by March 27, 2026. Should you have any questions or need additional information, please do not hesitate to contact me at djoseph@lspower.com.

Sincerely,

Dustin Joseph

Dustin Joseph
Director of Environmental Permitting

cc:

Lucy Marton (LSPGC)
Casey Carroll (LSPGC)
Jacob Diermann (LSPGC)
David Wilson (LSPGC)
Michelle Wilson (CPUC)
Vince Molina (ESA)
Dave Davis (ESA)
Emily Critchfield (KPE)

ATTACHMENT A
MPR-1 Form

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: March 20, 2026

Report No.:

Date Approved:

Approval Agency: California Public Utilities Commission (CPUC).

Property Owner(s): The proposed Minor Project Refinement No. 1 (MPR-1) staging area (Fremont Staging Yard) is located within property owned by the City of Fremont.

Location/Milepost: The proposed Fremont Staging Yard is located south of the Newark Substation along Auto Mall Parkway in the City of Fremont, California.

Land Use/Vegetative Cover: The proposed Fremont Staging Yard is approximately 10 acres in disturbed land (primarily non-native vegetation).

Sensitive Resources: There is potential to occur (PTO) for sensitive wildlife species within the Fremont Staging Yard. 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-1 for the use of a new staging area (Fremont Staging Yard) to facilitate transmission line construction activities for the Power the South Bay Project (Project), as described below and shown in **Attachment B, MPR-1 Figure**.

Preparation of the Fremont Staging Yard would involve clearing, grubbing, and limited grading as needed to establish a level work area. The staging area may be used for assemblage; for storage of materials and equipment, storage containers, construction trailers, and portable restrooms; as a refueling area for vehicles and construction equipment; as an equipment wash station; and for parking and lighting. Transmission line materials required for the Project, such as conduit and cables, would be received and temporarily stored at the staging area as needed

before installation. Construction workers would typically meet at the staging area each morning and park their vehicles. Construction equipment and vehicles associated with Project construction would be parked within the staging area while inactive.

Geotextile fabric and gravel may be used to line the ground at the staging area to create stable surface conditions and prevent unnecessary sediment transport off-site. Perimeter security fencing would be installed around the outer limits of the staging area. Lighting would also be installed for security purposes. Temporary construction power would be provided via existing distribution lines near the staging area. Temporary generators would be a contingency if distribution power is unavailable at the staging area.

The Fremont Staging Yard would be accessed via an existing driveway off Auto Mall Parkway. A new temporary access road would be constructed from the driveway to the staging area. The access road would be approximately 520 feet long and 30 feet wide. Vegetation would be removed along the access road path and the road would be graded, compacted, and gravel would be placed for stability. See **Attachment B, MPR-1 Figure** for the location of the MPR-1 components.

Stormwater best management practices (BMPs) such as silt fence and straw wattle would be installed within and surrounding the Fremont Staging Yard in accordance with the Project's Stormwater Pollution Prevention Plan (SWPPP). Following completion of Project construction, the Fremont Staging Yard would be stabilized as needed in accordance with the SWPPP.

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

Original Condition: The Fremont Staging Yard was not proposed within the Project's Final Environmental Impact Report (FEIR) for reasons described herein, therefore additional resource surveys were conducted to verify current conditions as described in the Resources section below. The staging area is located within a previously disturbed, mostly flat area with no native habitat or sensitive aquatic features. Although the MPR-1 staging area was not identified for use within the Project's FEIR, it is in close proximity to approved Project components and are therefore within the geographic study area analyzed within the FEIR. Further description of current conditions within the staging area is described in the resource discussions herein.

Justification for Change: The Project's FEIR (Section 2.8.2) identified 12 potential staging areas for Project use. It is stated in Section 2.8.2 of the FEIR that although only three or four staging areas were anticipated for use during construction, optionality was included because site availability during construction was an uncertainty. As expected, the majority of the staging areas included in the FEIR are either not available for use, or have restrictive environmental constraints. As such, LSPGC is proposing the use of Fremont Staging Yard as one of the Project's three or four yards, in order to construct the Project as described in the FEIR.

Maps & Figures: Refer to **Attachment B, MPR-1 Figure,** for a map of the proposed Fremont Staging Yard. Refer to **Attachment C, MPR-1 Photograph Log**, for pictures of the current conditions within the Fremont Staging Yard.

Environmental Impact: Utilization of the Fremont Staging Yard would not change the nature or substantially increase the severity of any impacts disclosed within the FEIR; 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 regulatory approval. The Fremont Staging Yard is approximately 10 acres within disturbed land. The staging area will be

stabilized as needed in accordance with the SWPPP during construction and following completion of construction. Specific discussions for each resource area are provided below.

Concurrence (if appropriate): LSPGC will enter into a lease agreement with the property owner of the Fremont Staging Yard (City of Fremont) prior to use. There are no other agency permits required for use of Fremont Staging Yard.

Resources:						
Biological	☐	No Resources Present	☒	Resources Present	☐	N/A, Change would not affect resources

Previous Biological Survey Report Reference:
As Fremont Staging Yard was not identified for use in the Project's FEIR, an aquatic resource delineation survey was performed September 30, 2025, to determine if there are any sensitive aquatic features present within the Fremont Staging Yard (see **Attachment D, MPR-1 Jurisdictional Delineation Survey Report**). A habitat assessment survey was also performed by a qualified biologist on November 24, 2025 (see **Attachment E, MPR-1 Habitat Assessment Survey Report**). Prior to the field surveys, the list of special-status species that have potential to occur (PTO) within the Project area (FEIR Tables 3.4-2 and 3.4-3) was reviewed for the site. California Natural Diversity Database (CNDDB), United States Fish and Wildlife (USFWS) species occurrence data and the California Native Plant Society (CNPS) rare plant inventory were reviewed to determine habitat requirements and if there were any nearby occurrences of special-status species that have PTO within Fremont Staging Yard. Additional details are included below:

The site is heavily disturbed and appears to be subject to routine discing, mowing, or other vegetation management activities. Furthermore, the site appears to have been previously or prepared for development as evidenced by installed drainage pipes which were observed outside the proposed staging area footprint. Vegetation covers the majority of the proposed Fremont Staging Yard site and consists of non-native upland mustard or star-thistle fields defined as having black mustard (*Brassica nigra*), short-podded mustard (*Hirschfeldia incana*), cultivated radish (*Raphanus sativus*), or other mustards occur with non-native plants at greater than 80% relative cover in the herbaceous layer, with mustards being the dominant herbaceous species. The staging area is dominated by black mustard, and almost entirely composed of non-native species.

Of the 29 plant species observed during the habitat assessment, only one native plant, willow herb (*Epilobium brachycarpum*), was observed. This site's habitat type is most closely associated with the "Disturbed" land cover/vegetation community included in Figure 3.4-1 of the FEIR. Prevalence of fossorial mammals was low, with no evidence of California ground squirrel activity, thus providing limited burrow availability. There were no special-status plant or wildlife species identified during the surveys, and no sensitive aquatic features are present within Fremont Staging Yard. Analysis by the qualified biologist determined there was a moderate PTO for four wildlife species listed in the FEIR Table 3.4-3, included in **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 Fremont Staging Yard

Common Name *Scientific Name*	Status (State/ Federal)	Identification Period	Potential to Occur	Survey Requirements
Invertebrates				
Large marble butterfly *Euchloe ausonides*	--/--	Flight season is estimated to be February - April	**Moderate**. There are CNDDB occurrences within 5 miles of the project area. Suitable habitat with nectar sources occur within Fremont Staging Yard.	None – this species does not have State or Federal status.
Birds				
White-tailed kite *Elanus leucurus*	--/FP	Year-round	**Moderate.** Suitable foraging habitat occurs within Fremont Staging Yard with low potential for nesting in the surrounding habitat.	MM 3.4-1d: Preconstruction clearance surveys will be performed within 7 days of start of construction.
Northern harrier *Circus hudsonius*	CSC/--	Year-round	**Moderate.** May forage over area but suitable isolated, dense grassland or marsh nesting habitat does not occur within Fremont Staging Yard and is limited in the adjacent areas.	MM 3.4-1d: Preconstruction clearance surveys will be performed within 7 days of start of construction.
Western burrowing owl (BUOW) *Athene cunicularia hypugaea*	SC/--	Year-round	**Moderate.** Multiple CNDDB records occur within 1 mile of Fremont Staging Yard. However, the habitat is subject to regular mowing and discing and burrow availability is low.	APM BIO-11: BUOW take avoidance surveys will be performed prior to construction in accordance with the California Department of Fish and Wildlife (CDFW) 2012 Staff Report.

Status Codes:
State: CE = CA State Endangered; CSC = CA Species of Special Concern; SC = CA State Candidate for Listing
Federal: FP = Federally Proposed

Cultural ☒ No Resources Present ☐ Resources Present ☐ N/A, changes would not affect resources

Previous Cultural Survey Report Reference:
As Fremont Staging Yard was not included in the Project's FEIR, an additional cultural resource survey and desktop records search was performed to determine if there were any existing cultural resources onsite per APM CUL-4 (see **Attachment F, MPR-1 Cultural Field Survey Report**). The records search determined there are no known cultural resources within 100 feet of the Fremont Staging Yard site. The pedestrian field survey for Fremont Staging Yard was performed on October 15, 2025. There was one non-significant historic isolate (c1900 glass bottle fragment) encountered during the survey. Based on the cultural records search, background research, and the field survey, the historical isolate does not meet the criteria for listing on the California Register for Historical Resources (CRHR) and is not a historical resource per the California Environmental Quality Act (CEQA).

Paleontological	☒	No Resources Present	☐	Resources Present	☐	N/A, Change would not affect resources

Previous Paleontological Survey Report Reference:
Paleontological resources within one mile of the Project's limits of construction (which includes the proposed Fremont Staging Yard) were studied, reviewed, and documented as part of LSPGC's application for a CPCN for the Project and Proponents Environmental Assessment. 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 Fremont Staging Yard in the records search performed by San Diego Natural History Museum (SDNHM) and the University of California Museum of Paleontology (UCMP), and the proposed staging area is located in an area with low paleontological potential.

