



California Public Utilities Commission



July 5, 2024

Dustin Joseph
LS Power Grid California
6701 Kroll Center Parkway, Suite 250
Pleasanton, CA 94566

Re: Minor Project Refinement No. 3 for the Round Mountain 500 kilovolt (kV) Dynamic Reactive Support (Fern Road Substation) Project – (A.24-01-011)

Dear Mr. Joseph:

On January 11, 2024, the California Public Utilities Commission (CPUC) adopted the Final Initial Study and Mitigated Negative Declaration (IS/MND) for the Round Mountain 500 kilovolt (kV) Dynamic Reactive Support Project (Fern Road Substation or Project) and approved the Project (Application 24-01-011). The decision granted LS Power Grid California (LS Power) a Permit to Construct and approved the Project conditionally with the implementation of Applicant Proposed Measures (APMs) and Mitigation Measures adopted in the Mitigation Monitoring, Compliance, and Reporting Program (MMCRP). On January 12, 2024, LSPGC submitted a Notice to Proceed Request (NTPR) to the CPUC seeking the authority to begin construction of the Project. On January 23, 2024, LS Power submitted a revised NTPR. The CPUC issued LS Power a Notice to Proceed with construction of the Project on January 25, 2024.

Consistent with the MMCRP, variances limited to minor changes in a project may be considered by the CPUC under certain conditions. Minor project refinements are strictly limited to changes that will not trigger an additional permit requirement, not substantially increase the severity of a previously identified significant impact, not create a new significant impact, clearly and strictly comply with the intent of the IS/MND mitigation measures, and not conflict with any applicable law or policy.

On June 27, 2024, LS Power provided the CPUC with a request to approve Minor Project Refinement No. 3 (MPR-3) to use three temporary work areas within the Project site boundary to accommodate construction staging, parking, and material storage. Approval of MPR-3 would authorize the expansion of the existing staging area approved in Notice to Proceed No. 1 (NTP-1) by approximately 2.7 acres to accommodate worker parking, construction trailers, and additional staging. Vegetation (including trees) would be removed within the expanded staging area; however, existing trees would be preserved if practicable in accordance with Applicant Proposed Measure (APM) BIO-11.

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California Public Utilities Commission



Dustin Joseph
June 28, 2024
Page 2

The expanded staging area would be graded, and gravel would be placed for stabilization as needed. In addition, two new materials storage areas (totaling approximately 4.2 acres) located south of the existing staging area are requested for use. LS Power proposes to utilize an approximately 3.1-acre portion of the area previously approved under Minor Project Refinement No. 2 for temporary overflow materials storage and laydown (depicted as the pink area in MPR-3 request letter Attachment B, *MPR-3 Figure*). LS Power also proposes to utilize an additional, approximately 1.1-acre area, for extra temporary materials storage (see black hatched area in Attachment B, *MPR-3 Figure*). This area contains existing trees and vegetation that will not be removed. Instead, construction will utilize existing clearings within this area as needed. There is no grading or ground disturbance anticipated within the materials storage areas.

These Project changes can be seen in the MPR-3 request letter Attachment B, *MPR-3 Figure*, and Attachment C, *MPR-3 Photography Log*. MPR-3 letter request Attachment D, *Bat and Bird Survey Area Figure*, demonstrates the extent of preconstruction biological resource surveys conducted in accordance with applicant commitments and mitigation requirements stipulated in the IS/MND. Changes associated with MPR-3 will comply with General Order (GO) 95, Public Resources Code (PRC) Section 4292, and California Code of Regulations (CCR) Title 14, Section 1252, California Public Utilities Code 8386 and LS Power's Wildfire Mitigation Plan as approved by CPUC on January 30, 2024. In addition, this MPR-3 approval does not result in alteration to any existing APMs or Mitigation Measures, would not require new mitigation measures, and would not require new permits or new regulatory approval.

LS Power is authorized to proceed with activities to prepare the site including vegetation and tree removal as described in its letter request to CPUC (dated June 27, 2024) upon the condition that all proposed actions and construction identified in the request are carried out in accordance with the commitments described in the IS/MND and the Notice to Proceed issued by CPUC.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Sanchez", is placed above the name of the signatory.

Boris Sanchez, AICP
CPUC Environmental Project Manager

cc: Maria Hensel, ESA
Matt Fagundes, ESA