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Project Title:	Midway Peaking Project - Starwood Power-Midway LLC
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Document Title:	Monthly Compliance Report (MCR 1) - June 2025
Description:	Monthly Compliance Report (MCR 1) - June 2025- Evaporation Pond Lining and BESS Interconnection Projects
Filer:	Anwar Ali
Organization:	California Energy Commission
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July 15, 2025
Project No: 24-16970

Anwar Ali, Compliance Project Manager
California Energy Commission
1516 Ninth Street (MS-2000)
Sacramento, California, 95814
Via email: anwar.ali@energy.ca.gov

Subject: Midway Pond Lining and Interconnection BESS Project within APN 027-060-91S in Unincorporated Fresno County, California (Docket No. 06-AFC-10C and Post Certification Amendments)
43627 West Panoche Road, Firebaugh, California 93622
Monthly Compliance Report 1, Report Period: June 2025

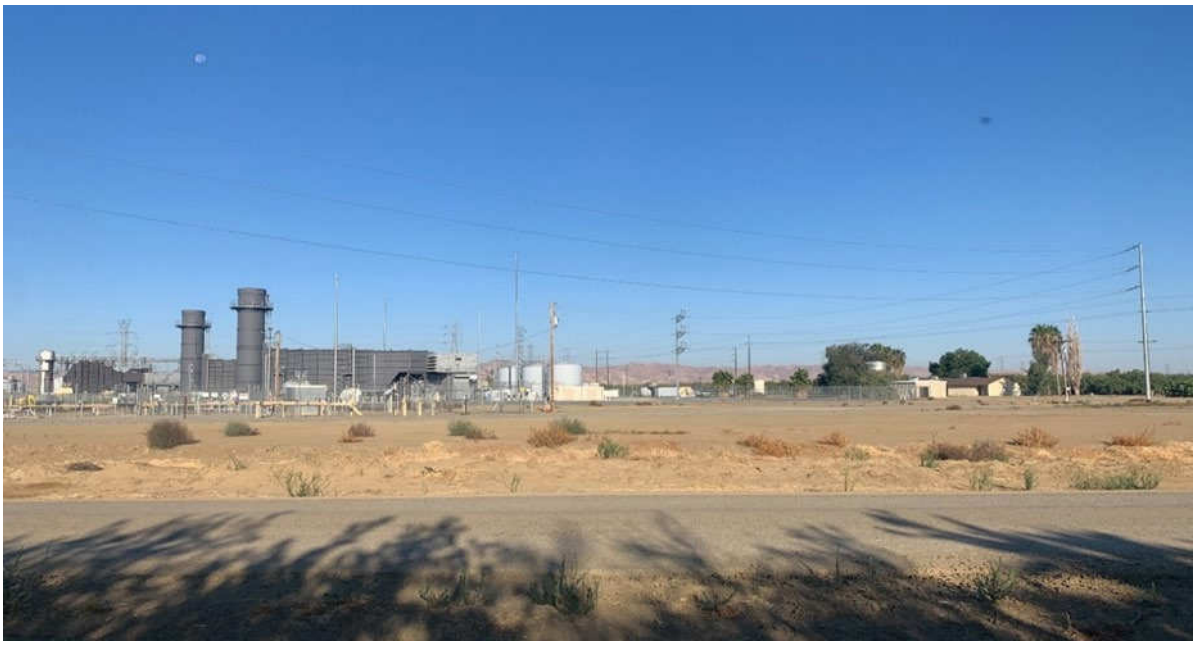
Dear Dr. Ali:

This Monthly Compliance Report (MCR) for June 2025 has been prepared by Rincon Consultants, Inc. in accordance with the Conditions of Certification issued by the California Energy Commission as part of licensing and subsequent amendments (Docket No. 06-AFC-10C and Post-Certification Amendments) for the Midway Peaking Plant Project. This MCR is only applicable to the Midway Pond Lining and Interconnection Battery Energy Storage System (BESS) Project (Project). This MCR has been prepared on behalf of the applicant, Midway Peaking LLC. This is the first MCR for the Project as construction for the pond lining component commenced in June 2025.

If you have any additional questions, please feel free to reach out to me.

Sincerely,
Rincon Consultants, Inc.

Ashley Quackenbush
Supervising Environmental Planner/Project Manager



Midway Pond Lining and BESS Interconnection Project

Monthly Compliance Report 1 Report Period: June 2025

prepared for

Midway Peaking LLC
43627 West Panoche Road
Firebaugh, California 93622

prepared by

Rincon Consultants, Inc.
4589 North Marty Avenue, Unit 102
Fresno, California 93722

June 2025

RINCON CONSULTANTS

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1 Current Project Status

This Monthly Compliance Report (MCR) has been prepared by Rincon Consultants, Inc. (Rincon) in accordance with the Conditions of Certification (CoC) issued by the California Energy Commission (CEC) as part of licensing and subsequent amendments (Docket No. 06-AFC-10C and Post-Certification Amendments) for the Midway Peaking Plant Project. This MCR is only applicable to the Midway Pond Lining and Interconnection Battery Energy Storage System (BESS) Project (Project). This is the first MCR for the Project as construction of the pond lining component commenced in June 2025. The reporting period covers June 1 through June 30, 2025.

The Project is comprised of two components: 1) Pond Lining and 2) BESS Interconnection. Figure 1 below shows a Site Map of the Project.

The Worker Environmental Awareness Program (WEAP) Training for this Project was conducted prior to the initiation of pond lining work activities on June 16, 2025. The training was made into a video format, and the recording was presented to any new employees prior to their commencing work on the Project. All employees who successfully completed the training were provided with a completion sticker for their hard hats. A copy of the Pond Lining and Interconnection WEAP Training, handout brochure, and presentation script are included in this MCR (MCR-1) in Appendix A. The cumulative list of all employees WEAP trained using the pre-recorded video has been included in Appendix A.

The following provides a construction schedule consistent with the Compliance-6 Requirement 1.[1] Pond Lining ground disturbance commenced on June 16, 2025. Construction activities for the month of June consisted of pond excavation, liner installation, backfilling of liner trench, concrete pouring, control valve installation, and trench backfill. The most up to date schedule is attached to this MCR in Appendix B.

Biological resource monitoring was conducted for nine (9) days in June (June 16, 17, 18, 19, 20, 23, 24, 25, and 26, 2025). A Biologist conducted a preconstruction sweep for biological resources in all work areas prior to construction commenced. No compliance issues were observed during June. All biological monitoring records and the biological monthly compliance monitoring summary are attached in Appendix B.

Archaeological monitoring was conducted for three (3) days in June (June 16, 17, and 18, 2025). No compliance issues were observed during June. The cultural resources monitoring monthly summary report, weekly summary reports, and the daily monitoring log are attached in Appendix B.

Paleontological monitoring was conducted for three (3) days in June (June 16, 17, and 18, 2025). No compliance issues were observed. The Paleontological Resources Report is attached in Appendix B.

[1] Compliance-6 Requirement 1 states: *The report shall contain a summary of the current project construction status, a revised/updated schedule if there are significant delays, and an explanation of any significant changes to the schedule.*

Figure 1 Site Map

2 Compliance Matrix

An updated copy of the CEC Compliance Matrix is included with this report in Appendix C, consistent with the Compliance-6 Requirement 3[2] and Compliance-5.[3] The CEC Compliance Matrix outlines the applicable CoCs issued by the CEC as part of licensing and subsequent amendments (Docket No. 06-AFC-10C and Post-Certification Amendments). Conditions related to the Project that have been satisfied prior to the submittal of this MCR are noted in the CEC Compliance Matrix.

[2] Compliance-6 Requirement 3 states: "The report shall contain an initial, and thereafter updated, compliance matrix showing the status of all conditions of certification (fully satisfied conditions do not need to be included in the matrix after they have been reported as completed)."

