



California Public Utilities Commission



May 22, 2026

Dustin Joseph
LS Power Grid California
16450 Main Circle Drive, Suite 310
Chesterfield, MO 63107

Re: *Minor Project Refinement No. 2 for the Power Santa Clara Valley Project (A.24-04-017)*

Dear Mr. Joseph:

On March 19, 2026, the California Public Utilities Commission (CPUC) adopted the Final Environmental Impact Report (FEIR) for the Power Santa Clara Valley Project (Project) and selected Alternative Combination 1 (AC-1)¹ for approval (Application 24-04-017). The CPUC Decision (26-03-042) granted LS Power Grid California (LSPGC) a Certificate of Public Convenience and Necessity (CPCN) and approved the Project conditionally with the implementation of Applicant Proposed Measures, Mitigation Measures, and Pacific Gas and Electric (PG&E) best management practices and field protocols adopted in the Construction Mitigation Monitoring, Compliance, and Reporting Program (Construction MMCRP).

On May 8, 2026, LSPGC submitted a request for Minor Project Refinement No. 2 (MPR-2) to the CPUC seeking approval to use the disturbed lot immediately east of the Skyline high-voltage direct current (HVDC) Terminal (Skyline Terminal) temporary staging area described in the FEIR. Approval of MPR-2 authorizes the use of the disturbed lot for expansion of the temporary staging and laydown area to facilitate construction activities for the Project as described in **Attachment A, MPR-2 Form**. The proposed MPR-2 Skyline Terminal temporary work area expansion is approximately 1.1 acres of disturbed land located immediately adjacent to the approved Skyline Terminal temporary staging area at the corner of Santa Teresa and Ryland Streets beneath the overpass of California State Route 87 (Guadalupe Parkway) in the City of San José, California.

The Project's FEIR identified 12 potential staging areas for Project use, including the Skyline Terminal site, labeled as Staging Area 12. LSPGC has identified the need to expand the temporary work area at the Skyline Terminal for staging, laydown, parking, and materials storage during construction of the Project due to constrained space within the Skyline Terminal site. As such, LSPGC is proposing use of the MPR-2 temporary work area expansion (approximately 1.1 acres) to support the safe and efficient construction of the Project as described in the FEIR. Please refer to **Attachment B, MPR-2 Figure**, and **Attachment C, MPR-2 Photograph Log**, to view the proposed MPR-2 work area. Approval of MPR-2 will not change the

¹ The "project" selected for approval is AC-1, which is hereby described as the "Project."



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conditions set forth in the FEIR, nor will it change the type of equipment, number of construction personnel, or the status of any pre-construction or construction requirements set forth in the Project's Construction MMCRP. Use of the proposed MPR-2 work area would not require permits from any agencies not disclosed within the FEIR.

As of May 8, 2026, Project biologists have recorded seven nests of common passerine species at the Guadalupe Parkway overpass; however, removal of inactive nests may take place in compliance with the construction MMCRP and CPUC's required communication protocol. This MPR-2 approval does not result in alteration to existing applicant-proposed measures or mitigation measures, would not require new mitigation measures, and would not require new permits or new regulatory approvals. Due to the proximity of the Skyline Terminal to known archaeological sites, this MPR-2 approval is issued for minimal ground disturbance activities associated with staging area expansion. Minimal ground disturbance that would be associated with fence post installation shall be conducted in compliance with LSPGC Mitigation Measure 3.5-1 (Cultural Resources Management Plan [CRMP]) and shall minimize the possibility of an inadvertent discovery of an intact archaeological deposit.

LSPGC is authorized to proceed with the use of the disturbed lot for expansion of the temporary staging and laydown area as described in its May 8, 2026, MPR-2 request to CPUC upon condition that all proposed actions and construction are carried out in accordance with the methods and conditions described in the FEIR, Construction MMCRP, the MPR-2 request, and this approval issued by CPUC.

Sincerely,

Cesar Moreno

Cesar Moreno
CPUC Environmental Project Manager

cc: Silvia Yanez, ESA
Rosalind Searle, ESA



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Attachments:

- A MPR-2 Form
- B MPR-2 Figure
- C MPR-2 Photograph Log

ATTACHMENT A
MPR-2 Form



Power Santa Clara Valley 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: May 8, 2026

Report No.:

Date Approved: **May 22, 2026**

Approval Agency: California Public Utilities Commission (CPUC).