Disturbance Acreage Changes: ☒ Yes ☐ No

The additional temporary disturbance resulting from the proposed Fremont Staging Yard is summarized in **Table 2** below. It should be noted, the majority of the staging areas proposed for use in the FEIR are not anticipated to be used by the Project, and the Project plans to utilize no more than three to four staging areas as stated in Section 2.8.2 of the FEIR, therefore the addition of Fremont Staging Yard would not result in a net increase of temporary disturbance beyond what was analyzed in the FEIR.

Table 2: Temporary Disturbance from MPR-1

MPR-1 Component	Temporary Disturbance (Disturbed)
Fremont Staging Yard	10 acres
Fremont Staging Yard Access Road	0.3 acres
Total	**10.3 acres**

The following table includes environmental analysis representative of CEQA Appendix G Checklist Sections addressed in the FEIR as it relates to MPR-1.

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 ☐ N	MPR-1 activities do not involve the installation of any new permanent facilities, nor performance of any new construction activities. Accordingly, approval of MPR-1 would not create any new geological related hazard not previously disclosed in the Project's FEIR, Section 3.7. Preparation of the Fremont Staging Yard would involve clearing, grubbing, and limited grading as needed to establish a level work area. Gravel would also be placed within the staging area for stabilization as needed to maintain a stable surface. The Project SWPPP would include Fremont Staging Yard, and all MPR-1 construction activities will adhere to requirements in the SWPPP, including the implementation of erosion control BMPs. In compliance with APM GEO-1 and the Project

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.
		SWPPP, Fremont Staging Yard will be stabilized and returned to approximate pre-construction conditions following use. Fremont Staging Yard is located in an area with low paleontological potential, and there are no known paleontological resources within the site, therefore monitoring is not anticipated to be required. Ground disturbance would be limited to grubbing, minor grading, or other shallow excavations such as for BMP installation and fencing installation. Although no direct impacts to paleontological resources are anticipated during the use of Fremont Staging Yard, any indirect impacts that may occur as a result of an unanticipated discovery of paleontological resources would be mitigated through implementation of APM PALEO-1 and APM PALEO-2 as needed. MPR-1 activities will be performed in compliance with APM GEO-1, as applicable. Therefore, 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.
Agency Consultation?	☐ Y ☒ N	MPR-1 activities would not require agency consultation relating to geology, soils, or paleontological resources.
Hazardous Materials and Waste	☒ Y ☐ N	MPR-1 does not involve the performance of any new construction activities or the use of any new equipment beyond what was described in the Project's FEIR. Hazardous materials such as diesel fuel would be stored as needed within Fremont Staging Yard. All activities would adhere to requirements within the site-specific Spill Prevention, Control, and Countermeasure Plan (SPCCP) (APM HAZ-1) and Hazardous Materials Management Plan (HMMP) (APM HAZ-2), as applicable. The Project would also develop a Hazardous Materials Business Plan (HMBP) in accordance with federal and state regulations if applicable thresholds for storage of hazardous materials are reached. 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.
Agency Consultation?	☒ Y ☐ N	As needed, LSPGC would comply with requirements in the Project's HMMP and SPCCP, including regularly updating the local Certified Unified Program Agency via the California Environmental Reporting System website.

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.
Hydrology/ Water Quality	☒ Y ☐ N	There are no jurisdictional aquatic features within Fremont Staging Yard and MPR-1 activities do not involve the installation of any new permanent facilities. The Project SWPPP will include Fremont Staging Yard, and all MPR-1 activities would adhere to requirements and BMPs within the SWPPP. Although impacts to hydrology and water quality are not anticipated, any indirect impacts that might occur would be mitigated with the implementation of APM WQ-1, APM HAZ-1, APM HAZ-2, MM 3.9-1b, MM 3.9-1c, and the Project SWPPP, which contains measures to reduce or eliminate pollutants in storm water discharges from the site during construction that may otherwise violate water quality standards. MPR-1 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.
Agency Consultation?	☐ Y ☒ N	MPR-1 activities would not require agency consultation relating to hydrology or water quality.
Cultural and Tribal Cultural Resources	☒ Y ☐ N	As discussed in the Resources section in this MPR-1 request, there are no known sensitive cultural resources within the Fremont Staging Yard site. As such, cultural and tribal monitoring is not anticipated to be required for MPR-1 activities. Although no direct impacts to cultural or tribal cultural resources are anticipated as a result of the use of Fremont Staging Yard, 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, and MM 3.5-1 as needed. Therefore, impacts to cultural and tribal cultural resources would remain similar to those addressed within the Project's FEIR, Sections 3.5 and 3.18. No new or altered APMs or MMs would be required.
Agency Consultation?	☐ Y ☒ N	MPR-1 activities would not require agency consultation relating to cultural or tribal cultural resources.

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.
Traffic and Circulation	☒ Y ☐ N	MPR-1 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. Fremont Staging Yard is located close to other Project components and staging areas analyzed within the FEIR. There are also no changes to the construction schedule that would result from the use of Fremont Staging Yard. Use of Fremont Staging Yard is not anticipated to require the closure of any sidewalks or trails. Traffic control is not anticipated to be required, and emergency access will be maintained throughout construction. Any damage to roads, sidewalks, or other infrastructure would be repaired per MM 3.17-2b. In addition, there are no bus stops that would be impacted by the use of Fremont Staging Yard, and the staging area is located within an industrial area not frequented by residential motorists. Accordingly, impacts resulting from the use of Fremont Staging Yard 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.
Agency Consultation?	☐ Y ☒ N	MPR-1 activities would not require agency consultation related to traffic and circulation.
Air Quality	☒ Y ☐ N	The use of Fremont Staging Yard would not result in new construction activities that have not been previously analyzed and disclosed within the Project's Final FEIR. There is no change to the overall construction schedule or equipment used that will result from the use of Fremont Staging Yard. All MPR-1 activities would take place 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 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, the use of Fremont Staging Yard 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.
Agency Consultation?	☐ Y ☒ N	MPR-1 would not require agency consultation relating to air quality.

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.
Noise and Vibration	☒ Y ☐ N	There are no sensitive receptors within 1,000 feet of Fremont Staging Yard, and the staging area is located in an industrial area. As MPR-1 also does not propose the performance of any new activities not disclosed within Section 3.13 of the Project's FEIR, utilization of Fremont Staging Yard would not be expected to create any new impacts related to noise and vibration not already analyzed within the FEIR. No new or altered APMs or MMs would be required.
Agency Consultation?	☐ Y ☒ N	MPR-1 activities would not require agency consultation relating to noise and vibration.
Aesthetics/ Visual Resources	☒ Y ☐ N	Fremont Staging Yard is located within Landscape Unit 1 studied in the Project's FEIR, Section 3.1.2.6. Landscape Unit 1 is described as industrial, containing parking lots, warehouses, office buildings, and undeveloped land. Fremont Staging Yard is located in an undeveloped lot surrounded by undeveloped land to the northwest and southeast, warehouses to the northeast, and industrial and open space to the southwest. The parcel Fremont Staging Yard is located on is bordered by Auto Mall Parkway and a sidewalk on its' west side and railroad tracks on its' south side. Pacific Commons Linear Park Trail runs along the northern perimeter of the parcel. This trail will not be impacted by MPR-1 activities, and is not identified as a scenic resource by the City of Fremont General Plan or the Project's FEIR. The proposed staging area would not be visible from Cushing Parkway or any major roads or scenic trails. Fremont Staging Yard could be viewed by pedestrians, bikers or motorists traveling on Auto Mall Parkway or Pacific Commons Linear Park Trail. These would primarily be workers in the nearby industrial facilities or recreational trail users as there are no residential units in the surrounding area and it is surrounded primarily by open space. Use of Fremont Staging Yard would be temporary, would not affect any scenic resources identified in the Project's FEIR, and it is located in an industrial area adjacent to Project components analyzed in the FEIR, Section 3.1. Fremont Staging Yard would be restored to approximate pre-construction conditions following use, including any necessary repairs to roads or other infrastructure. Nighttime lighting, if needed, would be in accordance with APM BIO-10 and MM 3.1-2. Therefore, impacts would remain similar to those addressed in the Project's Final FEIR, Section 3.1. No new or altered APMs or Mitigation Measures (MMs) would be required.
Agency Consultation?	☐ Y ☒ N	MPR-1 activities would not require agency consultation relating to aesthetics or visual resources.

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 ☐ N	As discussed in the Resources section in this MPR-1 request, biological surveys and desktop analysis conducted for Fremont Staging Yard indicated PTO for special-status plant species is low or none, and MPR-1 would result in a total of 10.3 acres of temporary disturbance to disturbed land. There are no sensitive aquatic features within the site. Although there were no sensitive wildlife species observed during biological surveys, Fremont Staging Yard has a moderate PTO for large marble butterfly, white-tailed kite, northern harrier, and BUOW. Pre-construction surveys for special-status species will take place in accordance with MM 3.4-1d, APM BIO-3, APM BIO-11 prior to vegetation clearing. Direct impacts to biological resources are not anticipated, but to the extent that any indirect impacts may occur to sensitive species within or in the vicinity of Fremont Staging Yard, those impacts will 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-6: Vehicle Speed Limits • APM BIO-8: Excavation Wildlife 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 • MM 3.1-2: Minimize Fugitive Light from Temporary Sources Used for Construction • MM 3.4-1a: Avoid Impacts to Rare Plants • MM 3.4-1d: Protection of Special-Status Wildlife • MM 3.1-1e: 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 ☒ N	MPR-1 activities would not require agency consultation relating to biological resources.

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	☒ Y ☐ N	Fremont Staging Yard 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 Workers' Environmental Awareness Program training will be provided throughout construction, as needed, to accommodate new Project personnel and will address fire safety, prevention, and response procedures. Vegetation within Fremont Staging Yard would be cleared prior to use to prevent ignition, and there are no road or lane closures anticipated that would require traffic control. Therefore, potential impacts related to wildfire resulting from MPR-1 would be similar to those disclosed in the FEIR, Section 3.20. No new or altered APMs or MMs would be required.
Agency Consultation?	☐ Y ☒ N	MPR -1 activities would not require agency consultation related to wildfire. As needed, LSPGC will coordinate with local emergency response agencies such as fire departments and police during Project construction.