[3] The Compliance-5for the Compliance Matrix states: *A compliance matrix shall be submitted by the project owner to the CPM along with each monthly and annual compliance report. The compliance matrix is intended to provide the CPM with the current status of all conditions of certification in a spreadsheet format. The compliance matrix must identify:*
1. the technical area,
2. the condition number,
3. a brief description of the verification action or submittal required by the condition,
4. the date the submittal is required (e.g., 60 days prior to construction, after final inspection, etc.),
5. the expected or actual submittal date,
6. the date a submittal or action was approved by the Chief Building Official (CBO), CPM, or delegate agency, if applicable, and
7. the compliance status of each condition, e.g., "not started," "in progress" or "completed" (include the date).
Satisfied conditions do not need to be included in the compliance matrix after they have been identified as satisfied in at least one monthly or annual compliance report.

3 Monthly Compliance Report Submittal Requirements

Table 1 below includes a transmittal of documentation that is required to be submitted along with the MCR, consistent with Compliance-6 Requirement 2[4]. All required documentation is attached, and specific appendices are indicated in the table below.

[4] Compliance-6yep Requirements 2 states: "The report shall contain documents required by specific conditions to be submitted along with the Monthly Compliance Report. Each of these items must be identified in the transmittal letter, and submitted as attachments to the Monthly Compliance Report."

Table 1 Monthly Compliance Report Submittal Requirements, June 2025

Condition	Requirements	Documentation	Location within this MCR
AQ-SC3	Construction Fugitive Dust Control: **The AQCMM shall submit documentation to the CPM in each Monthly Compliance Report (MCR)** that demonstrates compliance with the following mitigation measures for the purposes of preventing all fugitive dust plumes from leaving the project site and linear facility routes. Any deviation from the following mitigation measures shall require prior CPM notification and approval. a. All unpaved roads and disturbed areas in the project and linear construction sites shall be watered as frequently as necessary to comply with the dust mitigation objectives of AQ-SC4. The frequency of watering may be reduced or eliminated during periods of precipitation. b. No vehicle shall exceed 10 miles per hour within the construction site. c. The construction site entrances shall be posted with visible speed limit signs. d. All construction equipment vehicle tires shall be inspected and washed as necessary to be cleaned free of dirt prior to entering paved roadways. e. Gravel ramps of at least 20 feet in length must be provided at the tire washing/cleaning station. f. All unpaved exits from the construction site shall be graveled or treated to prevent track-out to public roadways. g. All construction vehicles shall enter the construction site through the treated entrance roadways, unless an alternative route has been submitted to and approved by the CPM. h. Construction areas adjacent to any paved roadway shall be provided with sandbags or other measures as specified in the Storm Water Pollution Prevention Plan (SWPPP) to prevent run-off to roadways. i. All paved roads within the construction site shall be swept at least twice daily (or less during periods of precipitation) on days when construction activity occurs to prevent the accumulation of dirt and debris. j. At least the first 500 feet of any public roadway exiting from the construction site shall be swept at least twice daily (or less during periods of precipitation) on days when construction activity occurs or on any other day when dirt or runoff from the construction site is visible on the public roadways. k. All soil storage piles and disturbed areas that remain inactive for longer than 10 days shall be covered, or shall be treated with appropriate dust suppressant compounds. l. All vehicles that are used to transport solid bulk material on public roadways and that have the potential to cause visible emissions shall be provided with a cover, or the materials shall be sufficiently wetted and loaded onto the trucks in a manner to provide at least two feet of freeboard. m. Wind erosion control techniques (such as windbreaks, water, chemical dust suppressants, and/or vegetation) shall be used on all construction areas that may be disturbed. Any windbreaks installed to comply with this condition shall remain in place until the soil is stabilized or permanently covered with vegetation. n. The main travel route(s) through the site will be graveled and/or paved prior to the completion of the initial grading/site preparation phase of construction. To the extent feasible onsite traffic will be limited to these graveled/paved travel routes. Verification: **The project owner shall include in the MCR:** 1. a summary of all actions taken to maintain compliance with this condition, 2. copies of any complaints filed with the air district in relation to project construction, and 3. any other documentation deemed necessary by the CPM and AQCMM to verify compliance with this condition. Such information may be provided via electronic format or disk at the project owner's discretion.	A summary of all actions taken to maintain compliance with this condition, copies of any complaints filed with the air district in relation to project construction, and any other documentation deemed necessary by the CPM and AQCMM to verify compliance with this condition. Such information may be provided via electronic format or disk at the project owner's discretion.	Appendix B
AQ-SC5	Diesel-Fueled Engines Control: **The AQCMM shall submit to the CPM, in the MCR, a construction mitigation report that demonstrates compliance with the following mitigation measures for the purposes of controlling diesel construction-related emissions.** Any deviation from the following mitigation measures shall require prior CPM notification and approval. a. All diesel-fueled engines used in the construction of the facility shall be fueled only with ultra-low sulfur diesel, which contains no more than 15 ppm sulfur. b. All diesel-fueled engines used in the construction of the facility shall have clearly visible tags issued by the on-site AQCMM showing that the engine meets the conditions set forth herein. c. All construction diesel engines, which have a rating of 100 hp or more, shall meet, at a minimum, the Tier 2 California Emission Standards for Off-Road Compression-Ignition Engines as specified in California Code of Regulations, Title 13, section 2423(b)(1) unless certified by the on-site AQCMM that such engine is not available for a particular item of equipment. In the event a Tier 2 engine is not available for any off-road engine larger than 100 hp, that engine shall be equipped with a Tier 1 engine. In the event a Tier 1 engine is not available for any off-road engine larger than 100 hp, that engine shall be equipped with a catalyzed diesel particulate filter (soot filter), unless certified by engine manufacturers or the on-site AQCMM that the use of such devices is not practical for specific engine types. For purposes of this condition, the use of such devices is "not practical" if, among other reasons: 1. There is no available soot filter that has been certified by either the California Air Resources Board or U.S. Environmental Protection Agency for the engine in question; or 2. The construction equipment is intended to be on-site for ten (10) days or less. 3. The CPM may grant relief from this requirement if the AQCMM can demonstrate that they have made a good faith effort to comply with this requirement and that compliance is not possible.	A summary of all actions taken to maintain compliance with this condition, copies of all diesel fuel purchase records, a list of all heavy equipment used on site during that month, including the owner of that equipment and a letter from each owner indicating that equipment has been properly maintained, and any other documentation deemed necessary by the CPM and AQCMM to verify compliance with this condition. Such information may be provided via electronic format or disk at the project owner's discretion.	Appendix B

