

<b>DOCKETED</b>	
<b>Docket Number:</b>	25-OPT-02
<b>Project Title:</b>	Prairie Song Reliability Project
<b>TN #:</b>	264476
<b>Document Title:</b>	App 3-2D Lake and Streambed Alteration Agreement Application Part 3
<b>Description:</b>	N/A
<b>Filer:</b>	Erin Phillips
<b>Organization:</b>	Dudek
<b>Submitter Role:</b>	Applicant Consultant
<b>Submission Date:</b>	6/27/2025 9:18:48 AM
<b>Docketed Date:</b>	6/27/2025

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## **Appendix 3.2D**

1602 Lake and Streambed Alteration  
Agreement Application

3 of 3



SOURCE: Bing Maps 2021, Open Streets Map 2019.

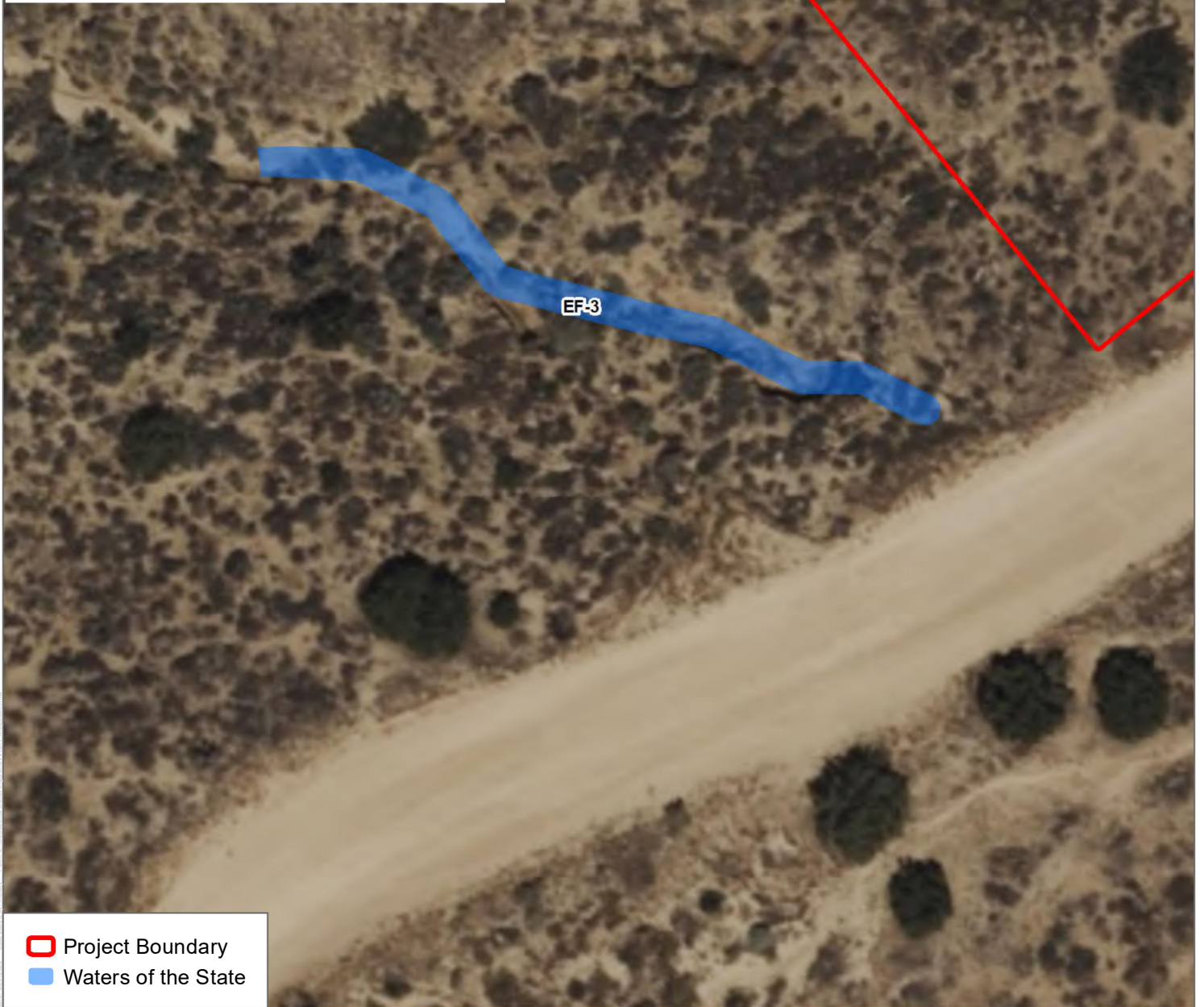
**DUDEK**



0 30 60 Feet

1 inch = 66 feet

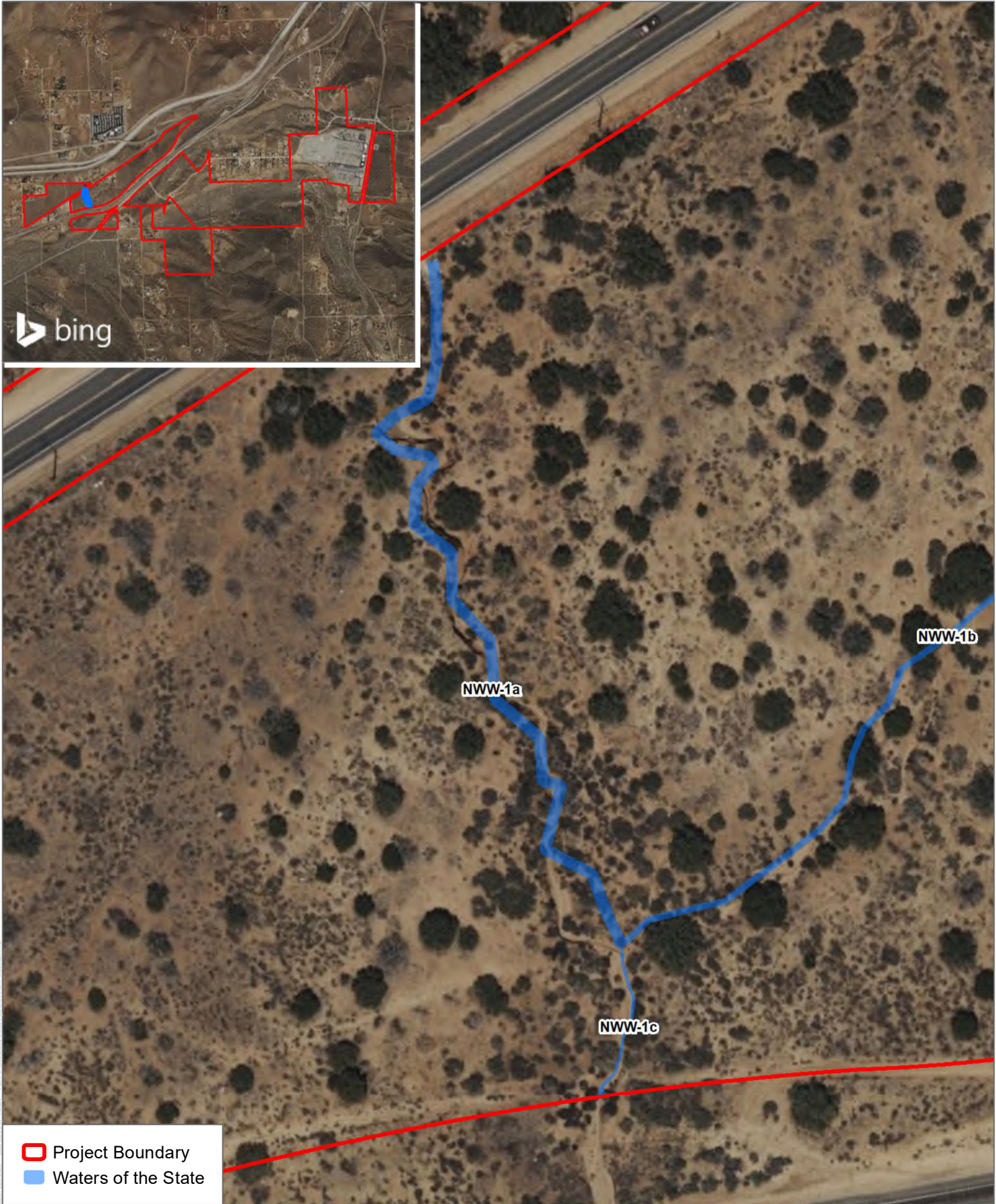
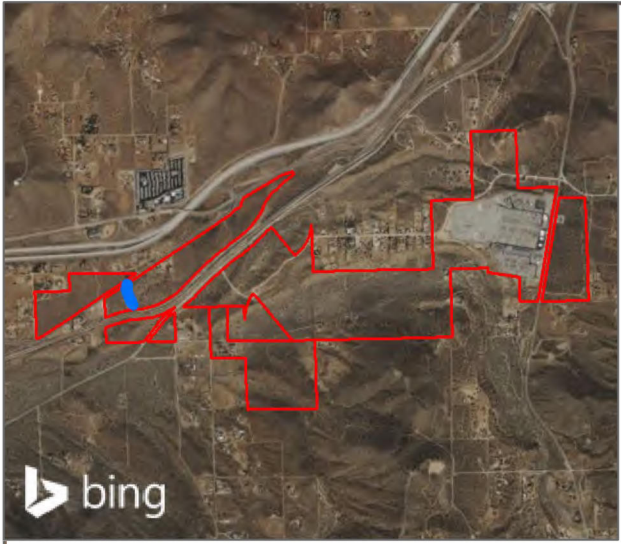




- Project Boundary
- Waters of the State

SOURCE: Bing Maps 2021, Open Streets Map 2019.





- Project Boundary
- Waters of the State

SOURCE: Bing Maps 2021, Open Streets Map 2019.

**DUDEK**

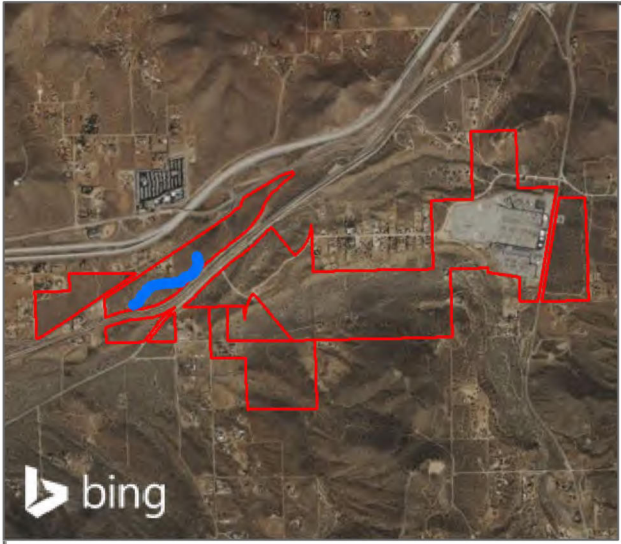


0 37.5 75 Feet

1 inch = 76 feet

**NWW-1a**  
**Potential Jurisdictional Waters**  
 Prairie Song Reliability Project





SOURCE: Bing Maps 2021, Open Streets Map 2019.