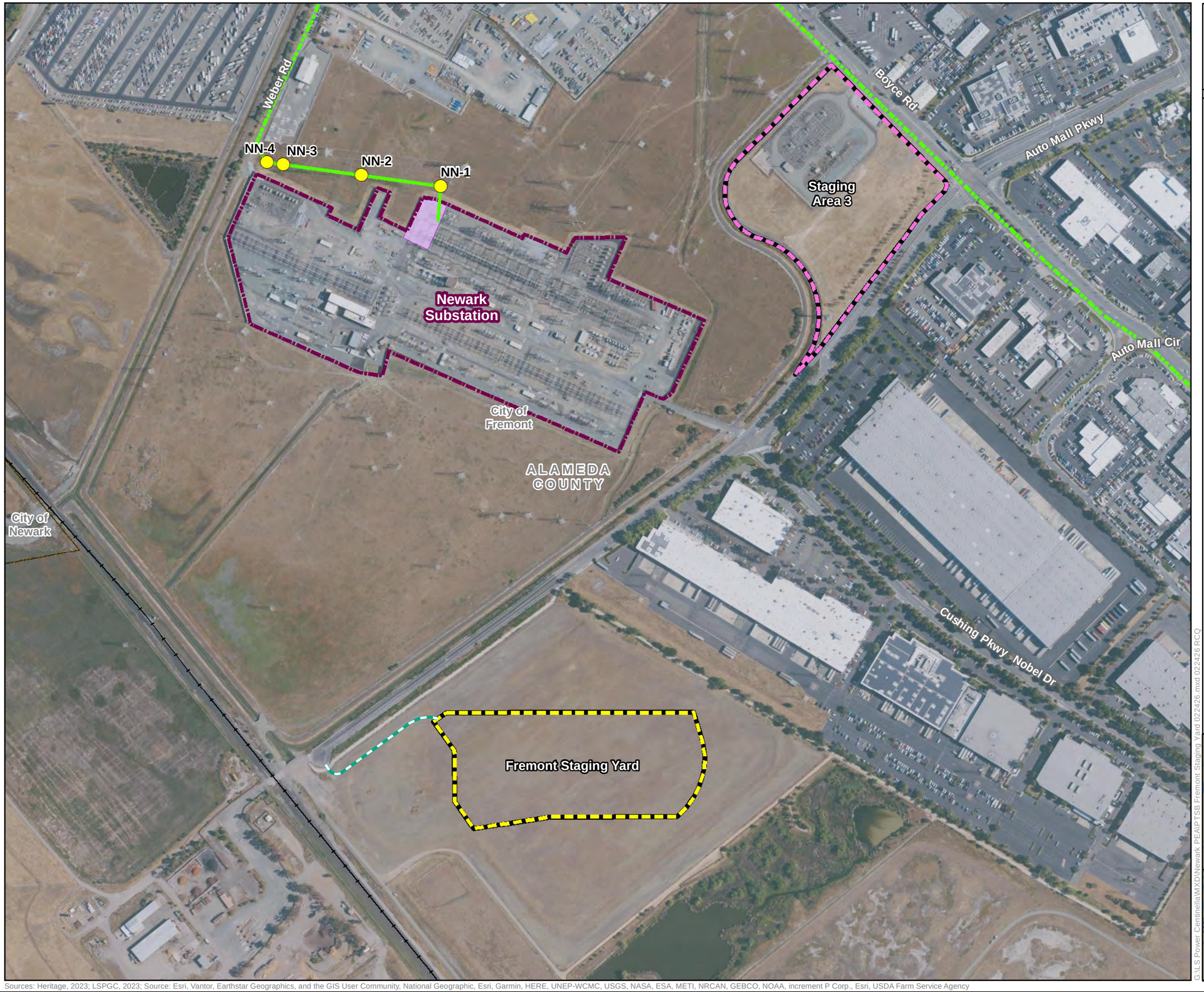
Approvals	Date	Name (print)	Signature	
LSPGC Project Manager	03/20/2026	Lucy Marton	Lucy Marton	☒ Reviewed
LSPGC Environmental Project Manager	03/20/2026	Dustin Joseph	Dustin Joseph	☒ Reviewed
CPUC Project Manager				☐ Approved ☐ Approved with conditions (see below) ☐ Denied

For CPUC Compliance Manager Use Only		
☐ Refinement Approved	☐ Refinement Denied	☐ Beyond Authority

Conditions of Approval or Reason for Denial:	
Prepared by:	Date:

ATTACHMENT B
MPR-1 Figure

POWER THE SOUTH BAY PROJECT
MPR-1 Fremont Staging Yard
City of Fremont, CA



LEGEND

Project Components

- Overhead Transmission Structure
- 230 kV AC Transmission Line (Overhead)
- 230 kV AC Transmission Line (Underground)
- MPR-1 Access Road
- MPR-1 Staging Area
- Previously Approved Staging Area
- Stringing, Pulling, and Structure Work Areas
- Existing Substation Fenceline
- Existing Substation Modification Area

General Features

- Railroad
- Municipal Boundary

0 100 200 300 400 500
Feet

G:\LS Power Centinella\MXD\Newark PEA\PTSB Fremont Staging Yard 022426.mxd 022426 RCQ

Sources: Heritage, 2023; LSPGC, 2023; Source: Esri, Vantor, Earthstar Geographics, and the GIS User Community, National Geographic, Esri, Garmin, HERE, UNEP-WCMC, USGS, NASA, ESA, METI, NRCAN, GEBCO, NOAA, increment P Corp., Esri, USDA Farm Service Agency

ATTACHMENT C
MPR-1 Photograph Log

Power the South Bay
MPR-1 Site Photographs

Photograph 1:

Photo of Fremont Staging Yard from the southwest construction entrance, facing east.

Photograph 2:

Photo of Fremont Staging Yard from the south, facing northwest.

Power the South Bay
MPR-1 Site Photographs

	**Photograph 3:** Photo of Fremont Staging Yard from the Pacific Commons Linear Park Trailhead on Auto Mall Parkway north of the site, facing southeast.
	**Photograph 4:** Photo of Fremont Staging Yard from Auto Mall Parkway southwest of the site, facing northeast.

ATTACHMENT D
MPR-1 Jurisdictional Delineation Survey Report

AECOM
401 West A Street
Suite 1200
San Diego, CA 92101
aecom.com

Project Name:
Power the South Bay Project

AECOM Project ref:
60747696

To:
LS Power Grid California

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Date:
November 6, 2025

Aquatic Resources Delineation Report for the Power the South Bay Project Technical Memorandum at Regional Wastewater Facility Fremont Staging Area

AECOM Technical Services, Inc. (AECOM), has prepared this memorandum for LS Power Grid California, LLC's (LSPGC) Power the South Bay Project (Project), which is located in the southern San Francisco Bay cities of Fremont, Milpitas, Santa Clara, and San José (Attachment A, Figures 1 and 2) (LS Power Grid California 2025). This memorandum has been written to provide a supplemental Aquatic Resources Delineation Report (ARDR) for the Minor Project Refinement (MPR) -1. This memorandum specifically addresses aquatic resources at a proposed temporary staging area, the Fremont Staging Area and a 50-foot buffer around the work area (Study Area).

On behalf of LSPGC, AECOM:

- Conducted a supplemental desktop and field survey to delineate potentially jurisdictional aquatic features in the vicinity or within the subject work area.
- Evaluated whether any aquatic feature present in the Study Area would potentially be under the jurisdiction of the United States (U.S.) Army Corps of Engineers (USACE) as waters of the U.S. (WOTUS), the Regional Water Quality Control Board (RWQCB) as waters of the State (WOTS), and/or the California Department of Fish and Wildlife (CDFW) as a jurisdictional streambed or associated riparian habitat.

This memorandum presents the results of a pre-field desktop assessment and field data collection, and discusses regulatory agency permits that would be required if Project impacts to jurisdictional features would be temporary, permanent, or unavoidable.

1 Project Setting and Location

The Study Area described in this memorandum is in Fremont, California. The Fremont Staging Area is in Fremont, California in the unincorporated community of Albrae, just south of Auto Mall Parkway. The Fremont Staging Area is located near the trailhead for the Pacific Commons Linear Park Trail Start, just east of the Don Edwards San Francisco Bay National Wildlife Refuge (Attachment A, Figure 2).

2 Methods

The following sections describe the desktop and field assessment methodologies used for the aquatic resource delineation within the ARDR Study Area, conducted to assess the Study Area for potentially jurisdictional features.

2.1 Desktop Methods

Before the field investigation, a desktop review was conducted to evaluate existing conditions and historical uses of the Project area and vicinity. The following resources and previous studies were used:

- National Wetlands Inventory (NWI) (U.S. Fish and Wildlife Service [USFWS] 2025; Cowardin et al. 1979)
- National Hydrography Dataset, accessed via WATERS GeoViewer (U.S. Geographical Survey [USGS] 2025a)
- Watershed Boundary Dataset, accessed via WATERS GeoViewer (USGS 2025b)
- Historical Aerial Imagery (1994–2019) and Past Street Views (Google Earth 2025)
- Natural Resources Conservation Service Soil Survey Mapping (U.S. Department of Agriculture-Natural Resources Conservation Service [USDA-NRCS] 2025)
- EcoAtlas (California Wetlands Monitoring Workgroup [CWMW] 2025)

2.2 Field Assessment Methods

On September 30, 2025, an aquatic resource delineation was conducted to assess the potential aquatic resources in the Study Area. Based on the desktop evaluation and field surveys, no wetlands, or jurisdictional other waters were identified and fielded within the ARD Study Area (Attachment A, Figure 6).

Aquatic features can include both wetlands and non-wetland waters. To be considered a wetland, all three parameters (i.e., wetland hydrology, hydric soils, and dominance of wetland vegetation), outlined in the 2008 USACE Arid West Supplement (USACE 2008), must be met to qualify as a wetland by USACE. Riparian vegetation that extends beyond any observed wetland or ordinary high water mark (OHWM) may be regulated by CDFW and/or RWQCB. USACE defines non-wetland waters based on the presence of an OHWM[1].