Condition	Requirements	Documentation	Location within this MCR
	d. The use of a soot filter may be terminated immediately if one of the following conditions exists, provided that the CPM is informed within ten (10) working days of the termination: 1. The use of the soot filter is excessively reducing normal availability of the construction equipment due to increased downtime for maintenance, and/or reduced power output due to an excessive increase in backpressure. 2. The soot filter is causing or is reasonably expected to cause significant engine damage. 3. The soot filter is causing or is reasonably expected to cause a significant risk to workers or the public. 4. Any other seriously detrimental cause which has the approval of the CPM prior to the termination being implemented. e. All heavy earthmoving equipment and heavy duty construction related trucks with engines meeting the requirements of (c) above shall be properly maintained and the engines tuned to the engine manufacturer's specifications. f. All diesel heavy construction equipment shall not remain running at idle for more than five minutes, to the extent practical. Verification: **The project owner shall include in the MCR:** 1. a summary of all actions taken to maintain compliance with this condition, 2. copies of all diesel fuel purchase records, 3. a list of all heavy equipment used on site during that month, including the owner of that equipment and a letter from each owner indicating that equipment has been properly maintained, and 4. any other documentation deemed necessary by the CPM and AQCMM to verify compliance with this condition. Such information may be provided via electronic format or disk at the project owner's discretion.		
BIO-2	The project owner shall ensure that the Designated Biologist performs the following during any site (or related facilities) mobilization, ground disturbance, grading, construction, operation, and closure activities. The Designated Biologist may be assisted by the approved biological monitor(s), but remains the contact for the project owner and CPM. The Designated Biologist shall: 1. advise the project owner's construction and operation managers on the implementation of the biological resources Conditions of Certification; 2. consult on the preparation of the Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP), to be submitted by the project owner; 3. be available to supervise, conduct, and coordinate mitigation, monitoring, and other biological resources compliance efforts, particularly in areas requiring avoidance or containing sensitive biological resources, such as special-status species or their habitat; 4. clearly mark sensitive biological resource areas and inspect these areas at appropriate intervals for compliance with regulatory terms and conditions; 5. inspect active construction areas where animals may have become trapped prior to construction commencing each day. At the end of the day, inspect for the installation of structures that prevent entrapment or allow escape during periods of construction inactivity. Periodically inspect areas with high vehicle activity (i.e., parking lots) for animals in harm's way; 6. notify the project owner and the CPM of any noncompliance with any biological resources condition of certification; 7. respond directly to inquiries of the CPM regarding biological resource issues; 8. maintain written records of the tasks specified above and those included in the BRMIMP. **Summaries of these records shall be submitted in the monthly compliance report** and the annual report; and 9. train the biological monitors as appropriate, and ensure their familiarity with the BRMIMP, worker environmental awareness program (WEAP) training, and all permits. Verification: **The Designated Biologist shall submit in the monthly compliance report to the CPM copies of all written reports and summaries that document biological resources activities.** If actions may affect biological resources during operation, a Designated Biologist shall be available for monitoring and reporting. During project operation, the Designated Biologist shall submit record summaries in the annual compliance report unless their duties are ceased as approved by the CPM.	Biological Monitoring Reports and Biological Resource Monitoring Summary	Biological Monitoring Reports and Biological Monthly Compliance Monitoring Summary included in Appendix B
BIO-5	The project owner shall develop and implement a CPM-approved worker environmental awareness program (WEAP) in which each of its employees, as well as employees of contractors and subcontractors who work on the project site or any related facilities during site mobilization, ground disturbance, grading, construction, operation and closure, are informed about sensitive biological resources associated with the project. The WEAP must: ▪ be developed by or in consultation with the Designated Biologist and consist of an onsite or training center presentation in which supporting written material and electronic media are made available to all participants; ▪ discuss the locations and types of sensitive biological resources on the project site and adjacent areas; ▪ present the reasons for protecting these resources; ▪ present the meaning of various temporary and permanent habitat protection measures; ▪ identify whom to contact if there are further comments and questions about the material discussed in the program; and ▪ include a training acknowledgment form to be signed by each worker indicating that they received training and shall abide by the guidelines.	Biological WEAP Training Tracker	WEAP presentation, brochure handout, and WEAP script included in MCR-1 in Appendix A. Combined Biological, Cultural, and Paleontological Resources WEAP, and Worker Traffic Safety Program included in Appendix A. WEAP Training Tracker (BIO-5, CUL-5, PAL-4, TRANS-4) included in Appendix A

Condition	Requirements	Documentation	Location within this MCR
	The specific program can be administered by a competent individual(s) acceptable to the Designated Biologist. Verification: At least 60 days prior to the start of any site (or related facilities) mobilization, the project owner shall provide to the CPM two (2) copies of the proposed WEAP and all supporting written materials and electronic media prepared or reviewed by the designated biologist and a resume of the person(s) administering the program. **The project owner shall provide in the monthly compliance report the number of persons who have completed the training in the prior month and a running total of all persons who have completed the training to date.** At least 10 days prior to site and related facilities mobilization submit two copies of the CPM approved materials. The signed training acknowledgement forms from construction shall be kept on file by the project owner for a period of at least six months after the start of commercial operation. During project operation, signed statements for active project operational personnel shall be kept on file for six months following the termination of an individual's employment.		
BIO-8	Any time the project owner modifies or finalizes the project design, it shall incorporate all feasible measures that avoid or minimize impacts to the local biological resources. The project owner shall: 1. design, install, and maintain transmission line poles, access roads, pulling sites, and storage and parking areas to avoid identified sensitive resources; 2. design, install, and maintain transmission lines and all electrical components in accordance with the Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 2006 (APLIC 2006) to reduce the likelihood of electrocutions of large birds; 3. eliminate any California exotic pest plants of concern List A species as defined by the California Exotic Pest Plant Council from landscaping plans; 4. prescribe a road sealant that is nontoxic to wildlife and plants; and 5. design, install, and maintain facility lighting to prevent side casting of light toward wildlife habitat. Verification: **All mitigation measures and their implementation methods shall be included in the BRMIMP. Implementation of the measures shall be reported in the monthly compliance reports by the Designated Biologist.** Within thirty (30) days after completion of project construction, the project owner shall provide to the CPM, for review and approval, a written construction termination report identifying how measures have been completed.	Implementation of BRMIMP measures will be reported in the monthly compliance reports by the Designated Biologist.	Monthly compliance implementation of BRMIMP measures included in Appendix B
BIO-9	The project owner shall implement the following measures to manage its construction site, and related facilities, in a manner to avoid or minimize impacts to the local biological resources. To minimize and avoid impacts to San Joaquin kit foxes, the following measures shall be implemented. These were extracted directly from the federal Biological Opinion, issued August 27, 2007 (USFWS 2007b): 1. ~~Impacts to kit fox habitat will be offset through a contribution to a local conservation bank. Pursuant to discussions with Service, total compensation has been determined based on the area permanently impacted (5.6), SPM will purchase 6 conservation credits. This contribution will occur at Kreyenhagen Hills conservation bank. This contribution will occur at Kreyenhagen Hills conservation bank, or by fee title acquisition or purchase of a conservation easement on a service-approved parcel, following all the requirements in Selected Review Criteria for Conservation Banks and Section 7 Offsite Compensation April 11, 2006 (enclosed).~~ 2. Project-related vehicles shall observe a 20-mph speed limit in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. To the extent possible, night-time construction should be minimized. Off-road traffic outside of designated project areas should be prohibited. 3. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep- walled holes or trenches more than 2 feet deep shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the procedures under number 13 of this section must be followed. 4. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the Service has been consulted. if necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped. 5. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a week from a construction or project site. 6. No firearms shall be allowed on the project site. 7. To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets will be permitted on project sites. 8. Use of rodenticides and herbicides in project areas will be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the Service, if rodent control must be conducted, zinc phosphide should be used because of proven lower risk to kit fox. 9. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped individual. The representative will be identified during the employee education program. The representative's name and telephone number shall be provided to the Service.	Implementation of BRMIMP measures will be reported in the monthly compliance reports by the Designated Biologist.	Monthly compliance implementation of BRMIMP measures included in Appendix B