Property Owner(s): The proposed Minor Project Refinement No. 2 (MPR-2) temporary work area is owned by Fountain Plaza Investors LP.

Location/Milepost: The proposed MPR-2 temporary work area is located immediately east of the Skyline high-voltage direct current (HVDC) Terminal (Skyline Terminal) site that was previously approved under Notice to Proceed No. 2 (NTP-2), located at the corner of Santa Teresa and Ryland Streets in the City of San José, California.

Land Use/Vegetative Cover: The proposed MPR-2 temporary work area is approximately 1.1 acres of disturbed land.

Sensitive Resources: The proposed MPR-2 temporary work area falls within an existing cultural resource consisting of historic deposits and a prehistoric cemetery (P-43-001279). See resource discussions below.

Modification From:

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

LS Power Grid California, LLC (LSPGC) is requesting approval of MPR-2 for the use of the lot immediately east of the Project's Skyline Terminal site, beneath the State Route 87 (SR 87) overpass, for temporary staging and laydown of materials to facilitate construction activities for the Power Santa Clara Valley Project (Project), as described below and shown in **Attachment B, MPR-2 Figure.**

Specifically, the MPR-2 work area is proposed for temporary laydown and staging to support construction of the Skyline Terminal site, which was previously approved under NTP-2. The

MPR-2 temporary work area would act as an extension of the Skyline Terminal temporary work area. In addition, the area may be used for assemblage or storage of materials and equipment, storage containers, and portable restrooms; and for parking and lighting. Terminal construction materials required for the Project, such as conduit, cables, HVDC equipment, riser structures, and rebar would be temporarily stored within the MPR-2 temporary work area as needed before installation. As the proposed MPR-2 temporary work area has patchy areas of weedy vegetation that have grown through the previously disturbed area, trimming or removal of nuisance vegetation may occur to prepare for staging activities. Grubbing and grading are not anticipated to be required for preparation of the proposed work area.

Temporary perimeter security fencing would be installed around the outer limits of the MPR-2 work area as needed to supplement the existing fence. In coordination with the adjacent property owner, LSPGC may install a permanent security fence within the MPR-2 temporary work area, which may extend into portions of the adjacent NTP-2 work area. The fence is anticipated to be approximately 8 to 10 feet in height and to generally follow the alignment of the existing or proposed temporary fencing, running parallel to the railroad tracks and Ryland Street and extending beneath the SR 87 overpass to improve continuity of site security. The purpose of the permanent fence would be to enhance long-term security and reduce trespassing in the area. Installation would involve minor, localized ground disturbance associated with fence post installation and would be limited in scope and consistent with previously evaluated Project activities.

Gravel may be placed as needed to create stable surface conditions and prevent unnecessary sediment transport off-site. Temporary lighting would also be installed for security purposes. Temporary construction power would be provided via existing distribution lines near the work area. Temporary generators would be a contingency if distribution power is unavailable; however, generators would not be stored within the MPR-2 temporary work area. Hazardous, non-flammable, materials may be stored as needed within the work area in accordance with the Skyline Terminal Hazardous Materials Management Plan (HMMP) and Spill Prevention, Control, and Countermeasure Plan (SPCCP). The MPR-2 temporary work area abuts the Skyline Terminal site, with no physical barrier between the two sites, therefore the MPR-2 work area would be directly accessed from the Skyline Terminal site. Use of the MPR-2 work area would not require a new proposed construction access off of a public road. See **Attachment B, MPR-2 Figure** for the location of the proposed MPR-2 temporary work area.

Stormwater best management practices (BMPs) such as silt fence or straw wattle would be installed in accordance with the Skyline Terminal Stormwater Pollution Prevention Plan (SWPPP), WDID #243C411671. Following completion of Project construction, the MPR-2 temporary work area would be stabilized as needed in accordance with the SWPPP.