Aquatic features were assessed to determine whether they meet the current definition of WOTUS in 33 Code of Federal Regulations [CFR] Part 328. Potential WOTUS features that were not Traditionally Navigable Waters (TNW) or Relatively Permanent Waters (RPW), but were intermittent or ephemeral tributaries of a TNW/RPW, were assessed conceptually to determine whether these features provided a nexus based on physical, chemical, or biological properties. The delineation and vegetation classification were conducted in accordance with the following guidance and reference documents:

- National Ordinary High Water Mark Field Delineation Manual for Rivers and Streams: Final Version (USACE 2025)
- *Rapid Ordinary High Water Mark Field Identification Data Sheet* (USACE 2021)
- Current Implementation of Waters of the United States (U.S. Environmental Protection Agency [USEPA] 2025b)
- Corps of Engineers Wetlands Delineation Manual (Environmental Laboratory 1987)
- Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (USACE 2008)
- Field Indicators of Hydric Soils and Hydric Soils Lists (USDA-NRCS 2014, 2024)
- National Wetland Plant List (USACE 2022)
- Vegetation Community Classification (Sawyer et al. 2009; Calflora 2025; California Native Plant Society [CNPS] 2025)

An Apple cell phone, Arrow Global Position System (GPS) unit (less than one meter accuracy), and the Environmental Systems Research Institute (ESRI) Field Maps Application were used to collect data to map the boundaries of the aquatic resources present. Mapped polygons were adjusted visually, as needed, to match the resources as shown in the aerial imagery, the topographic data, and the field.

[1] Federal regulations (33 CFR Part 328.3(e)) define the "ordinary high water mark" as "that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas."

3 Results

3.1 Climate, Watersheds and Hydrology

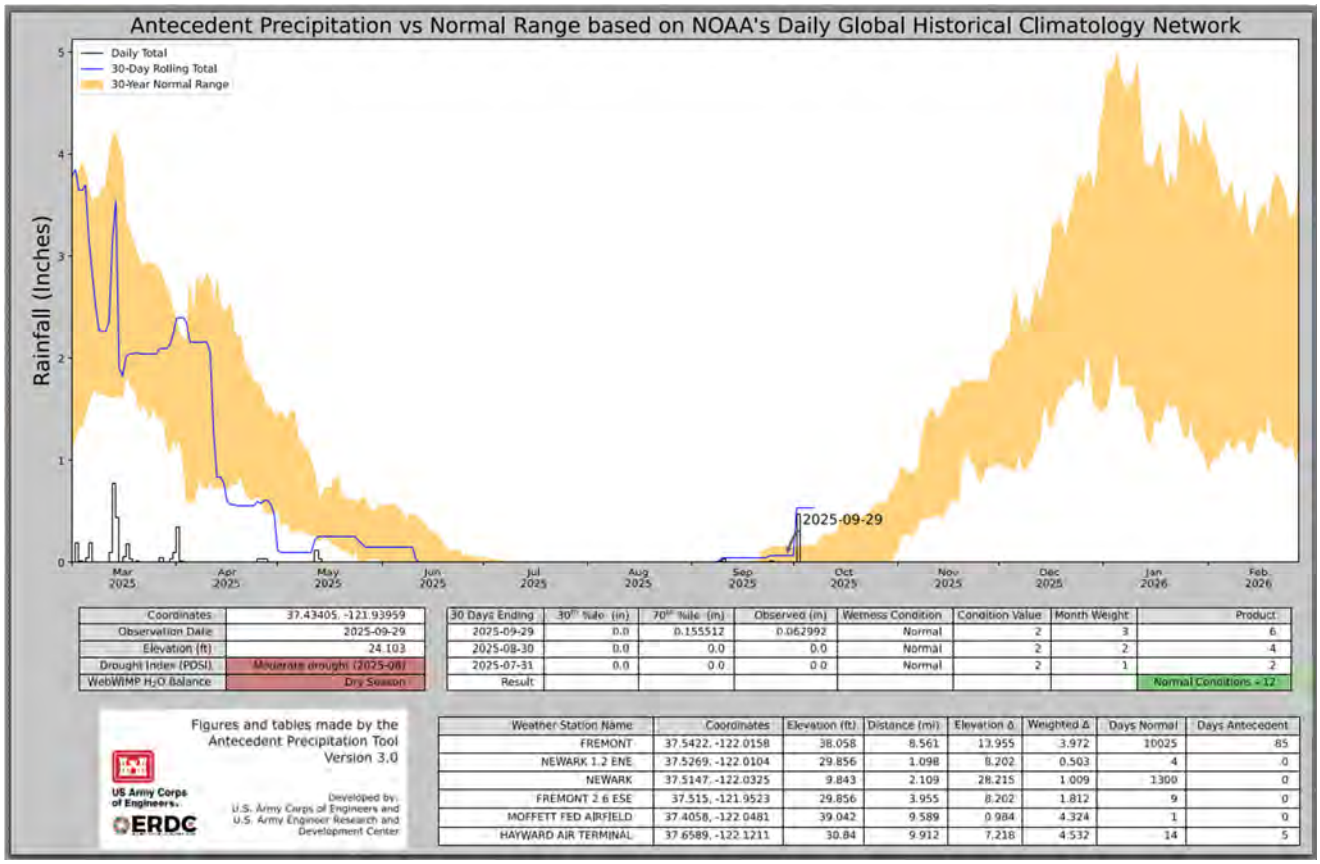
The San Francisco Bay Area has a Mediterranean-type climate characterized by moist, mild winters and dry summers. The Study Area includes —Fremont, where the average precipitation is 14.58 inches. Most precipitation occurs from November through April. Average annual high air temperature is 70.8 degrees Fahrenheit (°F), and average annual low temperature is 48.9°F (Western Regional Climate Center [WRCC] 2025).

The Study Area is in the San Francisco Bay estuaries (Hydrologic Unit Code [HUC] 8) (Figure 3). Fremont Staging Area is in the Plummer Creek-Frontal San Francisco Bay Estuaries (HUC 12;180500040702). Major streams within five miles of the Project in the San Francisco Bay estuaries include Newark Slough, Plummer Creek, Mowry Slough, Mud Slough, and Coyote Creek (CWMW 2025). Major streams within five miles of the Project in the Coyote watershed include Coyote Creek, Penitencia Creek, Berryessa Creek, and the Guadalupe River (CWMW 2025).

To understand the hydrologic context for the Study Area, the Antecedent Precipitation Tool (APT) was used to display rainfall conditions in the Study Area and determine whether the field visit was conducted during a “typical year” (Gutenson 2023; Gutenson et al. 2023; USACE 2023; EPA 2025a; Graphic 1). Graphic 1 was generated to represent the September 29-30, 2025 site visit and shows the total rainfall plotted in inches (y-axis) over time (x-axis). The blue line in the center of the graph represents the 30-day rolling total, which shows a sum of the prior 30-day precipitation totals for each day and plots the “rolling total” on a daily basis. The black lines at the bottom of Graphic 1 represent the daily precipitation total, and the yellow shading represents the range of the 30-year normal precipitation.

Graphic 1 indicated that the Fremont Staging Area field visit was conducted during a period of “normal conditions” for the time of year, and the overall climatic condition for the region are “dry season”. The Palmer’s Drought Severity Index (PDSI) number was -2.49, indicating a moderate drought in the area. The daily total, 30-day rolling total, and 30-year normal range lines on Graphic 1 indicate that the Fremont Staging Area received a low-to-normal amount of rainfall, respective to the 30-year normal range, during the field visit and within the weeks and months prior to the field visit. The area received regular precipitation throughout the typical rainy season, which indicated that region received sufficient precipitation to warrant “normal conditions” at the time of the field visit. These results support the conclusion that the jurisdictional delineation was conducted during relatively normal conditions for the region and time of year.

During the aquatic resources delineation a single potential water was observed in the western portion of the Study Area (IP-6; Figure 6). IP-6 is best characterized a man-made detention based or drainage feature with a drain located at the low point. The area was investigated for signs of hydrology and hydrophytic vegetation and none were observed. Review of aerial imaging indicates the drain area is regularly accessed and maintained. The feature is not anticipated to be considered a jurisdictional feature by USACE, RWQCB, or CDFW.



Graphic 1. Antecedent Precipitation Figure for the Fremont Staging Area (September 29-30, 2025)

3.2 Soils

Three soil types are found in the Study Area (Attachment A, Figure 4), and Marvin, Pescadero, and Willows are considered hydric[2] and within Hydrologic Soil Group C[3] (Attachment D; California Soil Research Lab [CSRL] 2025; USDA-NRCS 2025).

- Marvin silt loam, saline-alkali (125)
- Pescadero clay, drained (133),
- Willows clay, drained (154)

3.3 Vegetation Communities and Land Cover Types

Land cover types occurring in the Study Area are described in the sections below and are based on field visits from September 30, 2025. Land cover types associated with the Study Area and surroundings include ruderal/disturbed, and developed areas, as shown in Figure 5. The ruderal/disturbed land cover type included areas with nonnative, invasive plants and tilled soil and thus, did not fit into any vegetation communities described by vegetation community classifications (Sawyer et al. 2009; Calflora 2025; CNPS 2025).

[2] Hydric soil - A soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part. Hydric soils along with hydrophytic vegetation and wetland hydrology are used to define wetlands. Hydric soils are bolded in the table.

[3] Hydrologic Group - A group of soils having similar runoff potential under similar storm and cover conditions. Soil properties that influence runoff potential are those that influence the minimum rate of infiltration for a bare soil after prolonged wetting and when not frozen. These properties are: depth to a seasonal high water table, saturated hydraulic conductivity after prolonged wetting, and depth to a layer with a very slow water transmission rate. The soils in the U.S. are placed into four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D).

Ruderal/Disturbed

The ruderal/disturbed areas are present in every staging area. Ruderal/disturbed areas are characterized by the dominance of nonnative and invasive plant species and/or having been tilled and impacted by some level of recent disturbance. Ruderal vegetation in the Study Area includes fivehorn smotherweed (*Bassia hyssopifolia*), perennial pepperweed, and Italian thistle (*Carduus pycnocephalus*). Nonnative grasses such as slender oat, ripgut brome, and Italian rye grass are also present throughout the Study Area.