Condition	Requirements	Documentation	Location within this MCR
	10. An employee education program shall be conducted. The program will consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and agency personnel involved in the project. The program will include the following: a description of the kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the above-mentioned people and anyone else who may enter the project site. The program will be conducted in languages other than English, as appropriate. 11. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. will be re-contoured if necessary, and revegetated to promote restoration of the area to pre-project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but that after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the Service, California Department of Fish and Game (CDFG), and revegetation experts. 12. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for advice. 13. Any contractor, employee, or military or agency personnel who inadvertently kills or injures a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFG and the Service immediately in the case of a dead, injured or entrapped kit fox. The CDFG contact for immediate assistance is State Dispatch at (916) 445-0045. They will contact the local warden or biologist. 14. The Sacramento Fish and Wildlife Office and CDFG will be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The Service contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers given below. The CDFG contact is Mr. Ron Schlorff at Street, Sacramento, California 95814, (916) 654-4262. 15. Limits of grading and construction activities should be clearly delineated so that no vegetation outside the delineated grading limits would be disturbed by construction personnel or equipment. Project personnel will drive only on existing roads outside of construction limits. 16. SPM will implement the Best Management Practices identified in the project specific Storm Water Pollution Prevention Plan (SWPPP). 17. In order to comply with the Migratory Bird Treaty Act and relevant sections of the CDFG Code (e.g., 3503, 3503.4, 3504, 3505, et seq.), any vegetation clearing would take place outside of the typical avian nesting season (i.e., February 1st — August 3 1st), to the maximum extent practical. If this is not possible, prior to ground-disturbing activities, construction, and so forth within the study area, a qualified biologist will conduct and submit a migratory nesting bird and raptor survey report. A qualified biologist is an individual with sufficient education and field experience in local California ecology and biology to adequately identify local plant and wildlife species. The survey shall occur not more than 72 hours prior to initiation of Project activities and any occupied passerines and/or raptor nests occurring within or adjacent to the study area will be delineated. To the maximum extent practicable, a minimum buffer zone from occupied nests will be maintained during physical ground-disturbing activities. Once nesting has been determined to cease, the buffer may be removed. 18. SPM will retain the services of a Biological Monitor who will be responsible for overseeing project environmental protection measures. All encounters with listed species will be reported to the Biological Monitor, who will record the following information: species name; location (narrative and maps) and dates of observations; general condition and health, including injuries and state of healing; diagnostic markings, including identification numbers or markers; and locations moved from and to (if appropriate). Verification: All mitigation measures and their implementation methods shall be included in the BRMIMP. **Implementation of the measures will be reported in the monthly compliance reports by the Designated Biologist.** Within thirty (30) days after completion of project construction, the project owner shall provide to the CPM, for review and approval, a written construction termination report identifying how measures have been completed.		
CUL-5	Prior to and for the duration of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, the project owner shall provide Worker Environmental Awareness Program (WEAP) training to project managers, construction supervisors, foremen, and general workers who are involved with or operate ground disturbing equipment or tools. The training shall be prepared by the CRS, may be conducted by any member of the archaeological team, and may be presented in the form of a video. The CRS shall be available (by telephone or in person) to answer questions posed by employees. The training shall include: 1. A discussion of applicable laws and penalties under the law; 2. Samples or visuals of artifacts that might be found in the project vicinity; 3. Instruction that the CRS, alternate CRS, and CRMs have the authority to halt construction in the area of a Discovery to an extent sufficient to ensure that the resource is protected from further impacts, as determined by the CRS; 4. Instruction that employees are to halt work on their own in the vicinity of a potential cultural resources Discovery and shall contact their supervisor and the CRS or CRM, and that redirection of work would be determined by the construction supervisor and the CRS; 5. An informational brochure that identifies reporting procedures in the event of a Discovery; 6. An acknowledgement form signed by each worker indicating that he/she has received the training; and 7. A sticker that shall be placed on hard hats indicating that environmental training has been completed.	Cultural WEAP Training Tracker	WEAP presentation, brochure handout, and WEAP script included in MCR-1 in Appendix A. Combined Biological, Cultural, and Paleontological Resources WEAP, and Worker Traffic Safety Program included in Appendix A. WEAP Training Tracker (BIO-5, CUL-5, PAL-4, TRANS-4) found in Appendix A

Condition	Requirements	Documentation	Location within this MCR
	No preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, shall occur prior to implementation of the WEAP program, unless specifically approved by the CPM. Verification: At least 30 days prior to the beginning of pre-construction site mobilization, the CRS shall provide the training program draft text and graphics and the informational brochure to the CPM for review and approval, and the CPM will provide to the project owner a WEAP Training Acknowledgement form for each WEAP-trained worker to sign. **On a monthly basis, the project owner shall provide in the Monthly Compliance Report (MCR) the WEAP Training Acknowledgement forms of persons who have completed the training in the prior month and a running total of all persons who have completed training to date.**		
CUL-6	The project owner shall ensure that the CRS, alternate CRS, or CRMs shall monitor preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction full time at the project site and linear facilities, and ground disturbance full time at laydown areas or other ancillary areas, to ensure there are no impacts to undiscovered resources and to ensure that known resources are not impacted in an unanticipated manner (Discovery). Specifically, the CRS, alternate CRS, or CRMs shall monitor: the initial soil stripping and any grading of the plant site; the excavation of structural foundations, of trenches for the natural gas and water pipelines, and of the 25,000 square-foot evaporation pond; and the drilling of the 1,500-foot-deep well, if this alternate water source is necessary. Full-time archaeological monitoring for this project shall be the archaeological monitoring of all native-soil–removing activities on the construction site or along the linear facility routes for as long as the activities are ongoing. Full-time archaeological monitoring shall require at least one monitor per excavation area where machines are actively removing native soils. If an excavation area is too large for one monitor to effectively observe the soil removal, one or more additional monitors shall be retained to observe the area. In the event that the CRS determines that the current level of monitoring is not appropriate in certain locations, a letter or e-mail detailing the justification for changing the level of monitoring shall be provided to the CPM for review and approval prior to any change in the level of monitoring. The research design in the CRMMP shall govern the collection, treatment, retention/disposal, and curation of any archaeological materials encountered. On forms provided by the CPM, CRMs shall keep a daily log of any monitoring and other cultural resources activities and any instances of non-compliance with the Conditions and/or applicable LORS. **Copies of the daily logs shall be provided to the CPM by the CRS as directed by the CPM. From these logs, the CRS shall compile a monthly monitoring summary report to be included in the MCR. If there are no monitoring activities, the summary report shall specify why monitoring has been suspended.** The CRS or alternate CRS shall report daily to the CPM on the status of cultural resources-related activities at the construction site, unless reducing or ending daily reporting is requested by the CRS and approved by the CPM. The CRS, at his or her discretion, or at the request of the CPM, may informally discuss cultural resources monitoring and mitigation activities with Energy Commission technical staff (Staff). Cultural resources monitoring activities are the responsibility of the CRS. Any interference with monitoring activities, removal of a monitor from duties assigned by the CRS, or direction to a monitor to relocate monitoring activities by anyone other than the CRS shall be considered non compliance with these Conditions. Upon becoming aware of any incidents of non-compliance with the Conditions and/or applicable LORS, the CRS and/or the project owner shall notify the CPM by telephone or e-mail within 24 hours. The CRS shall also recommend corrective action to resolve the problem or achieve compliance with the Conditions. **When the issue is resolved, the CRS shall write a report describing the issue, the resolution of the issue, and the effectiveness of the resolution measures. This report shall be provided in the next MCR for the review of the CPM.** A Native American monitor shall be obtained to monitor ground disturbance in areas where Native American artifacts are discovered. Informational lists of concerned Native Americans and guidelines for monitoring shall be obtained from the Native American Heritage Commission. Preference in selecting a monitor shall be given to Native Americans with traditional ties to the area that shall be monitored. **Verification:** At least 30 days prior to the start of preconstruction site mobilization; construction ground disturbance; construction grading, boring and trenching; and construction, the CPM will provide to the CRS an electronic copy of a form to be used as a daily monitoring log. **While monitoring is on-going, the project owner shall include in each MCR a copy of the monthly summary report of cultural resources-related monitoring prepared by the CRS.** Daily, the CRS shall provide a statement that "no cultural resources over 50 years of age were discovered" to the CPM as an e-mail, or in some other form acceptable to the CPM. If the CRS concludes that daily reporting is no longer necessary, a letter or e-mail providing a detailed justification for the decision to reduce or end daily reporting shall be provided to the CPM for review and approval at least 24 hours prior to reducing or ending daily reporting. At least 24 hours prior to implementing a proposed change in monitoring level, documentation justifying the change shall be submitted to the CPM for review and approval.	Cultural Resource Monitoring Summary and Monitoring Logs	Monthly compliance monitoring summary included in Appendix B
GEN-2	Prior to submittal of the initial engineering designs for CBO review, the project owner shall furnish to the CPM and to the CBO a schedule of facility design submittals, a Master Drawing List and a Master Specifications List. The schedule shall contain a list of proposed submittal packages of designs, calculations and specifications for major structures and equipment. To facilitate audits by Energy Commission staff, the project owner shall provide specific packages to the CPM when requested. Verification: At least 60 days (or project owner and CBO approved alternative timeframe) prior to the start of rough grading, the project owner shall submit to the CBO and to the CPM the schedule, the Master Drawing List and the Master Specifications List of documents to be submitted to the CBO for review and approval. These documents shall be the pertinent design documents for the major structures and equipment listed in Facility Design Table 2 below. Major structures and equipment shall be added to or deleted from the table only with CPM approval. **The project owner shall provide schedule updates in the Monthly Compliance Report.**	The project owner shall provide schedule updates in the Monthly Compliance Report.	Appendix B