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

Original Condition: The proposed MPR-2 temporary work area is immediately adjacent to the Skyline Terminal site, the development of which was analyzed in the Project's Final Environmental Impact Report (FEIR), and is within the geographic study area analyzed within the FEIR. The MPR-2 temporary work area is located within a previously disturbed, flat area located beneath the SR 87 overpass, also known as the Guadalupe Parkway. The MPR-2 temporary work area is primarily covered by gravel and does not contain any environmentally sensitive habitat. Further description of current conditions within the MPR-2 temporary work area is included in the resource discussions herein.

Justification for Change: The Project's FEIR (Section 2.8.2.1) identified 12 potential staging areas for Project use, including the Skyline Terminal site, labeled as Staging Area 12 in the FEIR. LSPGC has identified the need for temporary use of the MPR-2 work area, which abuts the Skyline Terminal site, during construction of the Project. In accordance with NTP-2, deliveries of construction equipment have been ongoing for site preparation activities at the Skyline Terminal site, and the construction contractor has determined that additional space will be required to accommodate construction workforce and terminal components as construction progresses due to constrained space within the approved Skyline Terminal temporary work area. The use of the MPR-2 expanded temporary work area will reduce congestion and inefficiency within the Skyline Terminal site and will keep the area as clear as practicable to support the safe and efficient operation of vehicles and equipment during construction.

Maps & Figures: Refer to **Attachment B, MPR-2 Figure** for a map of the proposed MPR-2 temporary work area. Refer to **Attachment C, MPR-2 Photograph Log** for pictures of the current conditions within the proposed MPR-2 temporary work area.

Environmental Impact: Utilization of the MPR-2 temporary 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 proposed MPR-2 expanded temporary work area is approximately 1.1 acres of disturbed land located beneath a highway overpass. The work area will be stabilized as needed in accordance with the Skyline Terminal SWPPP during construction and following completion of construction. Specific discussions for each resource area are provided below.

Concurrence (if appropriate): Concurrence is not required as the proposed MPR-2 temporary work area is located immediately adjacent to the previously approved Skyline Terminal site and is therefore within the geographic study area analyzed in the California Environmental Quality Act (CEQA) review process. The MPR-2 area is privately owned and LSPGC will enter into a lease with the property owner for the temporary use of the property. MPR-2 would not require approval from any agencies not disclosed within the FEIR.

Resources:						
Biological	<input type="checkbox"/>	No Resources Present	<input checked="" type="checkbox"/>	Resources Present	<input type="checkbox"/>	N/A, Change would not affect resources
Previous Biological Survey Report Reference:						
<p>Biological resources along the Project alignment, including the Skyline Terminal and MPR-2 expanded temporary work area, were studied, reviewed, and documented as part of the Project's Proponent's Environmental Assessment (PEA). Biological resources were also analyzed within the CPUC-conducted CEQA review process in the FEIR. A site assessment survey was also conducted for the MPR-2 temporary work area by a qualified biologist on February 12, 2026. The survey results verified that the current condition of the proposed MPR-2 expanded temporary work area is consistent with the results provided in previous biological studies. The site is a disturbed lot with no aquatic resources, suitable habitat for special-status species, or native vegetation present. No special-status wildlife species were observed onsite. The small patches of non-woody vegetation within the site support non-native, weedy species dominated by brome grasses (<i>Bromus spp.</i>), bur clover (<i>Medicago polymorpha</i>), mallow (<i>Malva sp.</i>), and wild radish (<i>Raphanus raphanistrum</i>).</p>						

During preconstruction nesting surveys and biological monitoring conducted for NTP-2 activities, Project biologists have recorded seven nests of common passerine species within the SR 87 underpass, included in **Table 1** below. As biological monitoring has continued, the passerine species are seen flying in and out of the bridge structure throughout the day, and appear to be in a colony and have been observed sharing nests. The majority of nests are not visible from the ground as the nests are located within the bridge structure and are obscured from view. The nesting birds do not appear to flush from nests or exhibit signs of disturbance during construction activities, and seem to be conditioned to anthropogenic activity.