Developed

Developed areas in the Study Area include asphalt roads, dirt roads, buildings, and areas that have been graded. Asphalt roads in the Study Area include Auto Mall Parkway in the northern half of the Fremont Staging Area.

AECOM delineated aquatic resources within the Study Area. As previously noted, in accordance with the Arid West Supplement (USACE 2008) a feature must meet three parameters—wetland hydrology, hydric soils, and a dominance of wetland vegetation to qualify as a wetland. An investigative point, shown as IP-6 in Figure 6, was taken in the staging area to assess soils and vegetation in areas where it appeared to pond or drain water or show wetland characteristics. The investigative point proved to not contain any wetlands. Photos were taken at the staging area, and representative photos are provided in Attachment B. A plant list is provided in Attachment C.

No wetlands or potentially jurisdictional waters were mapped at Fremont Yard.

3.3.1 U.S. Army Corps of Engineers

Regulatory Setting

Under Section 404 of the Clean Water Act (CWA), USACE regulates the discharge of dredged or fill material into any aquatic feature that meets the current definition of WOTUS (as defined in 33 CFR 328).

Amendments to the 2023 Rule

On August 29, 2023, the USEPA and Department of the Army (the agencies) issued a final rule to amend the final "Revised Definition of 'Waters of the United States'" rule, published in the Federal Register on January 18, 2023. This final rule conforms the definition of "waters of the United States" to the U.S. Supreme Court's May 25, 2023 decision in the case of *Sackett versus the U.S. Environmental Protection Agency*. Parts of the January 2023 Rule are invalid under the Supreme Court's interpretation of the CWA in the Sackett decision. Therefore, the agencies have amended key aspects of the regulatory text to conform it to the Court's decision. The conforming rule, "Revised Definition of 'Waters of the United States'; Conforming," was published in the Federal Register and became effective on September 8, 2023.

Per Section 328.3 Definitions[4]

(a)(1–5) Waters of the U.S.
- (a)(1) – Traditional Navigable Waters, Territorial Seas, Interstate Waters
- (a)(2) – Impoundments
- (a)(3) – Tributaries
- (a)(4) – Adjacent Wetlands to (1) TNW, Territorial Seas, Interstate Waters, or (2) relatively permanent impoundment or tributary with continuous surface connection to those waters
- (a)(5) – Intrastate Lake or Pond not identified in A.1-4 that is a relatively permanent, standing, or continuously flowing body of water

Jurisdictional waters now must be RPW, and must connect to downstream A1 waters (TNWs, Territorial Seas, Interstate Waters). These waters encompass only relatively permanent, standing, or continuously flowing bodies of water, such as streams, oceans, rivers, and lakes. These waters do not necessarily exclude streams, rivers, or lakes that may dry up in extraordinary circumstances, such as drought or seasonal rivers, which contain continuous flow during some months of the year, but no flow during the dry months. Ephemeral drainages are likely no longer jurisdictional, whereas intermittent drainages would likely be jurisdictional.

The new definition of **adjacent wetlands** no longer includes "bordering, continuous, or neighboring." Wetlands must have a continuous surface connection to other jurisdictional WOTUS. Wetlands lacking such a surface connection to WOTUS, including isolated wetlands (e.g., vernal pools, prairie potholes) are likely no longer considered jurisdictional. Seasonal wetlands with a continuous surface connection to an RPW for at least part of the year may be considered WOTUS, pending agency guidance.

Potential Jurisdictional Determination

No WOTUS or aquatic resources are present in the Study Area.

3.3.2 Regional Water Quality Control Board

Regulatory Setting

Under Section 401 of the CWA and in accordance with the 1969 Porter-Cologne Water Quality Control Act (PCA), the RWQCB regulates the discharges of waste, which include discharges of dredged or fill material, which may affect water quality. The

[4] 33 CFR part 328 (Regulations); Authority: 33 U.S. Code 1251 et seq. (Clean Water Act).

WOTS include all natural wetlands and some, but not all, artificial wetlands, as well as other non-wetland features, including oceans, lakes, and rivers. On May 28, 2020, the State Water Resources Control Board (SWRCB) Procedures for Discharges of Dredged or Fill Material to Waters of the State (SWRCB 2019) became effective. Through these procedures, the SWRCB adopted the first part of the "Wetland Riparian Area Protection Policy" that defines what constitutes a wetland and how wetlands should be delineated and protected in the state. The extent of WOTS subject to the authority of the RWQCB was also considered to include all WOTUS, as discussed above.

Potential Jurisdictional Determination

No WOTS or aquatic resources are present in the Study Area.

3.3.3 California Department of Fish and Wildlife

Regulatory Setting

Under Sections 1600–1616 of the California Fish and Game Code (CFGC), CDFW regulates activities that would result in (1) any potential detrimental impacts associated with the substantial diversion or the obstruction of the natural flow of a stream; (2) substantial changes to the bed, channel, or banks of a stream, or the use of any material from the bed, channel, or banks; and (3) the disposal of debris or waste materials that may pass into a stream.

Riparian woodlands associated with perennial, intermittent, and ephemeral rivers, streams, and lakes that contain a dominance of hydrophytic plant species, but do not meet the USACE hydrology or soils criteria to be considered a WOTUS, may still be subject to CDFW regulation. Some willow scrub or other tree-dominated habitats with wetland species could qualify as riparian woodland subject to CFGC 1600 jurisdiction. Where riparian habitat along streams extends beyond the active floodplain to terraces, the outermost limits of the habitat on the terrace are mapped to the canopy edge or dripline. The CFGC does not regulate isolated, seasonal features, such as vernal pools and riparian woodlands not associated with an aquatic feature.

Potential Jurisdictional Determination

There are no streams or riparian woodland observed in the Study Area.

4 Conclusions

As presented above, the aquatic resources delineation and analysis of potential jurisdiction indicate that there are no aquatic resources in the Study Area that may be regulated by USACE under CWA Section 404 and the RWQCB under Poter-Cologne Act and CWA Section 401. All jurisdictional determinations presented in this document are based on the best available knowledge.

Attachments:
Attachment A: Figures
Attachment B: Site Photographs
Attachment C: Plant List

Acronyms and Abbreviations

°F	degrees Fahrenheit
AC	alternating current
AECOM	AECOM Technical Services, Inc.
APT	Antecedent Precipitation Tool
ARD	Aquatic Resources Delineation
ARDR	Aquatic Resources Delineation Report
CDFW	California Department of Fish and Wildlife
CFGC	California Fish and Game Code
CFR	Code of Federal Regulations
CNPS	California Native Plant Society
CSRL	California Soil Research Lab
CWA	Clean Water Act
CWMW	California Wetlands Monitoring Workgroup
EIR/EIS	Environmental Impact Report/Environmental Impact Statement
ESRI	Environmental Systems Research Institute
FAC	Facultative
FACW	Facultative Wetland
HUC	Hydrologic Unit Code
GPS	Global Positioning System
kV	kilovolt
LSPGC	LS Power Grid California, LLC
NRS	Northern Receiving Station
NWI	National Wetlands Inventory
OBL	Obligate Wetland
OHWM	ordinary high water mark
OW	tidal channel
PCA	Porter-Cologne Water Quality Control Act
PDSI	Palmer’s Drought Severity Index
PG&E	Pacific Gas and Electric Company
Project	Power the South Bay Project
RPW	Relatively Permanent Waters
RWF	Regional Wastewater Facility
RWQCB	Regional Water Quality Control Board
SVP	Silicon Valley Power
SWRCB	State Water Resources Control Board
TNW	Traditionally Navigable Waters
U.S.	United States
USDA-NRCS	U.S. Department of Agriculture, Natural Resources Conservation Service
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geographical Survey
WL	wetland
WOTUS	waters of the U.S.
WOTS	waters of the State
WRCC	Western Regional Climate Center