Condition	Requirements	Documentation	Location within this MCR
GEN-3	The project owner shall make payments to the CBO for design review, plan check and construction inspection based upon a reasonable fee schedule to be negotiated between the project owner and the CBO. These fees may be consistent with the fees listed in the 2001 CBC [Chapter 1, Section 107 and Table 1-A, Building Permit Fees; Appendix Chapter 33, Section 3310 and Table A-33-A, Grading Plan Review Fees; and Table A- 33-B, Grading Permit Fees], adjusted for inflation and other appropriate adjustments; may be based on the value of the facilities reviewed; may be based on hourly rates; or may be as otherwise agreed by the project owner and the CBO. Verification: The project owner shall make the required payments to the CBO in accordance with the agreement between the project owner and the CBO. **The project owner shall send a copy of the CBO's receipt of payment to the CPM in the next Monthly Compliance Report indicating that the applicable fees have been paid.**	The project owner shall send a copy of the CBO's receipt of payment to the CPM in the next Monthly Compliance Report indicating that the applicable fees have been paid.	None received from CBO in June
GEN-6	Prior to the start of an activity requiring special inspection, the project owner shall assign to the project, qualified and certified special inspector(s) who shall be responsible for the special inspections required by the 2001 CBC, Chapter 17 [Section 1701, Special Inspections; Section 1701.5, Type of Work (requiring special inspection)]; and Section 106.3.5, Inspection and observation program. All transmission facilities (lines, switchyards, switching stations and substations) are handled in conditions of certification in the Transmission System Engineering section of this document. The special inspector shall: 1. Be a qualified person who shall demonstrate competence, to the satisfaction of the CBO, for inspection of the particular type of construction requiring special or continuous inspection; 2. Observe the work assigned for conformance with the approved design drawings and specifications; 3. Furnish inspection reports to the CBO and RE. All discrepancies shall be brought to the immediate attention of the RE for correction, then, if uncorrected, to the CBO and the CPM for corrective action [2001 CBC, Chapter 17, Section 1701.3, Duties and Responsibilities of the Special Inspector]; and 4. Submit a final signed report to the RE, CBO, and CPM, stating whether the work requiring special inspection was, to the best of the inspector's knowledge, in conformance with the approved plans and specifications and the applicable provisions of the applicable edition of the CBC. A certified weld inspector, certified by the American Welding Society (AWS), and/or American Society of Mechanical Engineers (ASME) as applicable, shall inspect welding performed on-site requiring special inspection (including structural, piping, tanks and pressure vessels). Verification: At least 15 days (or project owner and CBO approved alternative timeframe) prior to the start of an activity requiring special inspection, the project owner shall submit to the CBO for review and approval, with a copy to the CPM, the name(s) and qualifications of the certified weld inspector(s), or other certified special inspector(s) assigned to the project to perform one or more of the duties set forth above. **The project owner shall also submit to the CPM a copy of the CBO's approval of the qualifications of all special inspectors in the next Monthly Compliance Report.** If the special inspector is subsequently reassigned or replaced, the project owner has five days in which to submit the name and qualifications of the newly assigned special inspector to the CBO for approval. The project owner shall notify the CPM of the CBO's approval of the newly assigned inspector within five days of the approval.	The project owner shall also submit to the CPM a copy of the CBO's approval of the qualifications of all special inspectors in the next Monthly Compliance Report.	Appendix B
GEN-7	If any discrepancy in design and/or construction is discovered in any engineering work that has undergone CBO design review and approval, the project owner shall document the discrepancy and recommend the corrective action required [2001 CBC, Chapter 1, Section 108.4, Approval Required; Chapter 17, Section 1701.3, Duties and Responsibilities of the Special Inspector; Appendix Chapter 33, Section 3317.7, Notification of Noncompliance]. The discrepancy documentation shall be submitted to the CBO for review and approval. The discrepancy documentation shall reference this condition of certification and, if appropriate, the applicable sections of the CBC and/or other LORS. Verification: **The project owner shall transmit a copy of the CBO's approval of any corrective action taken to resolve a discrepancy to the CPM in the next Monthly Compliance Report.** If any corrective action is disapproved, the project owner shall advise the CPM, within five days, of the reason for disapproval and the revised corrective action to obtain CBO's approval.	The project owner shall transmit a copy of the CBO's approval of any corrective action taken to resolve a discrepancy to the CPM in the next Monthly Compliance Report.	Not applicable
GEN-8	The project owner shall obtain the CBO's final approval of all completed work that has undergone CBO design review and approval. The project owner shall request the CBO to inspect the completed structure and review the submitted documents. The project owner shall notify the CPM after obtaining the CBO's final approval. The project owner shall retain one set of approved engineering plans, specifications and calculations (including all approved changes) at the project site or at another accessible location during the operating life of the project [2001 CBC, Section 106.4.2, Retention of Plans]. Electronic copies of the approved plans, specifications, calculations and marked-up as-builts shall be provided to the CBO for retention by the CPM. Verification: **Within 15 days of the completion of any work, the project owner shall submit to the CBO, with a copy to the CPM, in the next Monthly Compliance Report, (a) a written notice that the completed work is ready for final inspection, and (b) a signed statement that the work conforms to the final approved plans.** After storing final approved engineering plans, specifications and calculations as described above, the project owner shall submit to the CPM a letter stating that the above documents have been stored and indicate the storage location of such documents. Within 90 days of the completion of construction, the project owner shall provide to the CBO three sets of electronic copies of the above documents at the project owner's expense. These are to be provided in the form of "read only" adobe PDF 6.0 files, with restricted printing privileges (i.e. password protected), on archive quality compact discs.	Within 15 days of the completion of any work, the project owner shall submit to the CBO, with a copy to the CPM, in the next Monthly Compliance Report, (a) a written notice that the completed work is ready for final inspection, and (b) a signed statement that the work conforms to the final approved plans. After storing final approved engineering plans, specifications and calculations as described above, the project owner shall submit to the CPM a letter stating that the above documents have been stored and indicate the storage location of such documents.	Not applicable