Table 1: Nests at Skyline Terminal

Species	Nest ID	Location	Estimated Fledge Date	Status	Notes
White-throated Swift	041526_WTSW_ST_1	NTP-2 area under SR-87 overpass	N/A	Inactive	Nest may have been abandoned, nesting activity observed nearby
Black Phoebe	041526_BLPH_ST_1	Within MPR-2 work area under SR-87 overpass	5/15/2026	Active	Nest with nestlings
Cliff Swallow	041526_CLSW_ST_1	NTP-2 area under SR-87 overpass	5/15/2026	Active	Cluster of 3 - 5 nests
House Finch	041526_HOFI_ST_1	Within MPR-2 work area under SR-87 overpass	Fledged 5/2/2026	Inactive	No activity as of 5/2/26
Black Phoebe	041526_BLPH_ST_2	Within MPR-2 work area under SR-87 overpass	Fledged 5/2/2026	Inactive	Nest fledged
Black Phoebe	050526_BLPH_ST_3	NTP-2 area under SR-87 overpass	5/26/2026	Active	Adults observed feeding nestlings
Northern Rough-Winged Swallow	050226_NRWS_ST_1	NTP-2 area under SR-87 overpass	6/8/2026	Active	Observed entering weep hole; vision of nest obscured

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 proposed MPR-2 work area) were studied, reviewed, and documented as part of the Project's PEA. These resources were also discussed within the CPUC-conducted CEQA review process. Pedestrian surveys for the PEA were completed in November 2023 and March 2024 for the Project's study area where access was available. The proposed MPR-2 work area falls within a larger documented cultural resource site consisting of historic deposits and a prehistoric cemetery (P-43-001279). This resource has not been evaluated for listing on the National Register of Historic Places (NRHP), and all portions of the site appear to have been destroyed by apartment complex construction, as noted in the Cultural Resource Technical Report for the Project (PanGIS 2023). A pedestrian survey of the proposed MPR-2 expanded temporary work area by a qualified archaeologist was completed on April 22 and 28, 2026 in accordance with APM CUL-4 of the Project's Mitigation Monitoring, Compliance, and Reporting Program (MMCRP). Results of the survey were positive for cultural/historic resources on the surface. Finds included one prehistoric groundstone artifact, at least 10 historic-era artifacts (glass, Chinese and brownware ceramics, rail, etc.), and marine shell fragments. All of the finds are within or adjacent to the boundary of site P-43-001279 and are similar to finds at that site. Therefore, these finds will be recorded as an update to site P-43-001279. However, there is no official determination of eligibility for site P-43-001279; it was assumed eligible and destroyed during recovery of significant prehistoric material. The MPR-2 temporary work area has been previously disturbed by anthropogenic influence (see photos in **Attachment C**), including impacts from the SR 87 overpass and temporary events and homeless encampments. The new finds were found to lack integrity, which is consistent with the initial site P-43-001279 report. None of the new artifacts are considered eligible for inclusion on the California Register of Historic Resources (CRHR) or National Register of Historic Places (NRHP) if considered individually, nor do these artifacts appear to contribute to the overall eligibility of site P-43-001279.

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 MPR-2 expanded temporary work area) were studied, reviewed, and documented as part of the Project's PEA. These resources were also discussed within the CPUC-conducted CEQA review process. No records of paleontological resources were identified within the proposed MPR-2 work area in the records search performed by San Diego Natural History Museum (SDNHM) and the University of California Museum of Paleontology (UCMP), and the proposed expanded temporary work area is located in an area with low paleontological potential at depths shallower than 7 feet. Since belowground disturbance (e.g., fence post installation) is not anticipated to require excavation below 7 feet, there is no potential for disturbance to paleontological resources at the MPR-2 expanded temporary work area.

Disturbance Acreage Changes: Yes No

Temporary use of the proposed MPR-2 work area would result in 1.1 additional acres of temporary disturbance to disturbed land adjacent to the Skyline Terminal site.

The following table includes environmental analysis representative of CEQA Appendix G Checklist Sections addressed in the FEIR as it relates to MPR-2.