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Attachment A:
Figures

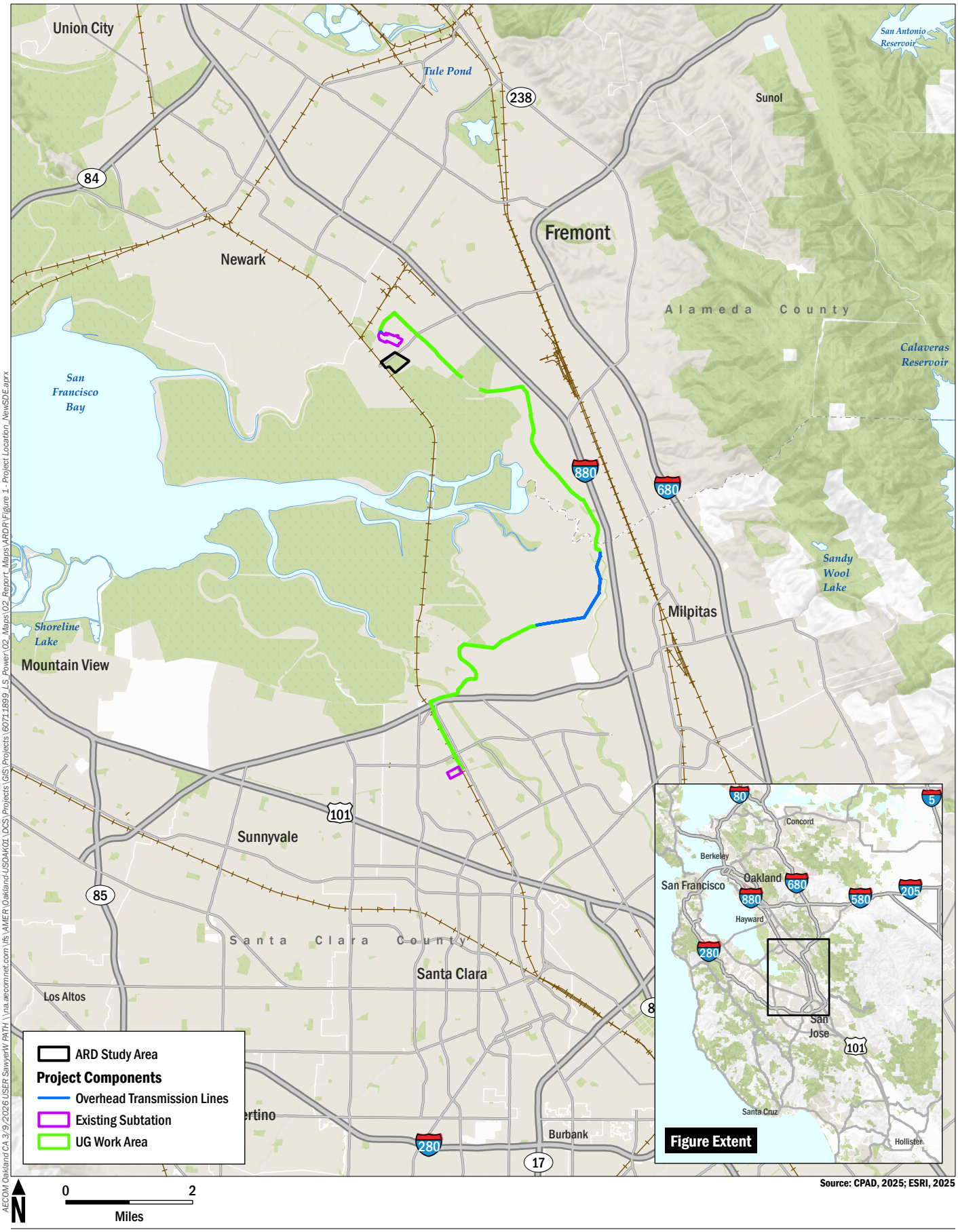

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FIGURE 1

Project Location

AECOM, 2025; ESRI, 2025; OSM, 2025

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FIGURE 2

Landcover Types in the Survey Area

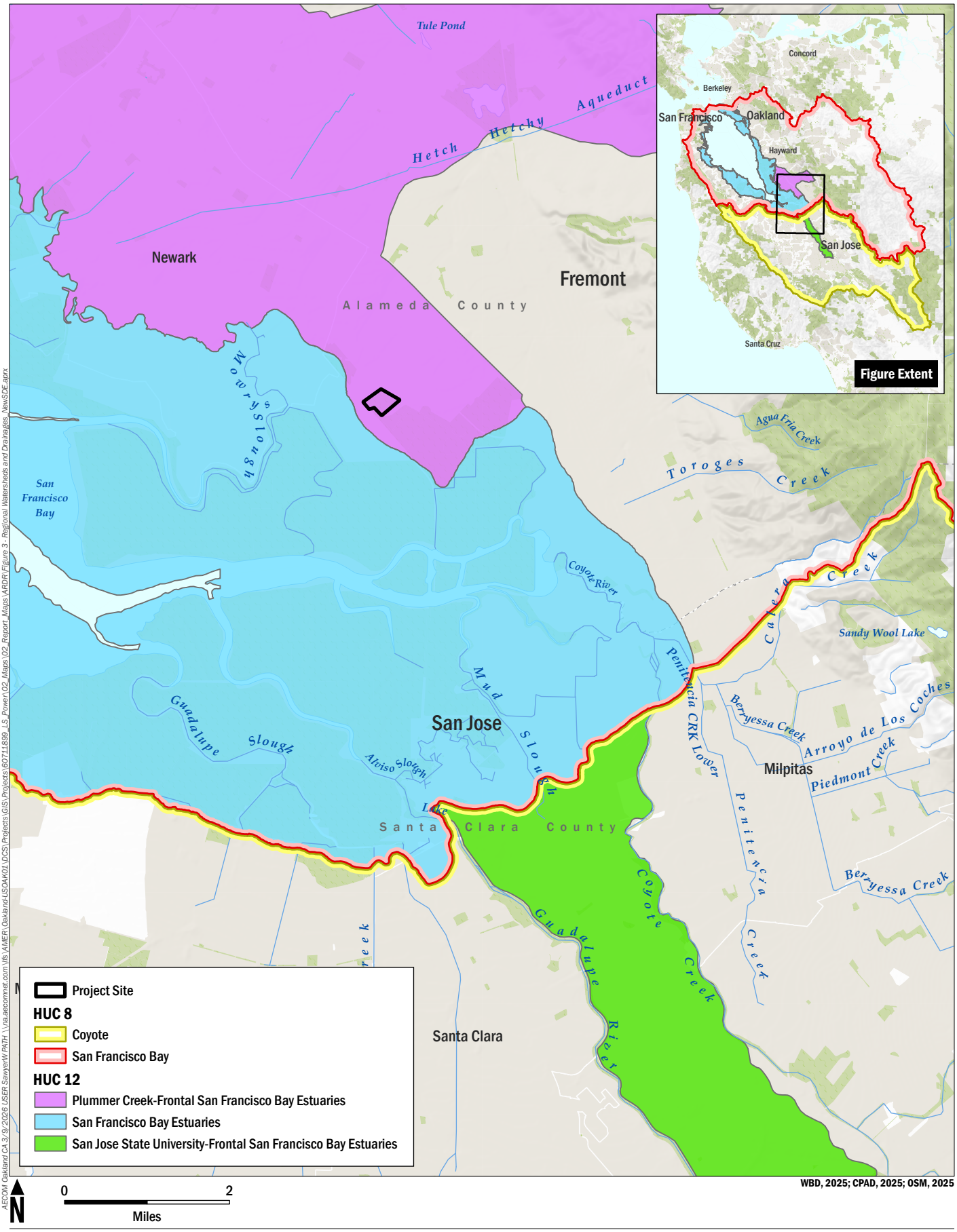

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FIGURE 3

Regional Watersheds and Drainages

SSURGO, 2025; ESRI, 2025; OSM, 2025

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FIGURE 4

Soils in the Study Area

Attachment B:
Site Photographs

AECOM

Attachment B. Site Photographs

Photo 2. Fremont Staging Area on November 24, 2025. The staging area is highly disturbed and dominated by non-native species such as black mustard. The only vegetation community present within the staging area is upland mustards or star-thistle fields, a semi-natural alliance that occurs in fallow fields (CNPS 2025a). There were no hard-pan soils or standing water, and therefore the area is unlikely to support vernal pool species.

Attachment C:
Plant List

Attachment C. Plant List

Common Name	Scientific Name	Origin
wild oat	*Avena* sp.	non-native
black mustard	*Brassica nigra*	non-native
Italian thistle	*Carduus pycnocephalus*	non-native
purple star-thistle	*Centaurea calcitrapa*	non-native
yellow star-thistle	*Centaurea solstitialis*	non-native
nettle leaf goosefoot	*Chenopodium murale*	non-native
Bindweed	*Convolvulus arvensis*	non-native
Bermuda grass	*Cynodon dactylon*	non-native
stinkwort	*Dittrichia graveolens*	non-native
willow herb	*Epilobium brachycarpum*	native
redstem filaree	*Erodium cicutarium*	non-native
fennel	*Foeniculum vulgare*	non-native
geranium	*Geranium* sp.	non-native
bristly ox-tongue	*Helminthotheca echioides*	non-native
short podded mustard	*Hirschfeldia incana*	non-native
barley	*Hordeum* sp.	non-native
willow lettuce	*Lactuca saligna*	non-native
purple dead nettle	*Lamium purpureum*	non-native
perennial pepperweed	*Lepidium latifolium*	non-native
mallow	*Malva* sp.	non-native
Bermuda buttercup	*Oxalis pes-caprae*	non-native
radish	*Raphanus sativus*	non-native
Russian knapweed	*Rhaponticum repens*	non-native
dock	*Rumex* sp.	non-native
common groundsel	*Senecio vulgaris*	non-native
common chickweed	*Stellaria media*	non-native
smilo grass	*Stipa miliacea*	non-native
rose clover	*Trifolium hirtum*	non-native
hairy vetch, winter vetch	*Vicia villosa*	non-native

ATTACHMENT E
MPR-1 Habitat Assessment Survey Report

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December 13, 2025

Habitat Assessment Technical Memorandum for the Power the South Bay Project - Fremont Staging Yard

AECOM Technical Services, Inc. (AECOM), has prepared this memorandum for LS Power Grid California, LLC's (LSPGC) Power the South Bay Project (Project), which is located in the southern San Francisco Bay cities of Fremont, Milpitas, Santa Clara, and San José (Attachment A, Figure 1). This memorandum has been written to document a habitat assessment in support of Minor Project Refinement No. 1 (MPR-1). MPR-1 would include one additional staging area: Fremont Staging Area. This memorandum provides documentation of habitat and land cover types, as well as potential to occur for special status plant and wildlife species.

On behalf of LSPGC, AECOM:

- Conducted a supplemental desktop and field survey to identify and map habitat within the proposed work area.
- Evaluated the potential to occur (PTO) for special status plant and animal species.

This memorandum presents the results of a pre-field desktop assessment and field data collection.

1 Project Setting and Location

The Survey Area described in this memorandum includes the approximately 10-acre Fremont Staging Area and temporary access road. The Survey Area is in Fremont, California. The Fremont Staging Area is located near the trailhead for the Pacific Commons Linear Park Trail Start, just east of the Don Edwards San Francisco Bay National Wildlife Refuge.

2 Methods

The habitat assessment of the Fremont Staging Area was performed on November 24, 2025.

3.1 Desktop Methods

Before the field investigation, a desktop review was conducted to evaluate existing conditions and historical uses of the Survey Area. An updated records search of the California Natural Diversity Database (California Department of Fish and Wildlife [CDFW] 2025) and California Native Plant Society (CNPS) rare plant inventory (CNPS 2025b) was reviewed prior to survey. The Power the South Bay Project Biological Resources Technical Report (HEC 2024) and the Project's Final Environmental Impact Report (ESA 2025) were also reviewed prior to the survey.

3.2 Field Assessment Methods

The entire Survey Area was thoroughly surveyed on foot by two biologists. The biologists performed walking transects to ensure the area was surveyed completely; botanists identified all vascular plant species encountered during the survey. The biologists assessed habitats to determine whether it contains suitable conditions for species listed in Tables 1 and 2, below.

The vegetation community and land cover for Survey Area was defined based on the constituent plant species using the California Manual of Vegetation (CNPS 2025a).