**DUDEK**



0 145 290 Feet

1 inch = 289 feet

**NWW-1b**

**Potential Jurisdictional Waters**

Prairie Song Reliability Project





- Project Boundary
- Waters of the State

SOURCE: Bing Maps 2021, Open Streets Map 2019.

**DUDEK**



0 25 50 Feet

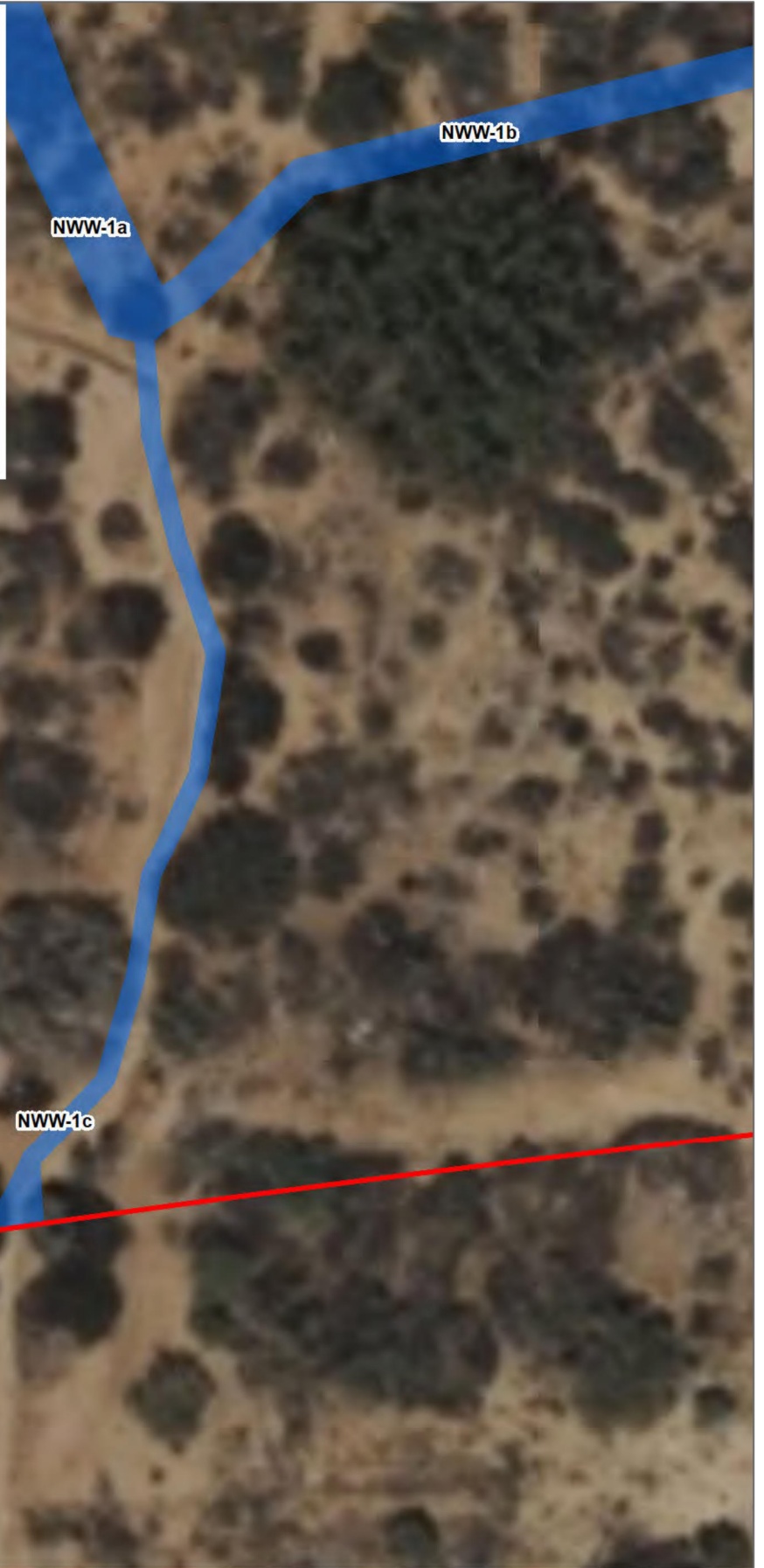
1 inch = 53 feet



**NWW-1c**

Potential Jurisdictional Waters

Prairie Song Reliability Project





-  Project Boundary
-  Waters of the State

SOURCE: Bing Maps 2021, Open Streets Map 2019.

**DUDEK**



0 5 10 Feet

1 inch = 17 feet

**NWW-1c**  
**Potential Jurisdictional Waters**  
Prairie Song Reliability Project

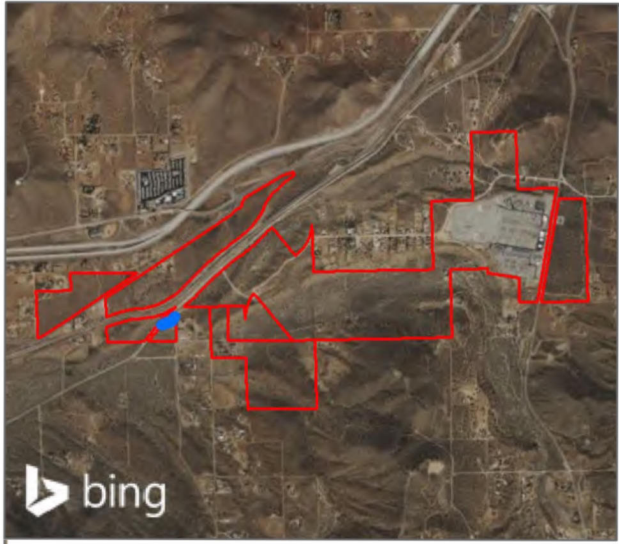






- Project Boundary
- Waters of the State

SOURCE: Bing Maps 2021, Open Streets Map 2019.





-  Project Boundary
-  Waters of the State

SOURCE: Bing Maps 2021, Open Streets Map 2019.

**DUDEK**



0 30 60 Feet

1 inch = 62 feet

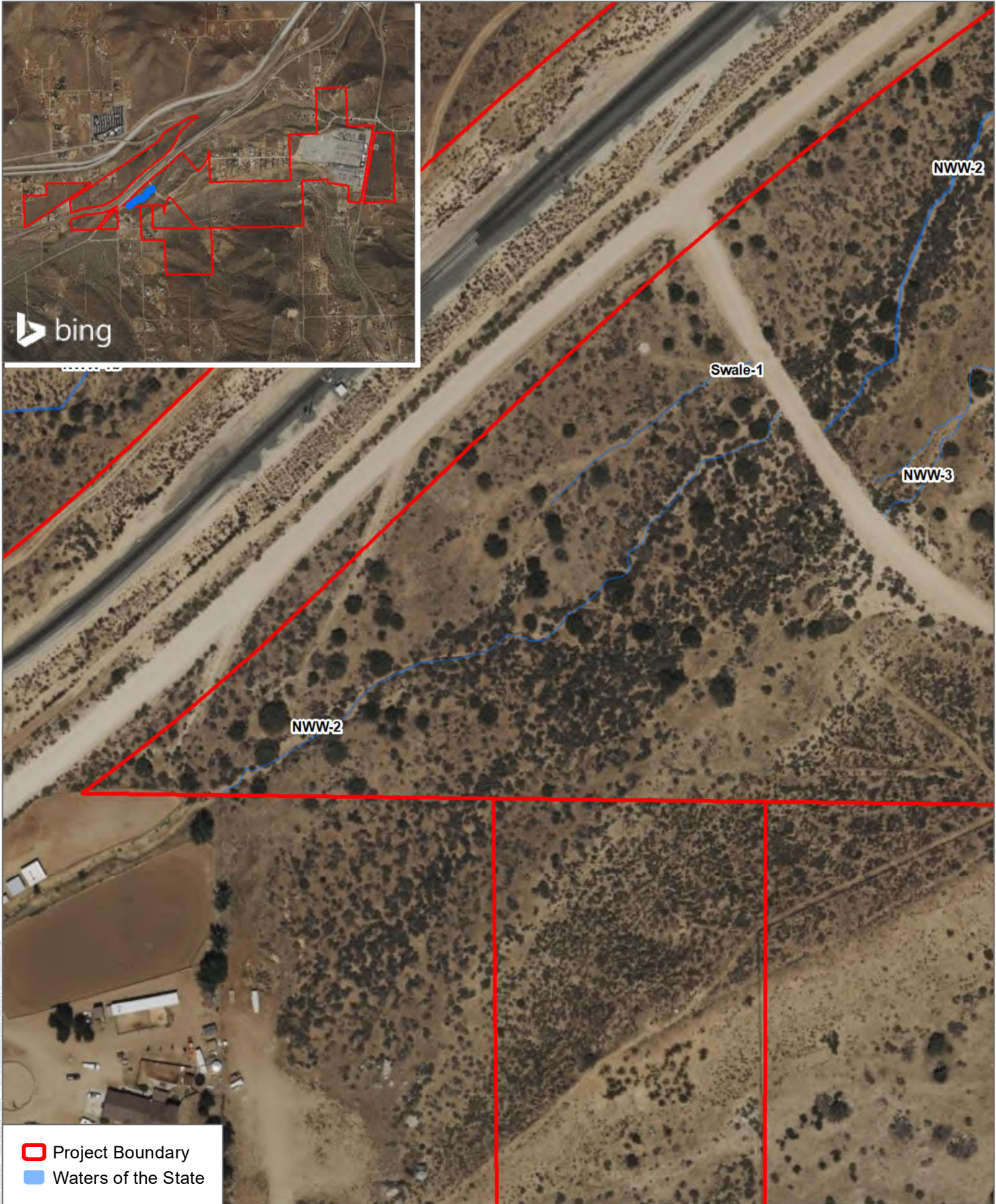
**NWW-2**  
Potential Jurisdictional Waters  
Prairie Song Reliability Project





SOURCE: Bing Maps 2021, Open Streets Map 2019.