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	<input checked="" type="checkbox"/> Y	<p>MPR-2 activities would not result in installation of any new permanent facilities, nor performance of any new construction activities that may affect geology, soils, or seismicity. The proposed MPR-2 expanded temporary work area is located in soils with low paleontological potential (<7 feet). There is no excavation, grading, drilling, or any other type of significant ground disturbance proposed as part of MPR-2 activities. The only potential ground disturbance would be associated with installation of new fencing surrounding the MPR-2 area and adjacent Skyline Terminal site, for SWPPP BMP installation, and placement of gravel to create stable surface conditions and prevent unnecessary sediment transport off-site.</p> <p>The Skyline Terminal SWPPP (WDID #243C411671) would be amended as needed to include the MPR-2 expanded temporary work area. Following the use of the MPR-2 work area, the site will be stabilized in accordance with the Skyline Terminal SWPPP; and APMs GEO-1, PALEO-1, and PALEO-2 would be implemented as applicable. Accordingly, utilization of the MPR-2 expanded temporary work area would not increase the severity of any previously identified impacts to geology, soils, or seismicity and would not create any new geological related hazard not previously disclosed in the Project's FEIR, Section 3.7.</p>
	<input type="checkbox"/> N	
Agency Consultation?	<input type="checkbox"/> Y	The use of the MPR-2 temporary work area would not require agency consultation relating to geology, soils, seismicity, or paleontological resources.
	<input checked="" type="checkbox"/> N	
Hazardous Materials and Waste	<input checked="" type="checkbox"/> Y	LSPGC and its contractors would comply with applicable rules, regulations, and Project- and Skyline Terminal-specific plans pertaining to hazardous materials to minimize the risk of a significant hazard from material transport, use, storage, and disposal. MPR-2 activities would not result in the performance
	<input type="checkbox"/> N	

CEQA Section	Applicable	(Y) Define potential impact or (N) briefly explain why CEQA section isn't applicable. If (Y), describe original and new level of impact, and avoidance/minimization measures to be taken.
		of any new construction activities, an increase or change in the anticipated amounts or type of hazardous materials, nor would it create any new hazardous waste that could expose the public to hazards. All applicable Project activities within the MPR-2 expanded temporary work areas would be conducted in accordance with the Skyline Terminal SPCC Plan (APM HAZ-1), HMMP (APM HAZ-2), Site Management Plan (SMP) for the Skyline Terminal site (APM HAZ-3), Soil Management Plan (APM HAZ-4) and SWPPP. As such, there would be no change to impacts analyzed in the FEIR, Section 3.9.
Agency Consultation?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	As needed, LSPGC would comply with requirements in the Skyline Terminal HMMP, SPCC, and SMP including regularly updating the local Certified Unified Program Agency via the California Environmental Reporting System website. LSPGC would also coordinate with the City of San José as needed for hazardous materials storage or handling systems associated with MPR-2 activities.
Hydrology/ Water Quality	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	MPR-2 activities would not involve the installation of any new permanent facilities or performance of any new construction activities. There are no aquatic features within or adjacent to the MPR-2 temporary work area, and Project activities would be performed in accordance with the Skyline Terminal SWPPP, APM WQ-1, APM HAZ-1, APM HAZ-2, APM HAZ-3, and APM HAZ-4, as applicable. As such, there would be no change to impacts analyzed in the FEIR, Section 3.10.
Agency Consultation?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	The use of the MPR-2 expanded temporary work area would not require agency consultation relating to hydrology or water quality.
Cultural and Tribal Cultural Resources	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	The MPR-2 temporary work area falls within a larger documented cultural resource site consisting of historic deposits and a prehistoric cemetery (P-43-001279). This resource has not been evaluated for listing on the NRHP, and all portions of the site appear to have been destroyed by apartment complex construction, as noted in the Cultural Resource Technical Report for the Project (PanGIS 2023). The MPR-2 work area is a disturbed lot that does not contain any aboveground historic structures. A pedestrian survey of the proposed MPR-2 expanded temporary work area by a qualified