3 Results

4.1 Potential to Occur

Prior to field surveys, the list of special-status species that had PTO (FEIR Tabe 3.4-2) within the Project vicinity was reviewed. California Natural Diversity Database (CNDDB), USFWS species occurrence data, and the CNPS rare plant inventory (CNPS 2025b) were reviewed to determine habitat requirements and nearby occurrences of special-status species that have PTO within the Survey Area (Table 1 and Table 2). PTO was determined based on the following criteria.

High – Recent occurrence data (within the last 20 years) indicates the species has been known to occur within the vicinity of the project (1 mile) and the species is likely to be found in the Project area. The area provides moderately to highly-suitable habitat, including vegetation composition and density, required soils, hydrologic features, and presence of host plants/food source as applicable.

Moderate - The Project area supports moderately to highly-suitable habitat (including vegetation, soils, hydrology, and food availability as described above) and is within the current known distribution of the species, but there are no recent observation records; or, there are recent observation records in the vicinity of the Project but the Project area only supports low-quality suitable habitat for the species (including vegetation, soils, hydrology, and food availability as described above).

Low - The species is not expected to be found in the Project area due to the following conditions:

- the Project area provides low-quality suitable habitat (including vegetation, soils, hydrology, and food availability as described above),
- barriers to wildlife migration or dispersal are present,
- nearby occurrence records are greater than 20 years old or are from greater than 1 mile away from the project, and/or
- predators, invasive species, or other factors (e.g. existing land uses) that inhibit survival or occupation are present.

None – Suitable habitat for the species does not occur within the Project area.

Absent – There is moderate to high potential for the species to occur within the Project area; However, surveys have determined the species does not occur and is absent.

Table 1. Special-status Plants with Potential to Occur at MPR-1 Area

Common Name *Scientific Name*	Status (Federal/ State/ CRPR)	Habitat Requirements	Blooming Period	Potential to Occur
Alkali milk-vetch *Astragalus tener* var. *tener*	--/--/1B.2	Alkaline flats and low ground in playas, vernally moist grassland, and vernal pools.	March-June	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
Brittlescale *Atriplex depressa*	--/--/1B.2	Alkali clay soils in chenopod scrub, playas, and vernal pools.	April-October	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
Lesser saltscale *Atriplex minuscula*	--/--/1B.1	Alkali clay soils in chenopod scrub, playas, and grassland.	May-October	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
Congon's tarplant *Centromadia parryi* ssp. *congdonii*	--/--/1B.1	Terraces, swales, floodplains, grasslands, and disturbed sites.	May-November	**Low**. Potentially suitable disturbed grassland habitat within the Fremont Staging Area is highly disturbed and of low quality for the species. There are CNDDB occurrences within 5 miles of the Survey Area.
Point Reye's salty bird's-beak *Chloropyron maritimum* ssp. *palustre*	--/--/1B.2	Coastal salt marsh.	June-October	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
Hoover's button-celery *Eryngium aristulatum* var. *hooveri*	--/--/1B.1	Vernal pools, seasonal wetlands (occasionally alkaline soils).	June-August	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
San Joaquin spearscale *Extriplex joaquinana*	--/--/1B.2	Alkaline soils in seasonal alkali wetlands or alkali sink scrub. Associated with *Distichlis spicata* and *Frankenia salina*.	April-October	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
Contra Costa goldfields *Lasthenia conjugens*	FE/--/1B.2	Vernal pools, swales, wet meadows, alkaline playas, and low depressions in open grassy areas.	March-June	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
Prostrate vernal pool navarretia *Navarretia prostrata*	--/--/1B.2	Mesic, alkaline soils in grasslands or in vernal pools.	April-July	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
Long-styled sand-spurrey *Spergularia macrotheca* var. *longistyla*	--/--/1B.2	Marshes and swamps, meadows and seeps.	February-May	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
Saline clover *Trifolium hydrophilum*	--/--/1B.2	Marshes and swamps, valley and foothill grassland, vernal pools.	April-June	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
California alkali grass *Puccinellia simplex*	--/--/1B.2	Alkaline and vernally mesic soils on sinks, flats, and lake margins.	June-July	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.

Table 2. Special-status Animals with Potential to Occur at MPR-1 Area

Common Name *Scientific Name*	Status (Federal/ State)	Habitat Requirements	Identification Period	Potential to Occur
Invertebrates				
vernal pool tadpole shrimp *Lepidurus packardi*	FE/--	Alkaline flats and low ground in playas, vernally moist grassland, and vernal pools.	USFWS protocol-level wet-season sampling and dry season cyst identification	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
Large marble butterfly *Euchloe ausonides ausonides*	--/--	Occur in a variety of open habitats, including grasslands, meadows, and disturbed and weedy areas. Associated with common mustards found throughout the Sacramento Valley and San Francisco Bay areas.	Flight season is estimated to be February - April	**Moderate**. There are CNDDB occurrences within 5 miles of the project area. Suitable habitat with nectar sources occur within the Fremont Staging Area.
Western bumble bee *Bombus occidentalis*	--/CT	Found in mixed woodlands, farmlands, meadows and grasslands. Nests underground in burrows or hollows; requires habitat with ample floral resources from spring through autumn.	April - September	**Low**. There are CNDDB occurrences within 5 miles of the Survey Area. Habitat within the Fremont Staging Area is regularly disced limiting the availability of nectar sources and nest sites within the Survey Area.
Crotch's bumble bee *Bombus crotchii*	--/CT	Species is found from coastal California east to the SierraCascade crest and south into Mexico in relatively hot and dry grassland and scrub habitats.	April - August	**Low**. There are CNDDB occurrences within 5 miles of the Survey Area. Habitat within the Fremont Staging Area is regularly disced limiting the availability of nectar sources and nest sites within the Survey Area.
Amphibians				
salamander - central California DPS *Ambystoma californiense*	FT/CT	Species lives in vacant or mammal-occupied burrows throughout most of the year in grassland, savanna, or open woodland habitats.	October – May	**Low**. There are CNDDB occurrences within 5 miles of the project area. Suitable vernal pool habitats occur in undisturbed lands adjacent to the proposed Fremont Staging Yard. However, the area is heavily disturbed and disced and does not offer suitable uplands or refugia. There is a low potential for this species to disperse through the Survey Area.
California red-legged frog *Rana draytonii*	FT/CSC	Found in or within 300 feet of aquatic habitat. Breed in quiet, slow-moving streams, ponds, or marsh communities with emergent vegetation or dense riparian vegetation. May disperse up to two miles between suitable aquatic habitat	Aquatic surveys of breeding sites optimally after April 15	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
Reptiles				
Northwestern pond turtle *Actinemys marmorata*	PT/CSC	Agricultural wetlands and other wetlands such as irrigation and drainage canals, low gradient streams, marshes, ponds, sloughs, small lakes, and	Active outside of dormancy period November – February	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.

		their associated uplands below 6000 ft elevation.		
Fish				
steelhead - central California coast DPS *Oncorhynchus mykiss irideus* pop. 8	FT/--	DPS includes all naturally spawned populations of steelhead (and their progeny) in streams from the Russian River to Aptos Creek, Santa Cruz County, California (inclusive). Also includes the drainages of San Francisco and San Pablo Bays.	March-June	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
longfin smelt *Spirinchus thaleichthys*	FC/CT	Euryhaline, nektonic and anadromous. Found in open waters of estuaries, mostly in middle or bottom of water column.	April-July	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
green sturgeon - southern DPS *Acipenser medirostris* pop. 1	FT/--	Species spawns in the Sacramento, Feather and Yuba Rivers and possibly in upper Stanislaus and San Joaquin Rivers. Non-spawning adults occupy marine/estuarine waters.	February-May	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
Birds				
California black rail Laterallus *jamaicensis coturniculus*	--/CE, FP	Inhabits saltwater, brackish, and freshwater marshes. Nests in high marsh portions of salt marshes, shallow freshwater marshes, wet meadows, and flooded grass in dense vegetation.	January – May	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
California Ridgway's rail Rallus *obsoletus obsoletus*	FE/CE, FP	Saltwater and brackish marshes traversed by tidal sloughs in the vicinity of San Francisco Bay. Prefers larger and more saline marshes.	January – April	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
black skimmer *Runchos niger*	--/CSC	Species is found on sandy beaches, salt ponds, and shores of large lakes. Nest on open sand or salt marsh, gravel or shell bars with sparse vegetation near water.	April – October	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
white-tailed kite *Elanus leucurus*	--/FP	Rolling foothills and valley margins with scattered oaks and river bottomlands or marshes next to deciduous woodland.	Year-round	**Moderate**. Suitable foraging habitat occurs within the Fremont Staging Area with low potential for nesting in the surrounding habitat.
golden eagle *Aquila chrysaetos*	--/FP	Species is found in rolling foothills, mountain areas, sage-juniper flats, and desert.	Year-round	**Low.** Suitable foraging habitat occurs within the Survey Area. One known nest site is located approximately 5 mile southwest of Survey Area and potential to nest within 1 mile is considered low.
Bald eagle *Haliaeetus leucocephalus*	--CE, FP	Typically nest and forage near estuaries, large lakes, reservoirs, rivers, and coasts.	Year-round	**Low.** The Project area has limited suitable foraging habitat. One CNDDB nesting record occurs just greater than 5 miles from the Survey Area and potential to nest within 1 mile is low.
Northern harrier *Circus hudsonius*	--/CSC	Inhabits marshes, prairies, and grasslands.	Year-round	**Moderate.** May forage over area but suitable isolated, dense grassland or