SOURCE: Bing Maps 2021, Open Streets Map 2019.

**DUDEK**

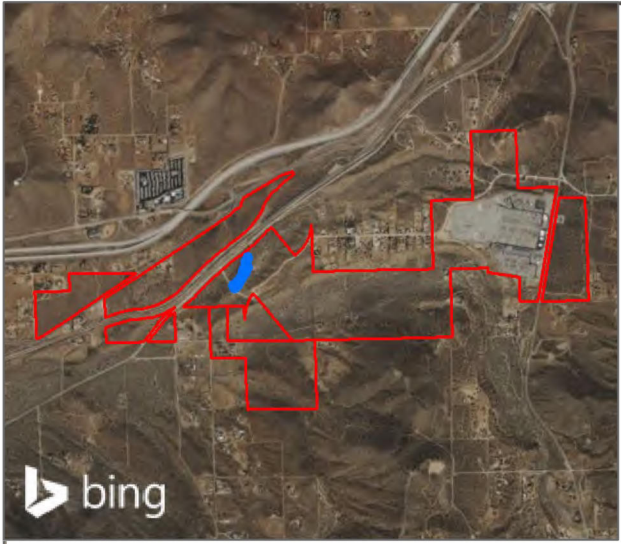


0 80 160 Feet

1 inch = 160 feet

**NWW-2**  
**Potential Jurisdictional Waters**  
 Prairie Song Reliability Project

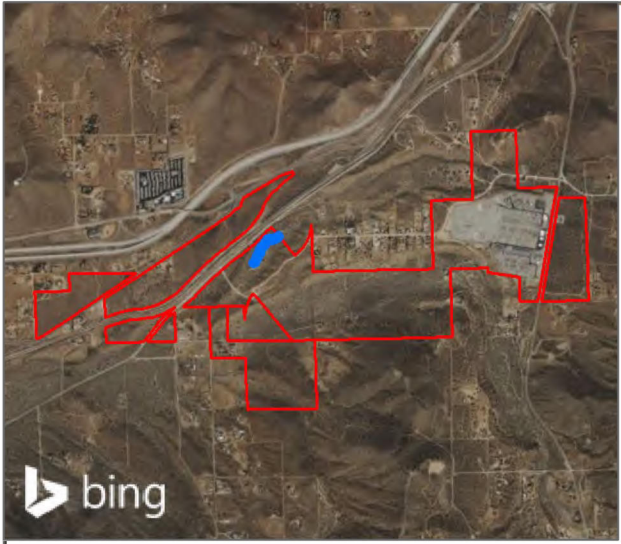




□ Project Boundary  
— Waters of the State

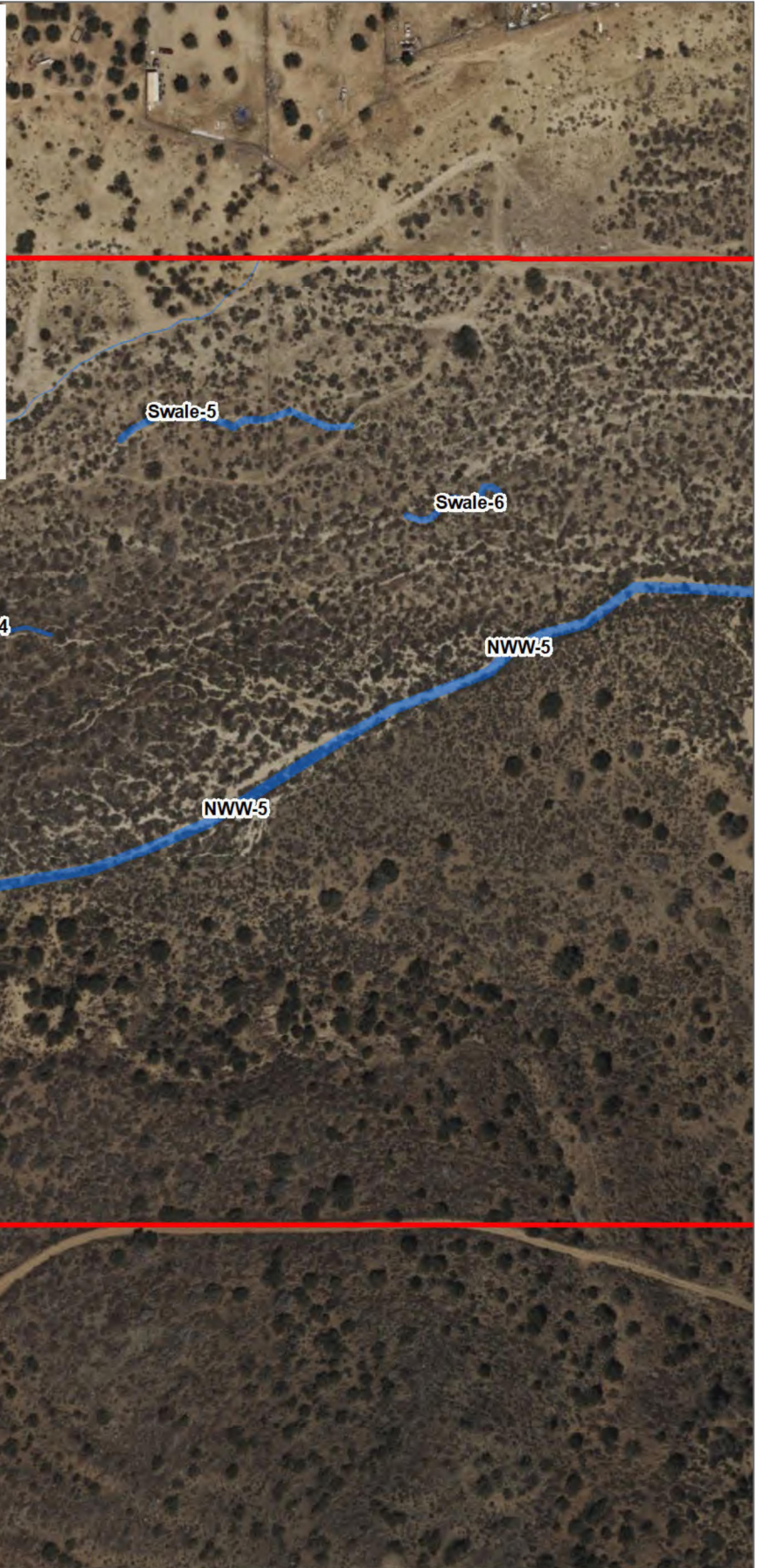
SOURCE: Bing Maps 2021, Open Streets Map 2019.





SOURCE: Bing Maps 2021, Open Streets Map 2019.





SOURCE: Bing Maps 2021, Open Streets Map 2019.

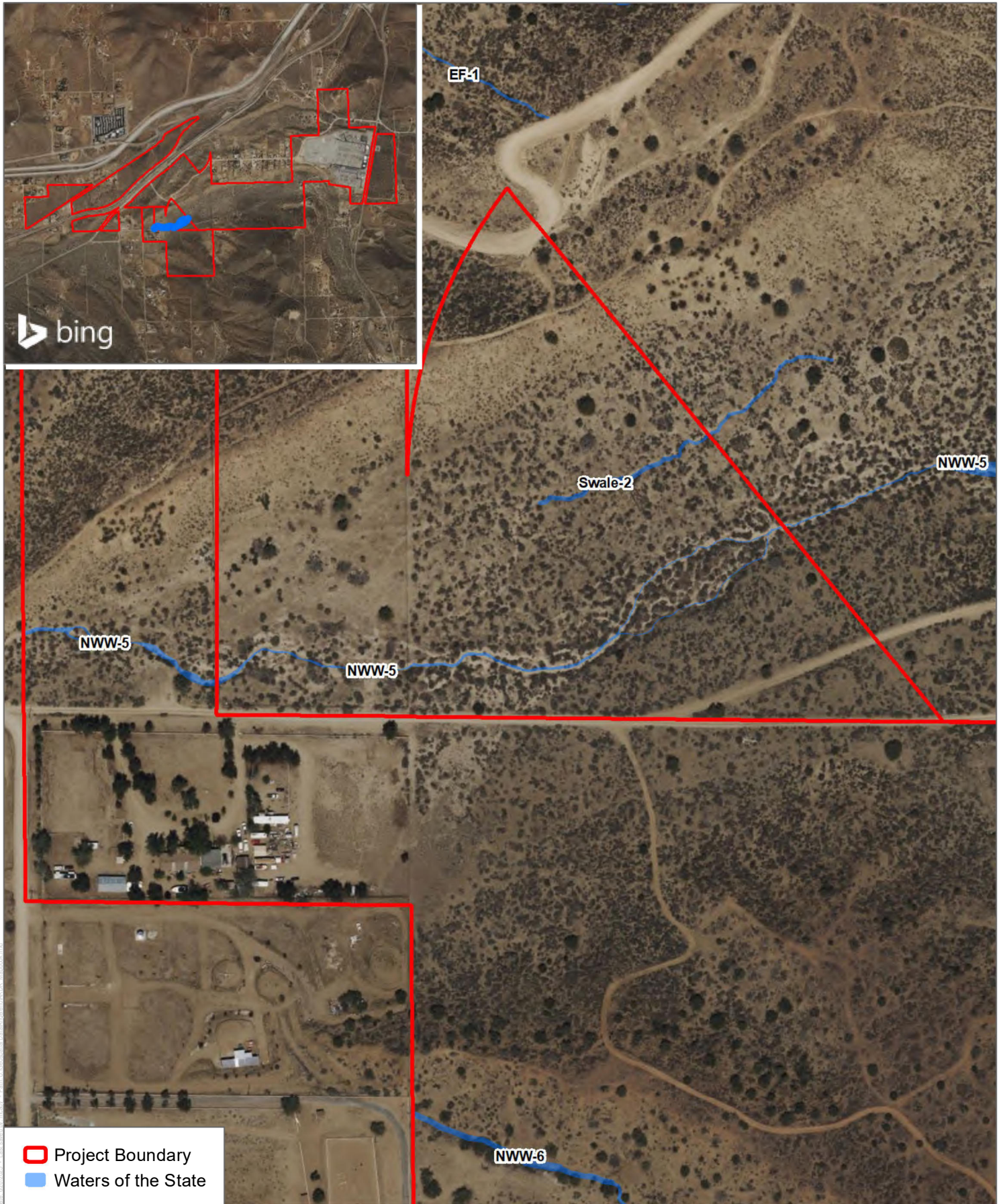




- Project Boundary
- Waters of the State

SOURCE: Bing Maps 2021, Open Streets Map 2019.