Condition	Requirements	Documentation	Location within this MCR
CIVIL-1	The project owner shall submit to the CBO for review and approval the following: 1. Design of the proposed drainage structures and the grading plan; 2. An erosion and sedimentation control plan; 3. Related calculations and specifications, signed and stamped by the responsible civil engineer; and 4. Soils Report, Geotechnical Report or Foundation Investigations Report required by the 2001 CBC [Appendix Chapter 33, Section 3309.5, Soils Engineering Report; Section 3309.6, Engineering Geology Report; and Chapter 18, Section 1804, Foundation Investigations]. Verification: At least 15 days (or project owner and CBO approved alternative timeframe) prior to the start of site grading the project owner shall submit the documents described above to the CBO for design review and approval. **In the next Monthly Compliance Report following the CBO's approval, the project owner shall submit a written statement certifying that the documents have been approved by the CBO.**	At least 15 days (or project owner and CBO approved alternative timeframe) prior to the start of site grading the project owner shall submit the documents described above to the CBO for design review and approval. In the next Monthly Compliance Report following the CBO's approval, the project owner shall submit a written statement certifying that the documents have been approved by the CBO.	Not applicable
CIVIL-3	The project owner shall perform inspections in accordance with the 2001 CBC, Chapter 1, Section 108, Inspections; Chapter 17, Section 1701.6, Continuous and Periodic Special Inspection; and Appendix Chapter 33, Section 3317, Grading Inspection. All plant site-grading operations, for which a grading permit is required, shall be subject to inspection by the CBO. If, in the course of inspection, it is discovered that the work is not being performed in accordance with the approved plans, the discrepancies shall be reported immediately to the resident engineer and the CBO [2001 CBC, Appendix Chapter 33, Section 3317.7, Notification of Noncompliance]. The project owner or resident engineer shall prepare a written report, with copies to the CBO and the CPM, detailing all discrepancies, non-compliance items, and the proposed corrective action. Verification: Within five days of the discovery of any discrepancies, the project owner or resident engineer shall transmit to the CBO and the CPM a Non-Conformance Report (NCR), and the proposed corrective action for review and approval. Within five days of resolution of the NCR, the project owner shall submit the details of the corrective action to the CBO and the CPM. **A list of NCRs, for the reporting month, shall also be included in the following Monthly Compliance Report.**	A list of NCRs, for the reporting month, shall also be included in the following Monthly Compliance Report.	Not applicable
CIVIL-4	After completion of finished grading and erosion and sedimentation control and drainage work, the project owner shall obtain the CBO's approval of the final grading plans (including final changes) for the erosion and sedimentation control work. The civil engineer shall state that the work within his/her area of responsibility was done in accordance with the final approved plans [2001 CBC, Section 3318, Completion of Work]. Verification: Within 30 days (or project owner and CBO approved alternative timeframe) of the completion of the erosion and sediment control mitigation and drainage work, the project owner shall submit to the CBO, for review and approval, the final grading plans (including final changes) and the responsible civil engineer's signed statement that the installation of the facilities and all erosion control measures were completed in accordance with the final approved combined grading plans, and that the facilities are adequate for their intended purposes, with a copy of the transmittal letter to the CPM. **The project owner shall submit a copy of the CBO's approval to the CPM in the next Monthly Compliance Report.**	The project owner shall submit a copy of the CBO's approval to the CPM in the next Monthly Compliance Report.	Not applicable
STRUC-1	Prior to the start of any increment of construction of any major structure or component listed in Facility Design Table 2 of Condition of Certification GEN-2, above, the project owner shall submit to the CBO for design review and approval the proposed lateral force procedures for project structures and the applicable designs, plans and drawings for project structures. Proposed lateral force procedures, designs, plans and drawings shall be those for the following items (from Table 2, above): 1. Major project structures; 2. Major foundations, equipment supports and anchorage; and 3. Large field fabricated tanks. Construction of any structure or component shall not commence until the CBO has approved the lateral force procedures to be employed in designing that structure or component. The project owner shall: 1. Obtain approval from the CBO of lateral force procedures proposed for project structures; 2. Obtain approval from the CBO for the final design plans, specifications, calculations, soils reports and applicable quality control procedures. If there are conflicting requirements, the more stringent shall govern (i.e., highest loads, or lowest allowable stresses shall govern). All plans, calculations and specifications for foundations that support structures shall be filed concurrently with the structure plans, calculations and specifications [2001 CBC, Section 108.4, Approval Required]; 3. Submit to the CBO the required number of copies of the structural plans, specifications, calculations and other required documents of the designated major structures prior to the start of on-site fabrication and installation of each structure, equipment support, or foundation [2001 CBC, Section 106.4.2, Retention of plans; and Section 106.3.2, Submittal documents]; 4. Ensure that the final plans, calculations and specifications clearly reflect the inclusion of approved criteria, assumptions and methods used to develop the design. The final designs, plans, calculations and specifications shall be signed and stamped by the responsible design engineer [2001 CBC, Section 106.3.4, Architect or Engineer of Record]; and 5. Submit to the CBO the responsible design engineer's signed statement that the final design plans conform to the applicable LORS [2001 CBC, Section 106.3.4, Architect or Engineer of Record].	The project owner shall submit to the CPM, in the next Monthly Compliance Report a copy of a statement from the CBO that the proposed structural plans, specifications and calculations have been approved and are in compliance with the requirements set forth in the applicable engineering LORS.	Appendix B

Condition	Requirements	Documentation	Location within this MCR
	Verification: At least 60 days (or project owner and CBO approved alternative timeframe) prior to the start of any increment of construction of any structure or component listed in Facility Design Table 2 of Condition of Certification GEN-2 above, the project owner shall submit to the CBO the above final design plans, specifications and calculations, with a copy of the transmittal letter to the CPM. **The project owner shall submit to the CPM, in the next Monthly Compliance Report a copy of a statement from the CBO that the proposed structural plans, specifications and calculations have been approved and are in compliance with the requirements set forth in the applicable engineering LORS.**		
STRUC-3	The project owner shall submit to the CBO design changes to the final plans required by the 2001 CBC, Chapter 1, Section 106.3.2, Submittal documents and Section 106.3.3, Information on plans and specifications, including the revised drawings, specifications, calculations, and a complete description of, and supporting rationale for, the proposed changes, and shall give to the CBO prior notice of the intended filing. Verification: On a schedule suitable to the CBO, the project owner shall notify the CBO of the intended filing of design changes, and shall submit the required number of sets of revised drawings and the required number of copies of the other above-mentioned documents to the CBO, with a copy of the transmittal letter to the CPM. **The project owner shall notify the CPM, via the Monthly Compliance Report, when the CBO has approved the revised plans.**	The project owner shall notify the CPM, via the Monthly Compliance Report, when the CBO has approved the revised plans.	No approvals in June
STRUC-4	Tanks and vessels containing quantities of toxic or hazardous materials exceeding amounts specified in Chapter 3, Table 3-E of the 2001 CBC shall, at a minimum, be designed to comply with the requirements of that Chapter. Verification: At least 30 days (or project owner and CBO approved alternate timeframe) prior to the start of installation of the tanks or vessels containing the above specified quantities of toxic or hazardous materials, the project owner shall submit to the CBO for design review and approval final design plans, specifications and calculations, including a copy of the signed and stamped engineer's certification. **The project owner shall send copies of the CBO approvals of plan checks to the CPM in the following Monthly Compliance Report. The project owner shall also transmit a copy of the CBO's inspection approvals to the CPM in the Monthly Compliance Report following completion of any inspection.**	The project owner shall send copies of the CBO approvals of plan checks to the CPM in the following Monthly Compliance Report. The project owner shall also transmit a copy of the CBO's inspection approvals to the CPM in the Monthly Compliance Report following completion of any inspection.	No approvals in June
MECH-1	The project owner shall submit, for CBO design review and approval, the proposed final design, specifications and calculations for each plant major piping and plumbing system listed in Facility Design Table 2, Condition of Certification GEN-2, above. Physical layout drawings and drawings not related to code compliance and life safety need not be submitted. The submittal shall also include the applicable QA/QC procedures. Upon completion of construction of any such major piping or plumbing system, the project owner shall request the CBO's inspection approval of said construction [2001 CBC, Section 106.3.2, Submittal Documents; Section 108.3, Inspection Requests; Section 108.4, Approval Required; 2001 California Plumbing Code, Section 103.5.4, Inspection Request; Section 301.1.1, Approval]. The responsible mechanical engineer shall stamp and sign all plans, drawings and calculations for the major piping and plumbing systems subject to the CBO design review and approval, and submit a signed statement to the CBO when the said proposed piping and plumbing systems have been designed, fabricated and installed in accordance with all of the applicable laws, ordinances, regulations and industry standards [Section 106.3.4, Architect or Engineer of Record], which may include, but are not limited to: ▪ American National Standards Institute (ANSI) B31.1 (Power Piping Code); ▪ ANSI B31.2 (Fuel Gas Piping Code); ▪ ANSI B31.3 (Chemical Plant and Petroleum Refinery Piping Code); ▪ ANSI B31.8 (Gas Transmission and Distribution Piping Code); ▪ Title 24, California Code of Regulations, Part 5 (California Plumbing Code); ▪ Title 24, California Code of Regulations, Part 6 (California Energy Code, for building energy conservation systems and temperature control and ventilation systems); ▪ Title 24, California Code of Regulations, Part 2 (California Building Code); and ▪ Specific City/County code. The CBO may deputize inspectors to carry out the functions of the code enforcement agency [2001 CBC, Section 104.2.2, Deputies]. Verification: **At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of any increment of major piping or plumbing construction listed in Facility Design Table 2, Condition of Certification GEN-2 above, the project owner shall submit to the CBO for design review and approval the final plans, specifications and calculations, including a copy of the signed and stamped statement from the responsible mechanical engineer certifying compliance with the applicable LORS, and shall send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.** **The project owner shall transmit to the CPM, in the Monthly Compliance Report following completion of any inspection, a copy of the transmittal letter conveying the CBO's inspection approvals.**	The project owner shall transmit to the CPM, in the Monthly Compliance Report following completion of any inspection, a copy of the transmittal letter conveying the CBO's inspection approvals.	No approvals in June