		Nests on ground in shrubby vegetation, usually at marsh edge.		marsh nesting habitat does not occur within the Survey Area and is limited in the adjacent areas.
Western burrowing owl *Athene cunicularia hypugaea*	--/SC	Species is found in open, dry annual or perennial grasslands, deserts, and scrublands characterized	Year-round	**Moderate.** Multiple CNDDB records occur within 1 mile of the Fremont Staging Area. However, the habitat is subject to regular mowing and discing and burrow availability is low.
Alameda song sparrow *Melospiza melodia pusillula*	--/CSC	Resident of salt marshes bordering south arm of San Francisco Bay.	Year-round	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
saltmarsh common yellowthroat *Geothlypis trichas sinuosa*	--/CSC	Resident of the San Francisco Bay region, in freshwater and saltwater marshes.	Year-round	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
Mammals				
salt marsh harvest mouse *Reithrodontomys raviventris*	FE/CE	Only in the saline emergent wetlands of San Francisco Bay and its tributaries.	Year-round	**None**. Suitable habitat is not present within the Survey Area and this species is not expected to occur.
salt-marsh wandering shrew *Sorex vagrans halicoetes*)	SSC	Salt marshes of the south arm of San Francisco Bay.	Year-round	**Low.** Suitable habitat is present within the Survey Area, but there are few recent CNDDB records within 5 miles. Species is secretive and rarely encountered.
American badger *Taxidea taxus*	CSC	Prefers open areas, scrub and dry grasslands with loose soil for burrowing, as well as agricultural land.	Year-round	**Low.** Suitable habitat is present within the Survey Area, but the few recent CNDDB records within 5 miles are in Mission Hills to the east.
Hoary bat *Lasiurus cinereus*	WBWG-M	Prefers coniferous or mixed forests with edges for foraging; typically roosts in dense foliage of trees.	Year-round	**Low.** May roost in trees within 5 miles of the Survey Area and forage over habitats onsite.
Townsend's big-eared bat *Corynorhinus townsendii*	CSC	Roosts in canes or mines in upland forest, chaparral and scrub, grassland, lower montane coniferous forest, meadows, and valley and foothill grassland. Forages in edge habitats near streams.	Year-round	**Low.** No suitable roost habitat in the Survey Area, but species may forage over habitats onsite. No CNDDB records within 5 miles.
Pallid bat *Antrozous pallidus*	CSC	Roosts in trees, cliffs, or buildings in deserts, grasslands, shrublands, or woodlands. Most common in open, dry habitats with rocky roosting areas. Sensitive to disturbance.	Year-round	**Low.** Suitable roosting habitat is limited in the Survey Area, but species may forage over habitats onsite. No CNDDB records within 5 miles.

4.3 Vegetation Communities and Land Cover Types

Vegetation communities were described based on species compositions and classified based on community alliances described in the California Manual of Vegetation (CNPS 2025a).

The Fremont Staging Area is entirely comprised of upland mustards or star-thistle fields, a semi-natural alliance that is found in fallow fields, rangelands, grasslands, and roadsides (CNPS 2025a). This non-native community is defined as having black mustard (*Brassica nigra*), short-podded mustard (*Hirschfeldia incana*), cultivated radish (*Raphanus sativus*), or other mustards occur with non-native plants at greater than 80% relative cover in the

herbaceous layer, with mustards being the dominant herbaceous species (CNPS 2025a). The staging area is dominated by black mustard, and almost entirely composed of non-native species (Photo 2).

This habitat type is most closely associated with the “Disturbed” land cover/vegetation community included in Figure 3.4-1 of the FEIR.4.4.

4 Conclusions

Based on the habitat assessment and surveys and observed vegetation community and land conditions, it was determined that, four special status wildlife species, large marble butterfly, white-tailed kite, northern harrier, and western burrowing owl have a moderate potential to occur within the Survey Area. No special status plant species are expected to occur.

Attachments:
Attachment A: Figures
Attachment B: Site Photographs
Attachment C: Plant List

5 References

California Department of Fish and Wildlife (CDFW). 2025. California Natural Diversity Database (CNDDB). Accessed November 2025.

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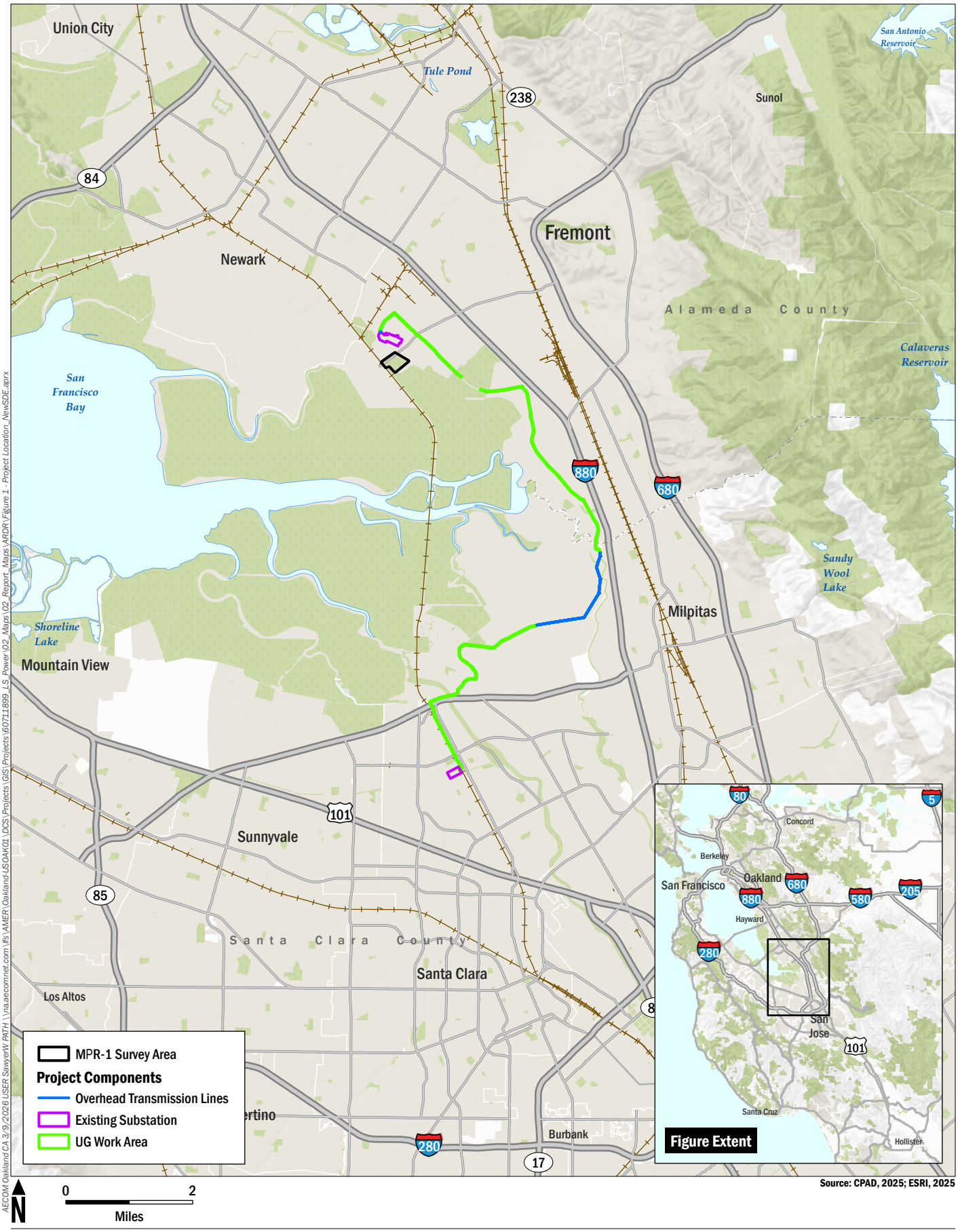
Heritage Environmental Consultants LLC (HEC). 2024 (May). Power the South Bay Project Biological Resources Technical Report. Available: https://ia.cpuc.ca.gov/environment/info/esa/psb/pdfs/Appendix5.4-A_Biological_Resources.pdf.

Attachment A

Figures



AECOM Oakland CA 3/9/2026 \\USER SawyerW PATH \\na.aecomnet.com\ifs\AMER\Oakland-USOAK01\DCS\Projects\GIS\Projects\60711899_LS Power\02_Maps\02_Report_Maps\ARDR\Figure 1 - Project Location_NewSDE.aprx

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LS Power
Power the South Bay

FIGURE 1
Project Location

AECOM, 2025; ESRI, 2025; OSM, 2025

AECOM

LS Power

Power the South Bay

FIGURE 2

Landcover Types in the Survey Area

Attachment B

Site Photographs

Attachment B. Site Photographs

Photo 2. Fremont Staging Area on November 24, 2025. The staging area is highly disturbed and dominated by non-native species such as black mustard. The only vegetation community present within the staging area is upland mustards or star-thistle fields, a semi-natural alliance that occurs in fallow fields (CNPS 2025a). There were no hard-pan soils or standing water, and therefore the area is unlikely to support vernal pool species.

Attachment C

Plant List

Attachment C. Plant List

Common Name	Scientific Name	Origin
wild oat	*Avena* sp.	non-native
black mustard	*Brassica nigra*	non-native
Italian thistle	*Carduus pycnocephalus*	non-native
purple star-thistle	*Centaurea calcitrapa*	non-native
yellow star-thistle	*Centaurea solstitialis*	non-native
nettle leaf goosefoot	*Chenopodium murale*	non-native
Bindweed	*Convolvulus arvensis*	non-native
Bermuda grass	*Cynodon dactylon*	non-native
stinkwort	*Dittrichia graveolens*	non-native
willow herb	*Epilobium brachycarpum*	native
redstem filaree	*Erodium cicutarium*	non-native
fennel	*Foeniculum vulgare*	non-native
geranium	*Geranium* sp.	non-native
bristly ox-tongue	*Helminthotheca echioides*	non-native
short podded mustard	*Hirschfeldia incana*	non-native
barley	*Hordeum* sp.	non-native
willow lettuce	*Lactuca saligna*	non-native
purple dead nettle	*Lamium purpureum*	non-native
perennial pepperweed	*Lepidium latifolium*	non-native
mallow	*Malva* sp.	non-native
Bermuda buttercup	*Oxalis pes-caprae*	non-native
radish	*Raphanus sativus*	non-native
Russian knapweed	*Rhaponticum repens*	non-native
dock	*Rumex* sp.	non-native
common groundsel	*Senecio vulgaris*	non-native
common chickweed	*Stellaria media*	non-native
smilo grass	*Stipa miliacea*	non-native
rose clover	*Trifolium hirtum*	non-native
hairy vetch, winter vetch	*Vicia villosa*	non-native

ATTACHMENT F
MPR-1 Cultural Field Survey Report
(confidential - not posted)