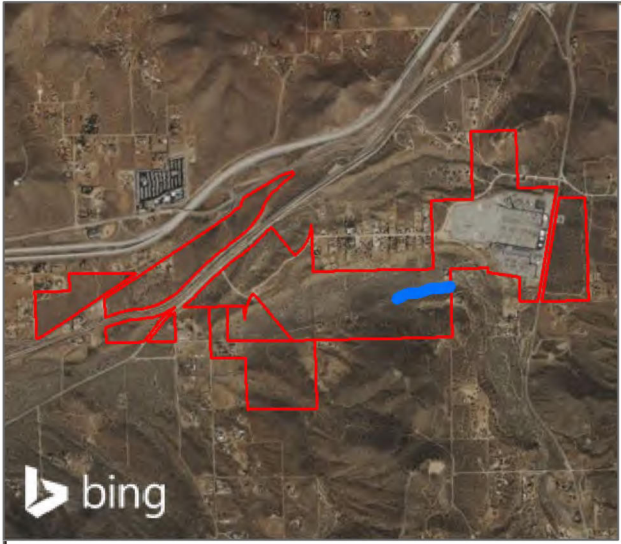
SOURCE: Bing Maps 2021, Open Streets Map 2019.





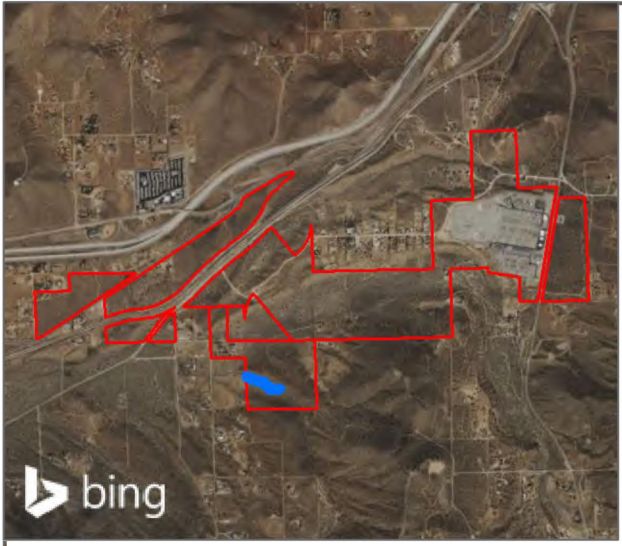
SOURCE: Bing Maps 2021, Open Streets Map 2019.





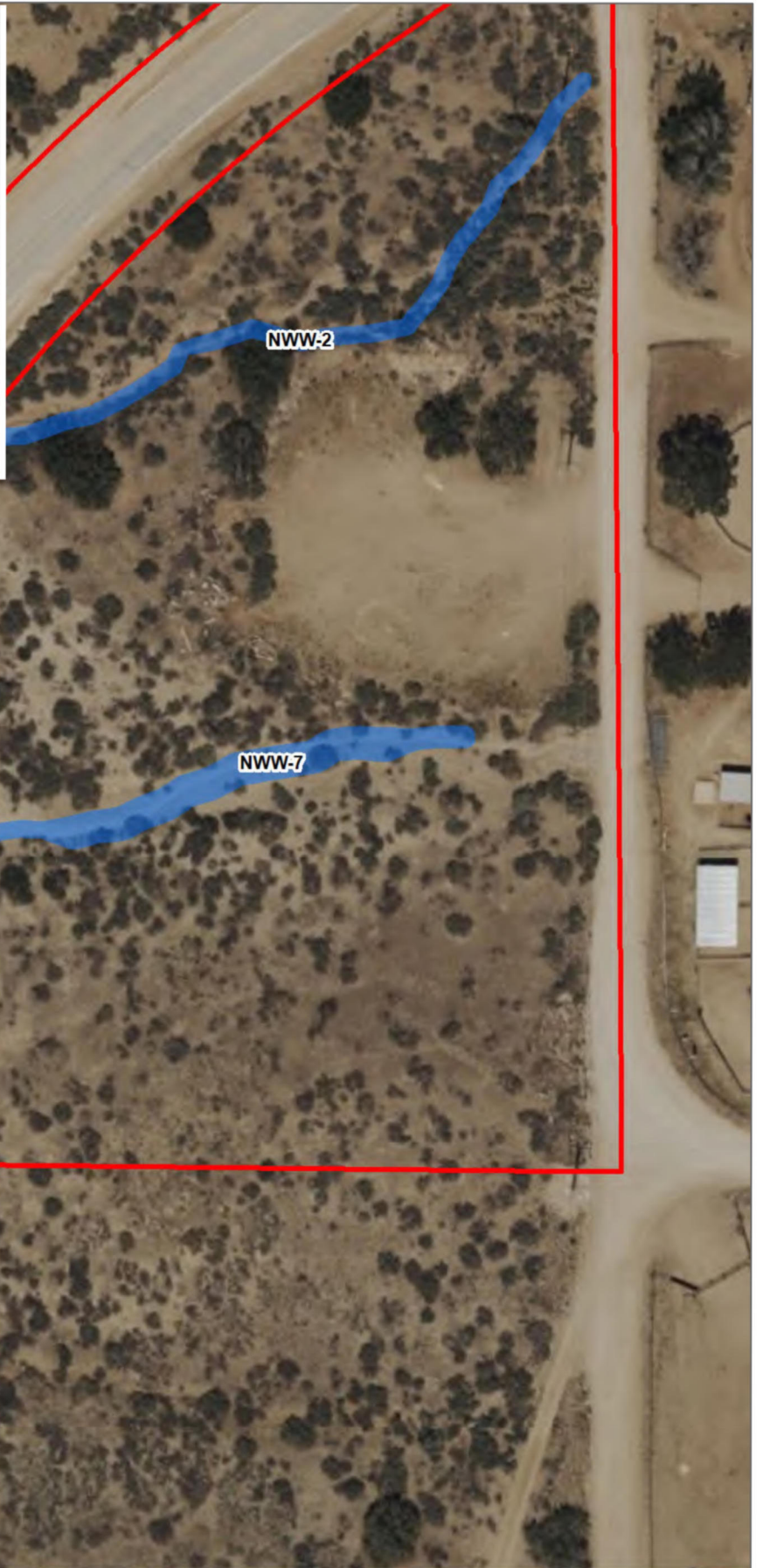
SOURCE: Bing Maps 2021, Open Streets Map 2019.





SOURCE: Bing Maps 2021, Open Streets Map 2019.





□ Project Boundary  
■ Waters of the State

SOURCE: Bing Maps 2021, Open Streets Map 2019.





SOURCE: Bing Maps 2021, Open Streets Map 2019.

**DUDEK**



0 50 100 Feet 1 inch = 98 feet

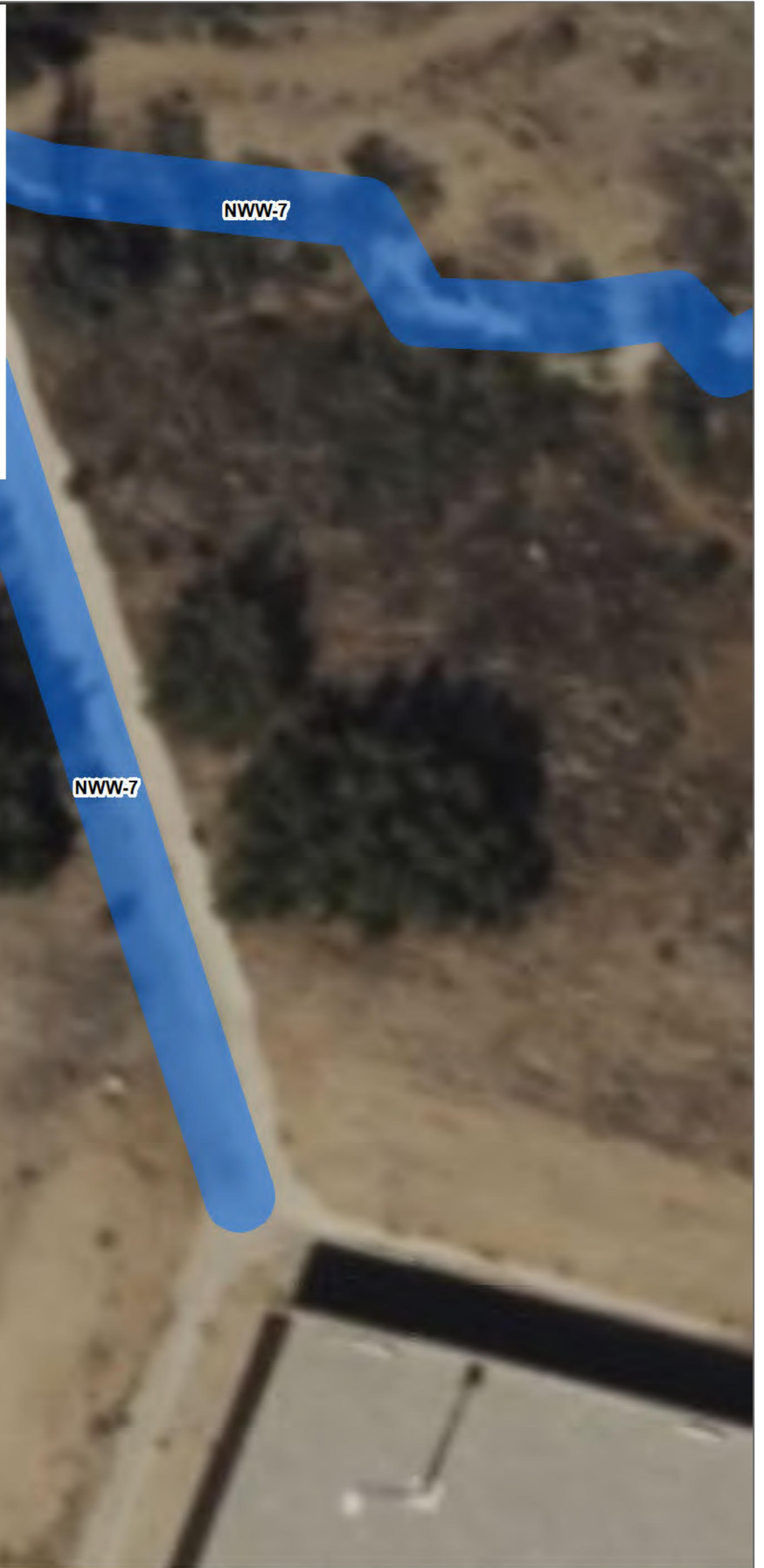
**NWW-7**  
**Potential Jurisdictional Waters**  
 Prairie Song Reliability Project





SOURCE: Bing Maps 2021, Open Streets Map 2019.