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.
		<p>archaeologist was completed on April 22 and 28, 2026, in accordance with APM CUL-4 of the Project's MMCRP (see Attachment E). Results of the survey were positive for cultural/historic resources on the surface. Finds included 1 prehistoric groundstone artifact, at least 10 historic-era artifacts (glass, Chinese and brownware ceramics, rail, etc.), and marine shell fragments. All of the finds are within or adjacent to the boundary of site P-43-001279 and are similar to finds at that site.</p> <p>Therefore, these finds will be recorded as an update to site P-43-001279. However, there is no official determination of eligibility for site P-43-001279; it was assumed eligible and destroyed during recovery of significant prehistoric material. The MPR-2 temporary work area has been previously disturbed by anthropogenic influence (see Attachment C), including impacts from construction of the freeway overpass, temporary events, and homeless encampments. The new finds were found to lack integrity, which is consistent with the initial site P-43-001279 report. None of the new artifacts are considered eligible for inclusion on the CRHR or NRHP if considered individually, nor do these artifacts appear to contribute to the overall eligibility of site P-43-001279.</p> <p>There is no subsurface disturbance proposed within this area beyond SWPPP BMP installation and installation of new perimeter fencing. Consistent with MM 3.5-1 and the Cultural Resources Management Plan (CRMP), ground disturbing activities within the MPR-2 expanded temporary work area would be subject to cultural resources and Native American monitoring. All personnel working within the MPR-2 work area will complete Worker Environmental Awareness Program (WEAP) training prior to working onsite (APM CUL-1, APM TCR-1), which includes training on how to identify cultural resources. As such, impacts would remain similar to those analyzed in the FEIR, Sections 3.5 and 3.18.</p>
Agency Consultation?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	The use of the MPR-2 temporary work area would not require new agency consultation relating to cultural or tribal cultural resources.
Traffic and Circulation	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	MPR-2 does not involve any new activities and will not change the volume of workers or construction-related vehicle trips. The MPR-2 temporary work area abuts the Skyline Terminal site,

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.
		with no physical barrier between the two sites, so the MPR-2 work area will be directly accessed from the Skyline Terminal site. Use of the MPR-2 work area will not require a new proposed construction access off a public road. MPR-2 activities are not anticipated to require closure of any sidewalks, trails, or bus stops. No traffic control is anticipated to be required for MPR-2 activities. However, in the event traffic control is required, such as for oversized deliveries to the site, those activities would be performed in accordance with APM TRA-1 and MM 3.17-1a. Any damage to existing public infrastructure located beyond the MPR-2 work area due to Project construction activities would be repaired pursuant to MM 3.17-1b. As such, there would be no change to impacts analyzed in the FEIR, Section 3.17.
Agency Consultation?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	The use of the MPR-2 temporary work area would not require additional agency consultation relating to traffic and circulation. As stated above, if traffic control is required, permits would be obtained from the City of San José.
Air Quality	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	The use of the MPR-2 expanded temporary work area would not result in a change to construction schedule or equipment used. Construction activities within the MPR-2 temporary work area would be performed in accordance with MM 3.3-2a and MM 3.3-2c, as applicable. As such, there would be no change to impacts analyzed in the FEIR, Section 3.3.
Agency Consultation?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	The use of the MPR-2 temporary work area would not require agency consultation relating to air quality.
Noise and Vibration	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Temporary use of the MPR-2 temporary work area will move the Project activities closer to the Fountain Plaza apartment complex (a sensitive noise receptor) located off Ryland Street, east of the Skyline Terminal site. The Skyline Terminal site is located approximately 200 feet west of the Fountain Plaza apartment complex, whereas the eastern boundary of the MPR-2 work area is located approximately 60 feet from the closest Fountain Plaza apartment units. However, as the MPR-2 work area would be used for temporary worker parking, storage and laydown of equipment and materials, and not active terminal construction, the proposed activities at the MPR-2 work area would generate less noise than the levels modeled in the FEIR,