Condition	Requirements	Documentation	Location within this MCR
MECH-2	For all pressure vessels installed in the plant, the project owner shall submit to the CBO and California Occupational Safety and Health Administration (Cal-OSHA), prior to operation, the code certification papers and other documents required by the applicable LORS. Upon completion of the installation of any pressure vessel, the project owner shall request the appropriate CBO and/or Cal-OSHA inspection of said installation [2001 CBC, Section 108.3, Inspection Requests]. The project owner shall: 1. Ensure that all boilers and fired and unfired pressure vessels are designed, fabricated and installed in accordance with the appropriate section of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, or other applicable code. Vendor certification, with identification of applicable code, shall be submitted for prefabricated vessels and tanks; and 2. Have the responsible design engineer submit a statement to the CBO that the proposed final design plans, specifications and calculations conform to all of the requirements set forth in the appropriate ASME Boiler and Pressure Vessel Code or other applicable codes. Verification: At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of on-site fabrication or installation of any pressure vessel, the project owner shall submit to the CBO for design review and approval, the above listed documents, including a copy of the signed and stamped engineer's certification, with a copy of the transmittal letter to the CPM. **The project owner shall transmit to the CPM, in the Monthly Compliance Report following completion of any inspection, a copy of the transmittal letter conveying the CBO's and/or Cal-OSHA inspection approvals.**	The project owner shall transmit to the CPM, in the Monthly Compliance Report following completion of any inspection, a copy of the transmittal letter conveying the CBO's and/or Cal-OSHA inspection approvals.	No approvals in June
ELEC-1	Prior to the start of any increment of electrical construction for electrical equipment and systems 480 volts and higher, listed below, with the exception of underground duct work and any physical layout drawings and drawings not related to code compliance and life safety, the project owner shall submit, for CBO design review and approval, the proposed final design, specifications and calculations [CBC 2001, Section 106.3.2, Submittal documents]. Upon approval, the above listed plans, together with design changes and design change notices, shall remain on the site or at another accessible location for the operating life of the project. The project owner shall request that the CBO inspect the installation to ensure compliance with the requirements of applicable LORS [2001 CBC, Section 108.4, Approval Required, and Section 108.3, Inspection Requests]. All transmission facilities (lines, switchyards, switching stations and substations) are handled in conditions of certification in the Transmission System Engineering section of this document. A. Final plant design plans to include: 1. one-line diagrams for the 13.8 kV, 4.16 kV and 480 V systems; and 2. system grounding drawings. B. Final plant calculations to establish: 1. short-circuit ratings of plant equipment; 2. ampacity of feeder cables; 3. voltage drop in feeder cables; 4. system grounding requirements; 5. coordination study calculations for fuses, circuit breakers and protective relay settings for the 13.8 kV, 4.16 kV and 480 V systems; 6. system grounding requirements; and 7. lighting energy calculations. C. The following activities shall be reported to the CPM in the Monthly Compliance Report: 1. Receipt or delay of major electrical equipment; 2. Testing or energization of major electrical equipment; and 3. A signed statement by the registered electrical engineer certifying that the proposed final design plans and specifications conform to requirements set forth in the Energy Commission Decision. Verification: At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of each increment of electrical construction, the project owner shall submit to the CBO for design review and approval the above listed documents. **The project owner shall include in this submittal a copy of the signed and stamped statement from the responsible electrical engineer attesting compliance with the applicable LORS, and shall send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.**	The following activities shall be reported to the CPM in the Monthly Compliance Report: 1. Receipt or delay of major electrical equipment; 2. Testing or energization of major electrical equipment; and 3. A signed statement by the registered electrical engineer certifying that the proposed final design plans and specifications conform to requirements set forth in the Energy Commission Decision. The project owner shall include in this submittal a copy of the signed and stamped statement from the responsible electrical engineer attesting compliance with the applicable LORS, and shall send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.	Not applicable
PAL-4	Prior to ground disturbance and for the duration of construction activities involving ground disturbance, the project owner and the PRS shall prepare and conduct weekly CPM-approved training for the following workers: project managers, construction supervisors, foremen, and general workers who are involved with or operate ground disturbing equipment or tools. Workers shall not excavate in sensitive units prior to receiving CPM- approved worker training. Worker training shall consist of an initial in- person PRS training during the project kick-off for those mentioned above. Following initial training, a CPM-approved video or in-person training may be used for new employees. The training program may be combined with other training programs prepared for cultural and biological resources, hazardous materials, or any other areas of interest or concern. No ground disturbance shall occur prior to CPM approval of the WEAP, unless specifically approved by the CPM.	Paleontological WEAP Training Tracker	WEAP presentation, brochure handout, and WEAP script is included in MCR-1 in Appendix A. Combined Biological, Cultural, and Paleontological Resources WEAP, and Worker Traffic Safety Program included in Appendix A.

Condition	Requirements	Documentation	Location within this MCR
	The Worker Environmental Awareness Program (WEAP) shall address the potential to encounter paleontological resources in the field, the sensitivity and importance of these resources, and the legal obligations to preserve and protect such resources. The training shall include: 1. A discussion of applicable laws and penalties for violation of the laws; 2. Depictive photographs or physical examples of vertebrate fossils shall be provided for project sites containing units of high paleontologic sensitivity; 3. Information discussing the authority of the PRS or PRM to halt or redirect construction in the event of a discovery or unanticipated impact to a paleontological resource; 4. Instruction directing employees to halt or redirect work in the vicinity of a find and to contact their supervisor and the PRS or PRM; 5. An informational brochure that identifies reporting procedures in the event of a paleontological discovery; 6. A Certification of Completion of WEAP form signed by each worker indicating that he/she has received the training; and 7. A sticker for employees to place on hard hats indicating that environmental training has been completed. Verification: At least 30 days prior to ground disturbance, the project owner shall submit the proposed WEAP including the brochure with the set of reporting procedures the workers are to follow. At least 30 days prior to ground disturbance, the project owner shall submit the script and final video to the CPM for approval if the project owner is planning on using a video for interim training. If the owner requests an alternate paleontological trainer, the resume and qualifications of the trainer shall be submitted to the CPM for review and approval prior to installation of an alternate trainer. Alternate trainers shall not conduct training prior to CPM authorization. **In the Monthly Compliance Report (MCR) the project owner shall provide copies of the WEAP Certification of Completion forms with the names of those trained and the trainer or type of training (in-person or video) offered that month. The MCR shall also include a running total of all persons who have completed the training to date.**		WEAP Training Tracker (BIO-5, CUL-5, PAL-4, TRANS-4) included in Appendix A
PAL-5	The project owner shall ensure that the PRS and PRM(s) monitor consistent with the PRMMP all construction-related grading, excavation, trenching, and augering in areas where potentially fossil-bearing materials have been identified, both at the site and along any constructed linear facilities associated with the project. In the event that the PRS determines full time monitoring is not necessary in locations that were identified in the PRMMP as potentially fossil-bearing, the project owner shall notify and seek the concurrence of the CPM. The project owner shall ensure that the PRS and PRM(s) have the authority to halt or redirect construction if paleontological resources are encountered. The project owner shall ensure that there is no interference with monitoring activities unless directed by the PRS. Monitoring activities shall be conducted as follows: 1. Any change of monitoring different from the accepted schedule presented in the PRMMP shall be proposed in a letter or email from the PRS and the project owner to the CPM prior to the change in monitoring. These changes should also be included in the Monthly Compliance Report. The letter or email shall state the justification for the change in monitoring and be submitted to the CPM for review and approval; 2. The project owner shall ensure the PRM(s) keeps a daily log of monitoring of paleontological resource activities. The PRS may informally discuss paleontological resource monitoring and mitigation activities with the CPM at any time; 3. The project owner shall ensure the PRS immediately notifies the CPM within 24 hours of the occurrence of any incidents of non- compliance with any paleontological resources Conditions of Certification. The PRS shall recommend corrective action to resolve the issues or achieve compliance with the Conditions of Certification; 4. For any significant paleontological resources encountered, either the project owner or the PRS shall notify the CPM within 24 hours or Monday morning in the case of a weekend when construction has been halted due to a paleontological find. **The project owner shall ensure the PRS prepares a summary of the monitoring and other paleontological activities which will be placed in the Monthly Compliance Reports (MCR).** The summary will include the name(s) of PRS or PRM(s) active during the month, general descriptions of training and monitored construction activities and general locations of excavations, grading, etc. A section of the report shall include the geologic units or subunits encountered; descriptions of sampling within each unit; and a list of identified fossils. A final section of the report will address any issues or concerns about the project relating to paleontologic monitoring including any incidents of non-compliance and any changes to the monitoring plan approved by the CPM. If no monitoring took place during the month, the report shall include an explanation in the summary as to why monitoring was not conducted. Verification: **The project owner shall ensure the PRS submits the summary of monitoring and paleontological activities in the MCR.** When feasible, the CPM shall be notified 10 days in advance of any proposed changes in monitoring different from the plan identified in the PRMMP. If there is any unforeseen change in monitoring, the notice shall be given as soon as possible prior to implementation of the change.	Paleontological Resource Monitoring Summary	Paleontological monthly compliance monitoring summary included in Appendix B
TRANS-4	Prior to site mobilization, the project owner shall develop and Implement a Worker Traffic Safety Program (WTSP) focusing on awareness of school buses and school children in the vicinity of the project. The plan shall include, as a minimum, the following: ▪ A discussion of all applicable motor vehicle laws and penalties under the law; safe driving practices, potential road conditions (e.g., school bus stops, children who are walking to or from a bus stop, children boarding or exiting buses, ground fog, horses/livestock, slow vehicles, etc.) along the expected travel corridor (i.e., Panoche Road), ▪ Required commute work travel times, ▪ Expected school bus travel times, and ▪ A discussion of consequences in the event a worker is found driving in an unsafe manner.	WTSP Training Tracker	WEAP presentation, brochure handout, and WEAP script is included in MCR-1 in Appendix A. Combined Biological, Cultural, and Paleontological Resources WEAP, and Worker Traffic Safety Program included in Appendix A.