- Project Boundary
- Waters of the State

SOURCE: Bing Maps 2021, Open Streets Map 2019.

**DUDEK**



0 5 10 Feet

1 inch = 14 feet

**NWW-7**

**Potential Jurisdictional Waters**

Prairie Song Reliability Project





- Project Boundary
- Waters of the State

SOURCE: Bing Maps 2021, Open Streets Map 2019.

**DUDEK**



0 25 50 Feet

1 inch = 54 feet

**NWW-7**  
**Potential Jurisdictional Waters**  
 Prairie Song Reliability Project





Project Boundary

Waters of the State

SOURCE: Bing Maps 2021, Open Streets Map 2019.





SOURCE: Bing Maps 2021, Open Streets Map 2019.

**DUDEK**



0 55 110 Feet

1 inch = 116 feet

**Swale-2**  
**Potential Jurisdictional Waters**  
Prairie Song Reliability Project





SOURCE: Bing Maps 2021, Open Streets Map 2019.



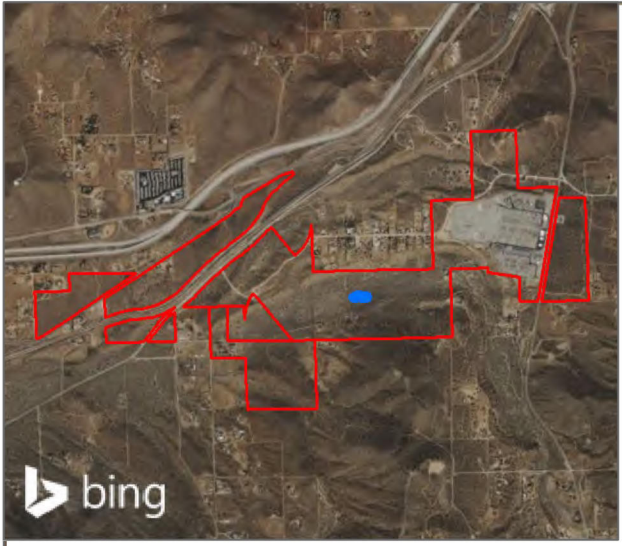


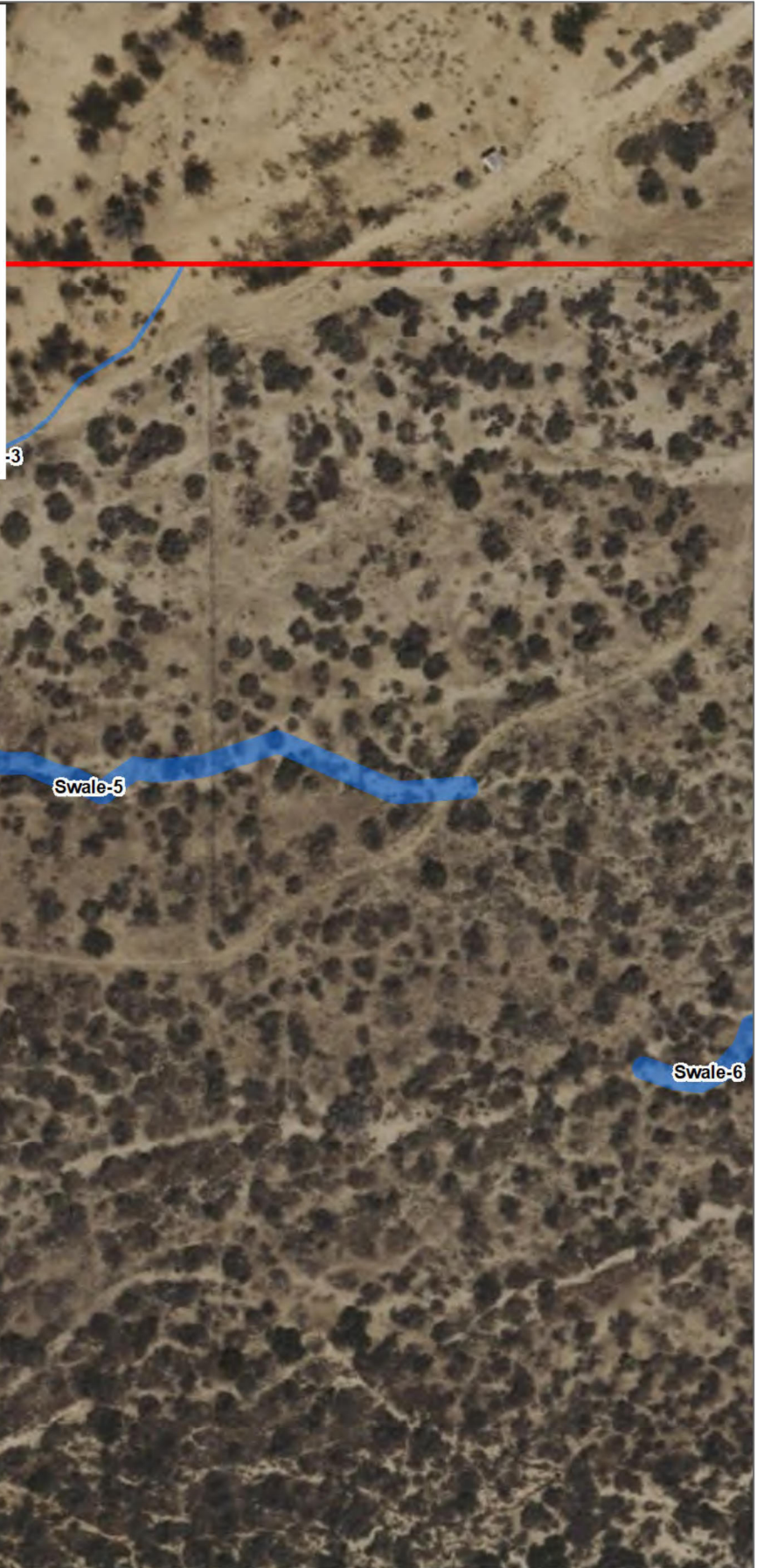
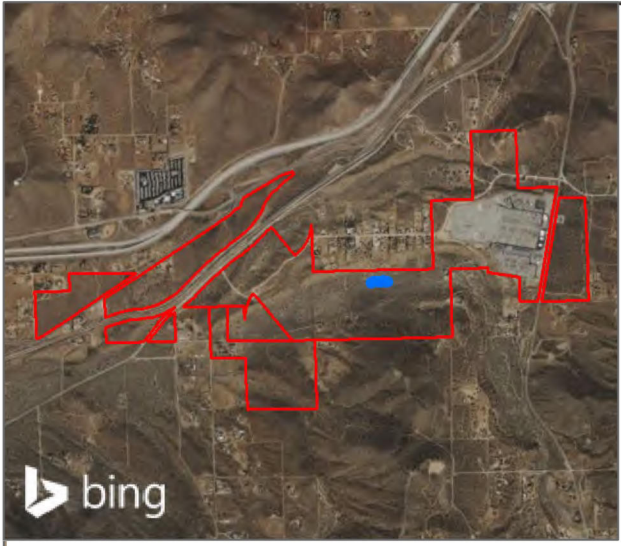
Photo: 05/05/2019 - 1:00 PM (GMT-05:00) - Photo by Google Earth - Photo by Google Earth - Photo by Google Earth



Project Boundary

Waters of the State

SOURCE: Bing Maps 2021, Open Streets Map 2019.





 Project Boundary  
 Waters of the State

SOURCE: Bing Maps 2021, Open Streets Map 2019.





SOURCE: Bing Maps 2021, Open Streets Map 2019.



## **Attachment E**

Copy of Application for a Clean Water Act Section 401  
Water Quality Certification/Waste  
Discharge Requirements







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## Application: Discharges of Dredged or Fill Material to Waters of the State

**STOP:** If you answer 'yes' to any of the following questions, do not complete this application. Instead, please contact the State Water Board's Division of Water Rights to obtain a copy of their water quality certification application:

- Does the project require a Federal Energy Regulatory Commission (FERC) license or amendment to a FERC license? Yes ☐ No ☒
- Does this project involve an appropriation of water? Yes ☐ No ☒
- Does this project involve a diversion of water for domestic, irrigation, power, municipal, industrial, or other beneficial use? Yes ☐ No ☒

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## Screening Criteria:

Check the box next to the category(ies) that applies to your project. Check all that apply.

Your project:

- ☐ Requires an individual permit (standard or letter of permission) from the U.S. Army Corps of Engineers.
- ☐ Requires preparation of an Environmental Impact Statement under NEPA.
- ☐ Requires preparation of an Initial Study and Negative Declaration or Mitigated Negative Declaration under CEQA and it is not yet complete, or the Water Board will be lead agency for the Initial Study.
- ☒ Requires preparation of an Environmental Impact Report (EIR) under CEQA and it is not yet complete.
- ☐ Permanently impacts 1.0 or more acres of waters of the U.S.
- ☐ Discharges into a water body of special designation, including designated critical resource waters and wetlands adjacent to such waters, Outstanding National Resource Waters (Lake Tahoe, Mono Lake), or State Water Board designated Areas of Special Biological Significance (ASBS).
- ☐ Discharges into a water body that provides habitat for state listed rare, threatened, or endangered species.
- ☐ Requires completion of a Tier 3 alternatives analysis per the Dredge or Fill Procedures (section IV.A.2.h).
- ☐ Involves new (not maintenance) dredging or deepening of a navigation channel or dredging and disposal of contaminated sediments.



## Section One: Contact Information

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Review **Section Twelve** Legally Responsible Person (LRP) eligibility and signature requirements before completing this application.

### Applicant (Organization and Legally Responsible Person) Information:

<b>Organization Name:</b>	Prairie Song Reliability Project LLC
<b>LRP Name:</b>	Garrett Lehman
<b>Title:</b>	Director
<b>Street Address:</b>	140 Broadway, 46th Floor
<b>City:</b>	New York, NY
<b>State:</b>	New York
<b>County:</b>	New York
<b>Zip Code:</b>	10005-1155
<b>Telephone:</b>	888-287-9058
<b>Email:</b>	glehman@covalinfra.com

The LRP may assign a Duly Authorized Representative (DAR) to make decisions on their behalf and provide application information. If a DAR is assigned to this project, provide the assigned person's contact information below and assign the DAR in Section Twelve.