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.
		<p>for the construction activities at the Skyline Terminal site. The anticipated work at the MPR-2 work area does not involve any of the "substantial noise generating" construction activities listed in the City of San José General Plan Policy EC-1.7 (related to construction noise), such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing.</p> <p>As discussed in the FEIR, Section 3.13, the CPUC established the threshold that impacts from temporary construction-related noise generated in the City of San José would be considered "substantial" if it would cause noise levels to increase by 10 dBA Leq or more at the nearest noise-sensitive land use(s) for a period of more than 12 months. The ambient average daytime noise level near the Skyline Terminal site (at long-term monitoring station LT-1) was measured at 65 dBA Leq, as reported in Appendix E of the FEIR. It is anticipated that a loader or equivalent equipment would be operated within the MPR-2 work area for an average of 15 minutes per hour during the daytime of a typical work day. Based on these variables, the daytime noise level at the nearest sensitive receptors (Fountain Plaza apartment units, approximately 60 feet away) for MPR-2 activities would be 72.3 dBA Leq, according to the Federal Highway Administration (FHA) Roadway Construction Noise Model (RCNM) noise modeling. As such, daytime noise levels caused by Project activities at the MPR-2 work area would not exceed ambient daytime levels by 10 dBA Leq or more, and thus the noise impact is considered less-than-significant, based on the thresholds established by the CPUC in the FEIR. It should be noted that the modeled daytime noise level for MPR-2 activities at the nearest sensitive receptor (72.3 dBA Leq) is conservative as it assumes that the construction equipment used in the estimate would operate at points closest to the sensitive receptor (i.e., along the eastern boundary of the MPR-2 work area). In reality, construction equipment operation will be distributed both temporally and spatially within the MPR-2 work area. Once the MPR-2 work area is established, the majority of construction equipment operation will take place at the Skyline Terminal site. In addition, the sensitive receptors to the east of the site (apartment units) are directly adjacent to SR 87, and thus likely experience a higher level of ambient noise</p>

CEQA Section	Applicable	(Y) Define potential impact or (N) briefly explain why CEQA section isn't applicable. If (Y), describe original and new level of impact, and avoidance/minimization measures to be taken.
		<p>than the LT-1 ambient noise monitoring location, which was located approximately 240 feet from SR 87.</p> <p>As described in Section 3.13.5.2 of the FEIR, construction noise is allowable on weekdays between 7:00 a.m. and 7:00 p.m., but is not allowable on weekend days, according to City of San José standards (which were referenced as a guide to conduct the impact analysis in the FEIR). Routine nighttime activities are not anticipated at the MPR-2 work area, but occasional nighttime activities may be necessary at the MPR-2 work area (e.g., materials delivery, parking), as was contemplated in the FEIR. As such, impacts would remain similar to those analyzed in the FEIR, Section 3.13.</p>
Agency Consultation?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	The use of the MPR-2 temporary work area would not require agency consultation relating to noise.
Aesthetics/ Visual Resources	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Temporary use of the MPR-2 expanded work area will not change the Project's impacts to aesthetics/visual resources as the area will be restored to pre-construction conditions or better, per APM AES-1 and APM GEO-1, at the completion of Project construction. Nighttime lighting, if required for activities and/or site security within the MPR-2 area, would be conducted in accordance with APM AES-1 and MM 3.1-2. As such, impacts would be similar to those analyzed in the FEIR, Section 3.1.
Agency Consultation?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	The use of the MPR-2 temporary work area would not require agency consultation relating to aesthetics or visual resources.
Vegetation and Wildlife	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<p>A biological survey for the MPR-2 temporary work area was conducted on February 12, 2026 by a qualified biologist, in which site conditions were confirmed to be consistent with the FEIR. No native vegetation or suitable habitat for special-status species is present within the work area. Seven active nests for common passerine species have been recorded within the underside of the overpass of SR-87 during pre-construction nesting bird surveys and biological monitoring, including three nests within the MPR-2 temporary work area, as described in Table 1. Project biologists has been conducting nest monitoring during ongoing construction activities within the approved NTP-2 temporary work area under the SR 87 overpass directly adjacent to the MPR-2 work area. There has been no</p>

CEQA Section	Applicable	(Y) Define potential impact or (N) briefly explain why CEQA section isn't applicable. If (Y), describe original and new level of impact, and avoidance/minimization measures to be taken.
		<p>disturbance to active nests or flushing as a result of construction activities, and the nesting birds appear to be acclimated to anthropogenic activity. Nest monitoring will take place during MPR-2 activities for active nests to ensure that activities are not disturbing nests per APM BIO-9 and APM BIO-14. If disturbance to active nests is observed as a result of MPR-2 activities, work will be stopped and an appropriate no-work buffer will be implemented.</p> <p>All workers will be required to complete the WEAP training prior to working onsite, and activities will be performed in accordance with the following APMs and MMs, as applicable.</p> <ul style="list-style-type: none"> • APM BIO-3: Preconstruction Sweeps • APM BIO-6: Vehicle Speed Limits • APM BIO-7: Outdoor Lighting Measures • APM BIO-8: WEAP Training • APM BIO-9: Nesting Bird and Roosting Bats Protection • APM BIO-14: Nesting Bird Surveys • MM 3.4-2: Protection of Special-Status Wildlife <p>As such, impacts would be similar to those analyzed in the FEIR, Section 3.4.</p>
Agency Consultation?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	The use of the MPR-2 temporary work area would not require agency consultation relating to vegetation and wildlife.
Wildfire	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	This MPR-2 does not involve change to the types of construction activities, facilities, or equipment to those disclosed within the FEIR. The MPR-2 expanded temporary 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. As such, there would be no change to impacts analyzed in the FEIR, Section 3.20.
Agency Consultation?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	MPR-2 would not require agency consultation relating to wildfire.