### Duly Authorized Representative Information (Optional):

<b>Organization Name:</b>	Dudek
<b>DAR Name:</b>	Michael Cady
<b>Title:</b>	Senior Biologist
<b>Street Address:</b>	225 South Lake Avenue, Suite M10
<b>City:</b>	Pasadena
<b>State:</b>	California
<b>County:</b>	Los Angeles
<b>Zip Code:</b>	91101
<b>Telephone:</b>	626 204 9841
<b>Email:</b>	mcady@dudek.com

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## Section Two: Project Information

**Project Name or Title:** *Project Name should match all other agency permits and correspondence.*

Prairie Song Reliability Project

**Project Street Address:** *Provide the project's physical location, not the mailing address.*

The project does not have a street address.

**City:** Unincorporated Los Angeles County

**State:** California

**County:** Los Angeles

**Zip Code:** 93510

**Latitude:** 34.485487°

**Longitude:** -118.138757°

**Assessor's Parcel Number(s):** 3056-017-007, 3056-017-020, 3056-017-021, 3056-019-013, 3056-019-026, 3056-019-037, 3056-019-040, 3056-015-008, 3056-015-023, 3056-017-026, 3056-017-904, 3056-017-905, 3056-005-816, 3056-005-817, 3056-005-818, 3056-015-801, 3056-015-802, 3056-015-008, 3056-015-023, 3056-017-016, 3056-017-022, 3056-017-026, 3056-017-027, 3056-017-028, 3056-027-007, 3056-027-031, 3056-005-816, 3056-005-817, 3056-005-818, 3056-015-801, 3056-015-802

**Section, Township, Range:** Township 5N, Range 12W, Sections 27, 28, 33 and 34

**Directions to the Project Site:**

From State Route 14-northbound, exit at Sierra Highway, cross Sierra Highway to Soledad Canyon round and head southwest.

See Attachment C for figures showing the Project location.

**Project Purpose and Overall Goal of Entire Activity:**

The project will operate by transferring electrical energy from the existing power grid to the Project for storage and from the Project to the power grid when additional electricity is needed. The Project will provide additional capacity to the electrical grid to assist with serving load during periods of peak demand by charging when demand is low and discharging when demand is high. This operating principle increases the integration of additional intermittent renewable energy, such as wind and solar, in California's energy mix and reduces the need to operate natural gas power plants. The Project will also serve as an additional local/regional capacity resource that will enhance grid reliability, particularly to the Los Angeles Basin local reliability area and may allow for the deferral or avoidance of regional transmission facilities.

See Attachment B, Project Description, for full project objectives.



**Project Description:** *Provide a full, technically accurate description of the entire project.*

The project proposes to construct, operate, and eventually repower or decommission the up to 1,150-megawatt Prairie Song Reliability Project located on up to approximately 107 acres in unincorporated Los Angeles County. The primary components of the Project include a containerized battery energy storage system facility utilizing lithium-iron phosphate cells, or similar technology, operations and maintenance buildings, an on-site Project substation, a 500-kilovolt overhead generation interconnection transmission line, and interconnection facilities within the existing Southern California Edison-owned and operated Vincent Substation.

See Attachment B, Project Description, for full project objectives.

**Project Size:** Total size of the entire project area for all work/activities/construction that will be performed to meet the final goal: 107 acres

**Is this a linear project (for example a powerline, pipeline, highway, etc.)?** Yes ☐ No ☒

**If yes, indicate length of project from end-to-end in feet:** NA feet

**Anticipated Project Start and End Dates:** 3/2027 – 2069

**Construction Start Date:** 3/2027

**Construction End Date:** 4/2029

**Estimated Construction Duration:** 26 months

**Will any ground disturbance take place during the wet season months?** Yes ☒ No ☐

**Additional Information:** *Additional information may include documentation relevant to pre-application consultations which may help inform application processing.*



**Map Requirements:**

In addition to responding to the questions above, provide a project map with a scale of at least 1:24000 (1" = 2000') and of sufficient detail to show:

- The boundaries of the lands owned or to be utilized by the applicant in carrying out the proposed activity, including grading limits, proposed land uses, and the location, dimensions and type of any structures erected (if known) or to be erected.
- All aquatic resources that may qualify as waters of the state, within the boundaries of a project, and all aquatic resources that may qualify as waters of the state outside of the boundary of the project that could be impacted by the project.

A map verified by the Corps may satisfy this requirement if it includes all potential waters of the state. Note that a map in electronic format (e.g., GIS shapefiles) may be required.

**Section Three: Agency Contact Information**

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Attach copies of any final and signed federal, state, and local licenses, permits, and agreements (or copies of the draft documents or submitted application, if not finalized) associated with construction, operation, maintenance, or other actions relevant to the project. If a draft or final document is not available, a list of all remaining agency regulatory approvals being sought should be included. (CCR § 3856 (e).)

**Federal Permit(s) or Completed Federal Applications****U.S. Army Corps of Engineers:**

☒ Not Applicable

District: ☐ Los Angeles ☐ Sacramento ☐ San Francisco

☐ Individual Permit

☐ Letter of Permission

☐ Which Nationwide Permit Number has been applied for, if any? \_\_\_\_\_

For Nationwide Permits, select one of the following: ☐ Non-Reporting, or ☐ Reporting

☐ Corps File No.: \_\_\_\_\_

☐ Regional General Permit / Number: \_\_\_\_\_

☐ Other Permit Name: \_\_\_\_\_

Corps Contact Information:

Name: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

**U.S. Fish and Wildlife Service:**

☒ N/A ☐ Biological Opinion ☐ Biological Assessment ☐ Incidental Take Permit

Contact Information:

Name: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_



**National Marine Fisheries Service:**
☒ N/A      ☐ Biological Assessment      ☐ Biological Opinion
**Contact Information:**

Name: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

**State Permit(s) or Completed State Application(s)**

List permits for activities related to waters whether applied for or approved, e.g., California Department of Fish and Wildlife (CDFW) Lake or Streambed Alteration Agreement (Fish and Game Code sections 1600-1608), CESA section 2081 Incidental Take Permit, Construction Stormwater Enrollment, Coastal Development Permit, etc.

State or Local Permit Number	File Date	Tracking Number
CDFW Lake and Streambed Alteration Agreement (Fish and Game Code section 1600)	6/26/25	TBD
CDFW Incidental Take Permit (Fish and Game Code section 2081)	NA	NA
CDFW Consistency Determination (Fish and Game Code section 2080)	NA	NA
State Water Board Construction Stormwater General Permit Enrollment	TBD	TBD
California Coastal Commission (Development Permit)	NA	NA
California Coastal Commission (Consistency Determination)	NA	NA
Bay Conservation and Development Commission (Development Permit)	NA	NA
Bay Conservation and Development Commission (Consistency Determination)	NA	NA
Central Valley Flood Protection Board	NA	NA
Other: _____		

**State or Local Agency Contact Information:** *Provide additional contacts, as needed:*



<b>Agency Name:</b>	California Energy Commission
<b>Contact Name:</b>	Lisa Worrall
<b>Telephone:</b>	916-661-8367
<b>Email:</b>	lisa.worrall@energy.ca.gov

<b>Agency Name:</b>	
<b>Contact Name:</b>	
<b>Telephone:</b>	
<b>Email:</b>	

#### Section Four: Special Status Species

If known, provide information about the presence of species identified as rare, threatened, or endangered under state or federal law. Attach all biological assessments, surveys, formal consultation determination letters, and mitigation proposals, as applicable.

Are you aware of any rare, threatened, or endangered species at this site? Yes ☐ No ☒

Species Habitat and/or Name	Biological Assessment Prepared?	Survey Conducted? (Yes/No)	Dates Survey Conducted
	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	

Was the project planned in accordance with an approved Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP)? Yes ☐ No ☒

If yes, list the HCP or NCCP name: \_\_\_\_\_

#### Section Five: California Environmental Quality Act and/or National Environmental Policy Act Compliance

Unless an exemption applies, the Water Boards must comply with the California Environmental Quality Act (CEQA). Although not required for a complete application, final CEQA documentation must be provided to the Water Board with ample time to properly review before an Order may be issued. (CCR § 3856 (f).)

The Water Boards will determine whether a project qualifies for a CEQA exemption during review of the project information. Identify below if applicable the relevant categorical or statutory exemption number you believe applies.

If you do not know whether a CEQA exemption applies to the proposed project, submit the application with as much information as possible.



Document Type	Status (In Preparation, Complete, or Under Revision)	Date Completed or Expected Completion Date	Lead Agency
Scoping Document			
Initial Study			
Negative Declaration			
Notice of Preparation			
Mitigated Negative Declaration			
Environmental Impact Report	Preparation will be initiated once the AB 205 application is deemed complete	TBD	California Energy Commission
Environmental Document			

Enter State Clearinghouse number here: \_\_\_\_\_

Does the project meet a statutory or categorical CEQA exemption? No ☒

Yes, proposed statutory exemption number: \_\_\_\_\_

Yes, proposed categorical exemption number: \_\_\_\_\_

## Section Six: Aquatic Resource Information

Attach any aquatic resource delineation reports and maps for all aquatic resources that may qualify as waters of the state, including those outside of federal jurisdiction. Water Board staff will verify the presence or absence of waters of the state outside of federal jurisdiction during the application review process. (CCR § 3856 (h)(7).) The Water Boards may require supplemental field data from the wet season to substantiate dry season delineations (Procedures section IV.A.2.a).

### Aquatic Resource Delineation Report Information:

Was an aquatic resource delineation report prepared?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Report Title:	Aquatic Resources Delineation Report - Prairie Song Reliability Project
Delineation Dates:	January 6, 11, and 23 2023; February 12 and 19, 2023; November 18 and 19, 2024; December 7, 2024



<b>Name of Person who Prepared the Report:</b>	Michael Cady
<b>Title of Person who Prepared the Report:</b>	Senior Biologist
<b>Organization/Company who Prepared the Report:</b>	Dudek
<b>Was the report verified by the U.S. Army Corps of Engineers?</b>  If yes, enter verification date and submit a copy of the verification with this application:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  Date: _____
<b>Are there waters outside of federal jurisdiction?</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

**Hydrologic Information:**

<b>Was the project developed in accordance with a watershed plan?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>If yes, what is the name of the watershed plan name? Attach the plan, or a link to the plan, if feasible:</b>  Not Applicable
<b>How many waterbodies would be impacted by the project activity?</b> 7 _____  <i>If the project impacts more than one waterbody, attach the information below for each impacted waterbody; an excel spreadsheet or table may be used for projects with multiple impact sites.</i>
<b>Does the impacted waterbody have a name?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Name of the impacted waterbody; if unnamed, name of the nearest downstream named waterbody:</b>  Santa Clara River
<b>Basin plan hydrologic unit(s), and if included in a basin plan, the hydrologic area and hydrologic subarea, if known:</b>  Santa Clara subbasin (HUC 18070102), Headwaters Santa Clara River watershed (HUC 1807010201), and primarily Kentucky Springs Canyon – Santa Clara River subwatershed, with the western most area of the Project overlapping into the Arrastre Canyon – Santa Clara River subwatershed
<b>Does the project discharge to a waterbody listed as impaired on the Clean Water Act 303(d) list?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Stormwater runoff from the Project site ultimately flows to the Santa Clara



River, which is currently listed on the 303(d) list of impaired water bodies for bacteria and other microbes (Reach 7) and pesticides, salts (i.e., chloride), and total toxic chemicals (Reach 6)

**Does the project discharge to a waterbody with a total maximum daily load (TMDL)?**

**Yes** ☒ **No** ☐ No TMDLs have been established for pollutants for the nearby reaches of Santa Clara River; however, Reach 3 further downstream has a TMDL for Chloride with intentions of establishing TMDLs in Reaches 5 and 6 in the future.

## Section Seven: Impact Quantities and Classification

List temporary and permanent **fill/excavation** impacts to waters of the state according to the aquatic resource type in the tables below. Round acres to at least the hundredth place (0.01); round cubic yards and linear feet to the nearest whole number.

### Fill/Excavation Temporary Impacts

#### Lake/Reservoir

<b>Acres</b>	–
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	–

#### Stream Channel

<b>Acres</b>	0.18
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	1,290

#### Ocean/Bay/Estuary

<b>Acres</b>	–
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	–

#### Vernal Pool

<b>Acres</b>	–
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	–

#### Riparian Zone

<b>Acres</b>	–
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	–

#### Wetland

<b>Acres</b>	–
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	–

<b>Classification System Name (if known):</b>	Cowardin
<b>Classification(s):</b>	R4SBA



## Fill/Excavation Permanent Impacts

### Lake/Reservoir

<b>Acres</b>	–
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	–

### Stream Channel

<b>Acres</b>	0.04
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	2,375

### Ocean/Bay/Estuary

<b>Acres</b>	–
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	–

### Vernal Pool

<b>Acres</b>	–
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	–

### Riparian Zone

<b>Acres</b>	–
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	–

### Wetland

<b>Acres</b>	–
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	–

<b>Classification System Name (if known):</b>	Cowardin
<b>Classification(s):</b>	R4SBA



List temporary and permanent **dredge/extraction** impacts to waters of the state according to the aquatic resource type in the tables below. Round acres to at least the hundredth place (0.01); round cubic yards and linear feet to the nearest whole number.

### **Dredge/Extraction Temporary Impacts**

#### **Lake/Reservoir**

<b>Acres</b>	–
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	–

#### **Stream Channel**

<b>Acres</b>	–
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	–

#### **Ocean/Bay/Estuary**

<b>Acres</b>	–
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	–

#### **Vernal Pool**

<b>Acres</b>	–
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	–

#### **Riparian Zone**

<b>Acres</b>	–
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	–

#### **Wetland**

<b>Acres</b>	–
<b>Cubic Yards</b>	–
<b>Linear Feet</b>	–

<b>Classification System Name (if known):</b>	–
<b>Classification(s):</b>	–



## Dredge/Extraction Permanent Impacts

### Lake/Reservoir

Acres	–
Cubic Yards	–
Linear Feet	–

### Stream Channel

Acres	–
Cubic Yards	–
Linear Feet	–

### Ocean/Bay/Estuary

Acres	–
Cubic Yards	–
Linear Feet	–

### Vernal Pool

Acres	–
Cubic Yards	–
Linear Feet	–

### Riparian Zone

Acres	–
Cubic Yards	–
Linear Feet	–

### Wetland

Acres	–
Cubic Yards	–
Linear Feet	–

Classification System Name (if known):	–
Classification(s):	–

## Additional Direct and Indirect Impact Information

**Direct Impact Description:** *Describe the nature and extent of temporary and permanent impacts to waters of the state. Attach map(s) that clearly depict the anticipated area of direct impact.*

0.04-acre of NWW-1a, NWW-1b, and part of NWW-1c would be permanently filled in during grading to create a level area for the construction of the battery energy storage system and substation portions of the Project.

0.19-acre of NWW-5, NWW-2, Swale-1, and Swale-3 could be temporarily impacted during the construction of the gen-tie (due to potential pull areas) and the trenching of the underground optical ground wire use for telecommunication by the project. None of the tower pads or access roads to the pads would impact the features in the area.

See Attachment C for a figures depicting the project's impact on jurisdictional waters.

**Indirect Impact Description:** *Indirect impacts could be those that are reasonably foreseeable outside of the direct impact area, or that occur later in time, that may have an adverse effect on water quality. Examples of indirect impacts could include fluctuating or disturbed water levels, climate change adaptation, and disturbed habitat connectivity corridors.*

*Describe potential impacts to water quality from the project discharge. For example, describe increased turbidity, settleable matter, or other pollutants that may affect beneficial uses associated with the proposed project area. Attach map(s) that clearly depict the anticipated area of indirect impact, as feasible.*

**During Construction:** Potential temporary indirect impacts to the drainages in the project site and downstream waters could result from construction activities and will include potential impacts from the generation of fugitive dust and the potential introduction of chemical pollutants (including herbicides). Excessive dust can decrease the vigor and productivity of vegetation through effects on light, penetration, photosynthesis, respiration and transpiration, increased penetration of phytotoxic gaseous pollutants, and increased incidence of pests and diseases. Erosion and chemical pollution (releases of fuel, oil, lubricants, paints, release agents, and other construction materials) may affect wetlands/ jurisdictional waters. The release of chemical pollutants can reduce the water quality downstream and degrade adjacent habitats. However, during construction, erosion-control measures will be implemented as part of the storm water pollution prevention plan (SWPPP) for the Project. Because the entirety of the Project development footprint will be graded at one time but construction will occur over time in phases, the erosion measures will be maintained until all graded areas are constructed/landscaped. Prior to the start of construction activities, the Contractor is required to file a Permit Registration Document with the State Water Resources Control Board in order to obtain coverage under the National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with the Construction and Land Disturbance Activities (Order No 2009-009-DWQ, NPDES No. CAS000002) or the latest approved general permit. This permit is required for earthwork that results in the disturbance of 1 acre or more of total land area. The required SWPPP will mandate the implementation of best management practices to reduce or eliminate construction-related pollutants in the runoff, including sediment, for all exposed soils.

**During Operation:** Once constructed, the proposed BESS facility will result in an increase in impervious surfaces at the site, currently entirely pervious, which could potentially result in discharge of polluted stormwater runoff. Potential sources of polluted runoff include incidental spills of petroleum products and hazardous substances from maintenance vehicles and equipment. The proposed substation and BESS will be constructed on a raised pad and runoff from this area will drain southwest into catch basins located across the site. A storm sewer network will route water from the catch basins into underground infiltration chambers and infiltration trenches. Infiltration trenches along the southern end of each drainage area connected to the chamber system will aid in meeting the infiltration volume requirement. The infiltration



facilities will be sized to store and infiltrate the difference in runoff between existing and proposed conditions up to the 50-year 24-hour storm event for the two (2) drainage areas on site.

Each gen-tie pad will manage stormwater runoff using shallow infiltration basins.

**Cumulative Impacts:** *Provide a brief list/description, including estimated adverse impacts, of any projects implemented by the applicant within the last five years or planned for implementation by the applicant within the next five years that are in any way related to the proposed activity or that may impact the same receiving water body(ies) as the proposed activity. For purposes of this item, the water body extends to a named source or stream segment identified in the relevant Basin Plan. (CCR § 3856(h)(8).)*

The applicant has not had any projects in the region in the past five years and does not have any currently planned in the next five years.

Depending on the quantity of new or replaced impervious surface area resulting from the project, a post-construction stormwater control plan and/or an operations and maintenance plan may be required to mitigate potential post-construction stormwater impacts. The plan may include drainage maps, detailed designs for Low Impact Development or other post-construction stormwater treatment and control measures, and design calculations. Contact Water Board staff for specific criteria.

**Does the proposed project create or replace impervious surface?** Yes ☒ No ☐

**If yes, provide the total impervious surface area created or replaced in square feet:**  
2,487,276

## Section Eight: Avoidance and Minimization Measures

### Alternatives Analysis:

**Has an alternatives analysis been prepared?** Yes ☒ No ☐

**Does the U.S. Army Corps of Engineers require an alternatives analysis for this project?**  
Yes ☐ No ☒

If yes, submit alternatives analysis documentation consistent with that provided to the Corps.

**If an alternatives analysis is not provided, indicate which Procedures section IV.A.1.g exemption applies and include any relevant supporting information, if needed (e.g., watershed plan, relevant permit number, etc.):**

Not Applicable

**Check which Procedures section IV.A.1.h alternatives analysis tier applies to the project:**

Water Board staff will evaluate the project information to verify the appropriate alternatives analysis tier:

**Tier 1:** ☐

**Tier 2:** ☐

**Tier 3:** ☒

### **Avoidance and Minimization Measures**

Describe the efforts to avoid and minimize direct impacts to waters of the state including actions/BMPs to be implemented during construction to avoid and minimize impacts including, but not limited to, preservation of habitats, erosion control measures, project scheduling, flow diversions, etc.

A description may include actions or methods proposed for erosion control, including winterization strategies to stabilize bare soils and revegetation proposals. A map may be included to indicate the approximate location and area of soil, land, and vegetation disturbance, and proposed erosion and sediment control best management practices.

Reference the Procedures' state supplemental Dredge or Fill Guidelines, subpart H for potential actions to minimize adverse impacts to waters of the state.

#### **Direct Impact Avoidance and Minimization:**

Prior to commencement of ground disturbing activities for each phase of Project construction, the construction limits shall be clearly demarcated (e.g., installation of flagging or temporary high visibility construction fence), as recommended by the Biological Monitor. All construction activities including equipment staging and maintenance shall be conducted within the marked disturbance limits to prevent inadvertent disturbance to sensitive vegetation communities outside the limits of work. The flagging shall be maintained throughout construction.