Approvals	Date	Name (print)	Signature	
LSPGC Project Manager	6/5/26	Jacob Diermann	<i>Jacob Diermann</i>	<input checked="" type="checkbox"/> Reviewed
LSPGC Environmental Project Manager	6/4/26	Dustin Joseph	<i>Dustin Joseph</i>	<input checked="" type="checkbox"/> Reviewed
CPUC Project Manager	5/22/26	Cesar Moreno	<i>Cesar Moreno</i>	<input type="checkbox"/> Approved <input checked="" type="checkbox"/> Approved with conditions (see below) <input type="checkbox"/> Denied

For CPUC Compliance Manager Use Only		
<input checked="" type="checkbox"/> Refinement Approved	<input type="checkbox"/> Refinement Denied	<input type="checkbox"/> Beyond Authority

<p><u>Conditions of Approval or Reason for Denial:</u></p> <p>All proposed actions and construction shall be carried out in accordance with the methods and conditions described in the FEIR, Construction MMCRP, the MPR-2 request, and this approval issued by CPUC.</p> <p>Prepared by: Cesar Moreno</p> <p>Date: 5/22/26</p>
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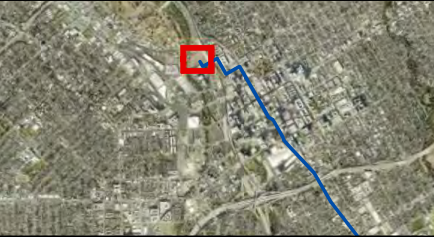
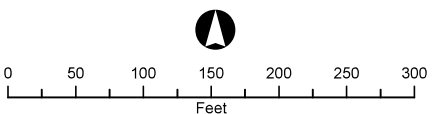
ATTACHMENT B
MPR-2 Figure



POWER SANTA CLARA VALLEY PROJECT
MPR-2 Skyline Terminal Temporary
Work Area Expansion
City of San José, Santa Clara Co., CA

LEGEND

- MPR-2 Requested Work Area
 - NTPR-2 Approved Skyline Terminal
- General Features**
- US Route or State Highway
 - Railroad



Sources: LSPGC, 2023; Source: Esri, Vantor, Earthstar Geographics, and the GIS User Community

GIS Project: Central Valley/MapServer/MPR-2_Skyline_Terminal_04162023.mxd 04162023 BCC

ATTACHMENT C
MPR-2 Photograph Log

Power Santa Clara Valley Project

MPR-2 Photograph Log



Photo 1: East-facing view of the entrance to the MPR-2 temporary work area showing bare ground and non-native vegetation beneath the Guadalupe Parkway overpass.

Power Santa Clara Valley Project

MPR-2 Photograph Log



Power Santa Clara Valley Project

MPR-2 Photograph Log



Power Santa Clara Valley Project

MPR-2 Photograph Log



Photo 4: East-facing view of the MPR-2 temporary work area.

Power Santa Clara Valley Project

MPR-2 Photograph Log



Photo 5: Southeast-facing view of MPR-2 work area showing flat, bare ground and non-native vegetation.

Power Santa Clara Valley Project

MPR-2 Photograph Log



Photo 6: East-facing view of MPR-2 work area in proximity to Ryland Street.

Power Santa Clara Valley Project

MPR-2 Photograph Log



Photo 7: North-facing view of existing shipping containers within the MPR-2 work area.