The Project's grading plans will include details on the location and type of BMPs necessary to reduce the potential for Project-induced erosion and scour, including temporary BMPs to be implemented during construction (per the statewide Construction General Permit), and permanent BMPs to be installed and maintained (per the County BMP Design Manual). The exact location and type of temporary BMPs to be installed during construction depend on site-specific conditions, construction schedule, and proposed activities, all of which are outlined in the construction SWPPP that will be prepared for the Project. Typical temporary BMPs used for similar projects include energy dissipaters, silt fences, fiber rolls, gravel/sand bags, construction road stabilization, and stabilized construction entrances. As the Project-specific SWPPP is prepared, the location, type, and number of specific BMPs may be refined based on the final designs to most effectively achieve the objective of reducing turbidity and other pollutant loads in stormwater runoff. The provisions of the CGP ensure that site-specific conditions are taken into consideration when developing construction SWPPPs, that personnel developing and implementing construction SWPPPs are qualified, and that BMPs are adequately monitored and maintained.

#### **Indirect Impact Avoidance and Minimization:**

See direct impact avoidance and minimization measures.

### **Water Quality Monitoring, Diversions and Dewatering**

**Does the proposed project include any dewatering, work in standing or flowing water, and/or constructing diversions of water?**

Yes ☐ No ☒



## Section Nine: Ecological Restoration and Enhancement Projects (EREPs)

**Is this application for a project that meets the definition of an Ecological Restoration and Enhancement Project (Procedures section V)?**

Yes ☐ No ☒

## Section Ten: Restoration of Temporary Impacts

If temporary impacts are proposed, applicants are required to submit a draft restoration plan for a complete application. Temporary impact restoration includes activities that are undertaken to restore the temporarily impacted area to pre-project conditions. A draft restoration plan should outline design, implementation, assessment, and maintenance activities. When active restoration is proposed, components of a draft restoration plan should include project objectives, plans for grading impacted areas to pre-project contours, a planting palette with plant species native to the area, seed collection locations, an invasive species management plan. Maintenance and assessment components of a draft restoration plan often includes performance measures, performance standard descriptions, attainment objectives, and timing proposed to reach attainment objectives. When passive restoration is proposed, a draft restoration plan should include an explanation of how passive restoration will restore the area to pre-project conditions, assessment components, and an estimated date for expected restoration.

If the draft restoration plan is part of a larger document, identify the specific section and page number where the requested information may be found in the attached document in the text box provided. If restoration of temporary impacts will occur through natural ecological processes, provide that information in the text box below.

### Restoration Plan:

**Is a restoration plan attached?** Yes ☐ No ☒

**Describe the restoration plan and/or indicate where information is located within an attachment:**

Prior to ground disturbing activities, a qualified biologist shall be retained to prepare a Habitat Mitigation and Monitoring Plan (HMMP) detailing the specific approach for each type of habitat restoration and establishment area in the Conservation Area, and short-joint beavertail transplant location, and will outline detailed performance standards and monitoring requirements for each; following the monitoring and reporting methods and performance standards listed below. The HMMP shall be submitted to and approved by the CEC prior to the onset of Project-related ground-disturbing activities. The acreages allotted for on-site establishment apply to approximately 32 acres within the Conservation Area that includes 0.19 acres of ephemeral streams. The HMMP shall set out measures for habitat restoration/enhancement implementation, including but not limited to:

- Identification of proposed plant materials
- Signage in the habitat restoration area
- Schedule for habitat restoration/enhancement work
- Use of pesticides and elimination of non-native vegetation
- Habitat monitoring and reporting
- Performance standards

## Section Eleven: Compensatory Mitigation

Compensatory mitigation means the restoration, establishment, enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved (Procedures Appendix A, Subpart J § 230.92). **When compensatory mitigation is required, a draft compensatory mitigation plan is required for a complete application.**

**Proposed Compensatory Mitigation.** *Complete the table below for each aquatic resource type proposed as compensatory mitigation; if more than two aquatic resource types will be provided, attach additional tables to your application.*

<b>Proposed Compensatory Mitigation Type:</b>	<input checked="" type="checkbox"/> Mitigation Bank <input type="checkbox"/> In-Lieu Fee Program <input type="checkbox"/> Permittee Responsible	
<b>Aquatic Resource Type:</b>	<input type="checkbox"/> Lake/Reservoir <input checked="" type="checkbox"/> Stream Channel <input type="checkbox"/> Ocean/Bay/Estuary	<input type="checkbox"/> Riparian Zone <input type="checkbox"/> Vernal Pool <input type="checkbox"/> Wetlands
<b>Mitigation Method:</b>	<input checked="" type="checkbox"/> Establishment <input type="checkbox"/> Re-establishment <input checked="" type="checkbox"/> Rehabilitation	<input checked="" type="checkbox"/> Enhancement <input type="checkbox"/> Preservation <input type="checkbox"/> Unknown
<b>Quantity for the Selected Mitigation and Resource Type:</b>	Acres: <u>0.69</u> Linear Feet: <u>TBD</u>	

### Draft Compensatory Mitigation Plan

Using a watershed approach, a draft compensatory mitigation plan should be provided and be consistent with the requirements listed in Procedures Appendix A, Subpart J, and contain the items listed in section IV.A.2.b of the Procedures.

For mitigation bank or in-lieu fee program proposals, only the first three items below are required (i, ii, and iii). For permittee responsible mitigation, items one through seven are required. Item eight (climate change assessment) is required on a case-by-case basis; you may contact Water Board staff to determine if a climate change assessment will be required for your proposed mitigation project.

**Indicate the attached document name and page number where each draft compensatory mitigation plan item may be found:**

i. A watershed profile for the project evaluation area for both the project activity and the proposed compensatory mitigation location (section IV.A.2.b.i).

The project is within the Santa Clara subbasin (HUC 18070102), Headwaters Santa Clara River watershed (HUC 1807010201), and primarily Kentucky Springs Canyon – Santa Clara River subwatershed, with the western most area of the project overlapping into the Arrastre Canyon – Santa Clara River subwatershed.

The Peterson Ranch Mitigation Bank drains into both the Santa Clara River and Antelope-Fremont Valley watersheds.



ii. An assessment of the overall condition of aquatic resources proposed to be impacted by the project and their likely stressors, using an assessment method approved by the Water Boards (section IV.A.2.b.ii).

See Attachment D for a description of the biotic and abiotic conditions of the impacts being impacted by the project. The streams are ephemeral features in the upper of the watershed so stressors are limited.

iii. A description of how the project impacts and compensatory mitigation would not cause a net loss of the overall abundance, diversity, and condition of aquatic resources, based on the watershed profile. If the compensatory mitigation is located in the same watershed as the project, no net loss will be determined on a watershed basis. If the compensatory mitigation and project impacts are located in multiple watersheds, no net loss will be determined considering all affected watershed collectively. The level of detail in the plan shall be sufficient to accurately evaluate whether compensatory mitigation offsets the adverse impacts attributed to the project (section IV.A.2.b.iii).

***Include document name and page number.***

The project proposes to mitigate temporary and permanent impacts to ephemeral at 3:1 at the Peterson Ranch Mitigation Bank and re. The bank has higher quality waters including alluvial fan, wetland and riparian habitats.

#### **Compensatory Mitigation Contact Information:**

<b>Name of Mitigation Bank or In-Lieu Fee Program:</b>	Petersen Ranch Mitigation Bank
<b>Service Area:</b>	The bank drains into both the Santa Clara River and Antelope-Fremont Valley watersheds, resulting in an expansive wetland/riparian service area that includes portions of Los Angeles, Kern, Ventura, and San Bernardino counties
<b>Contact Name:</b>	Marlene Tyner-Valencourt
<b>Contact Phone:</b>	858-682-2699
<b>Contact Email:</b>	tyner-valencourt@wra-ca.com
<b>Mitigation Location County:</b>	Los Angeles
<b>Mitigation Site Latitude:</b>	34.657542°
<b>Mitigation Site Longitude:</b>	-118.345673°

## Section Twelve: Legally Responsible Person Attestation and Optional Duly Authorized Representative Assignment

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The attestation below must be signed by the Legally Responsible Person (LRP).

### 1) LRP eligibility is as follows:

- a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:
  - i. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function; or
  - ii. The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
- c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. This includes the chief executive officer of the agency or the senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of the U.S. EPA).

### Legally Responsible Person Attestation

I certify under penalty of law that this application and all attachments were prepared under my direction or supervision in accordance with a process designed to assure that qualified personnel properly gather and evaluate the information submitted. The information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Print Legally Responsible Person Name (Not the DAR)

X 

\_\_\_\_\_  
Legally Responsible Person's Signature

### 2) DAR assignment is as follows (optional):

- a. The authorization shall specify that a person designated as a DAR has responsibility for the overall operation of the regulated facility or activity, such as a person that is a manager, operator, superintendent, or another position of equivalent responsibility, or is an individual who has overall responsibility for environmental matters for the company.



### Optional Duly Authorized Representative (DAR) Assignment

I hereby authorize **[Print Duly Authorized Representative's Name]** to act on my behalf as the DAR in the processing of this application, and to furnish upon request, supplemental information in support of this permit application.

Print Legally Responsible Person Name (not the DAR)

X

\_\_\_\_\_  
Legally Responsible Person's Signature

### Section Thirteen: Fee Information

Fee amounts are determined according to the Cal. Code Regs., tit. 23, § 2200(a)(2) fee schedule ([https://govt.westlaw.com/calregs/Document/I1EE14760D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/I1EE14760D45A11DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default))) and are subject to change.

Submit the Application Fee based on the activity type and according to the appropriate fee category. Application fees are required to determine an application complete. Additional Project and/or Annual Fees may be imposed upon application review.

An excel fee calculator

([https://www.waterboards.ca.gov/resources/fees/water\\_quality/docs/dredgefillcalculator.xlsm](https://www.waterboards.ca.gov/resources/fees/water_quality/docs/dredgefillcalculator.xlsm)) may be used to estimate fees for budgeting purposes only.

Fees may be paid online or by check. Information on how to make an online payment is available at the State Water Board's webpage ([https://www.waterboards.ca.gov/make\\_a\\_payment/](https://www.waterboards.ca.gov/make_a_payment/)). If fees are paid online prior to application submission, attach payment receipt to this application. Make checks, money orders, and cashier checks payable to the State Water Resources Control Board. Mailed payments should be attached to the application and remitted to the appropriate Water Board. See the Staff Directory

([https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/wqc\\_staffdir.pdf](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/wqc_staffdir.pdf)) for a list of State and Regional Water Board addresses.

Table for Internal Use Only	
Date Received	Reg Measure ID
WDID No.	ECM Handle
Check No.	Check Amount
Place ID	