Condition	Requirements	Documentation	Location within this MCR
	The training shall be provided on a weekly basis to all new employees (including all contractors and subcontractors) at the start of ground disturbance, and continue for the duration of construction. The training may be presented in the form of a video. Verification: The project owner shall provide a copy of the WTSP to the CPM for review and approval 30 days prior to site mobilization. The training may be presented in the form of a video, if the video has been approved by the CPM. The video shall be provided to the CPM for review and approved 30 days prior to site mobilization. **The project owner shall provide the WTSP certification of completion for persons who have completed the training in the prior month, and a running total of all persons who have completed training to date in the monthly compliance report.**		WEAP Training Tracker (BIO-5, CUL-5, PAL-4, TRANS-4) found in Appendix A
WASTE-3	The project owner shall obtain a hazardous waste generator identification number from the Department of Toxic Substances Control prior to generating any hazardous waste during construction and operations. Verification: **The project owner shall keep its copy of the identification number on file at the project site and notify the CPM via the relevant Monthly Compliance Report of its receipt.**	The project owner shall keep its copy of the identification number on file at the project site and notify the CPM via the relevant Monthly Compliance Report of its receipt.	Not applicable, peaker plant site already has ID number
SOIL & WATER-2	Prior to site mobilization, the project owner shall obtain CPM approval for a site-specific drainage, erosion, and sedimentation control plan (DESCP) that ensures protection of water quality and soil resources of the project site and all linear facilities for both the construction and operation phases of the project. This plan shall address appropriate methods and actions, both temporary and permanent, for the protection of water quality and soil resources, demonstrate no increase in off-site flooding potential, meet local requirements, and identify all monitoring and maintenance activities. Monitoring activities shall include routine measurement of the volume of accumulated sediment in the stormwater retention basin. Maintenance activities must include removal of accumulated sediment from the retention basin when an average depth of 0.5 feet of sediment has accumulated in the retention basin. The plan shall be consistent with the grading and drainage plan as required by Condition of Certification CIVIL-1 and may incorporate by reference any storm water pollution prevention plan developed in conjunction with any NPDES permit. The DESCP shall contain the following elements: ▪ Vicinity Map – A map shall be provided indicating the location of all project elements with depictions of all significant geographic ▪ features to include watercourses, washes, irrigation and drainage canals, and sensitive areas. ▪ Site Delineation – The site and all project elements shall be delineated showing boundary lines of all construction areas and the location of all existing and proposed structures, pipelines, roads, and drainage facilities. ▪ Watercourses and Critical Areas – The DESCP shall show the location of all nearby watercourses including washes, irrigation and drainage canals, and drainage ditches, and shall indicate the proximity of those features to the construction site. ▪ Drainage – The DESCP shall provide a topographic site map showing all existing, interim, and proposed drainage systems. drainage area boundaries and watershed sizes in acres, and the hydraulic analysis to support the selection of best management practices (BMPs) to divert off-site drainage around or through the site and laydown areas. Spot elevations shall be required where relatively flat conditions exist. The spot elevations and contours shall be extended off site for a minimum distance of 100 feet in flat terrain. ▪ Clearing and Grading – The plan shall provide a delineation of all areas to be cleared of vegetation and areas to be preserved. The plan shall provide elevations, slopes, locations, and extent of all proposed grading as shown by contours, cross sections, or other means. The locations of any disposal areas, fills, or other special features shall also be shown. Existing and proposed topography tying in proposed contours with existing topography shall be illustrated. The DESCP shall include a statement of the quantities of material excavated or filled for each element of the project (for example, project site, transmission corridors, and pipeline corridors), whether such excavations or fill is temporary or permanent, and the amount of such material to be imported or exported or a statement explaining that there will be no clearing and/or grading conducted for each element of the project. ▪ Project Schedule – The DESCP shall identify on the topographic site map the location of the site-specific BMPs to be employed during each phase of construction (initial grading, project element excavation and construction, and final grading/stabilization). Separate BMP implementation schedules shall be provided for each project element for each phase of construction. ▪ Best Management Practices – The DESCP shall show the location, timing, and maintenance schedule of all erosion- and sediment- control BMPs to be used prior to initial grading, during project element excavation and construction, during final grading/stabilization, and after construction. BMPs shall include measures designed to control dust and stabilize construction access roads and entrances. The maintenance schedule shall include post-construction maintenance of treatment-control BMPs applied to disturbed areas following construction. ▪ Erosion Control Drawings – The erosion-control drawings and narrative shall be designed and sealed by a professional engineer or erosion-control specialist. Verification: No later than 90 days prior to start of site mobilization, the project owner shall submit a copy of the plan to Fresno County for review and comment. A copy shall be submitted to the CPM no later than 60 days prior to the start of site mobilization for review and approval. The CPM shall consider comments received from Fresno County. During construction, **the project owner shall provide an analysis in the monthly compliance report on the effectiveness of the drainage-, erosion- and sediment-control measures and the results of monitoring and maintenance activities**. Once operational, the project owner shall provide in the annual compliance report information on the results of monitoring and maintenance activities.	Drainage, Erosion, and Sedimentation Control Plan (DESCP) Monthly Summary Report	Not applicable

Condition	Requirements	Documentation	Location within this MCR
WORKER SAFETY-3	The project owner shall provide a site Construction Safety Supervisor (CSS) who, by way of training and/or experience, is knowledgeable of power plant construction activities and relevant LORS, is capable of identifying workplace hazards relating to the construction activities, and has authority to take appropriate action to assure compliance and mitigate hazards. The CSS shall: ▪ Have over-all authority for coordination and implementation of all occupational safety and health practices, policies, and programs; ▪ Assure that the safety program for the project complies with Cal/OSHA and federal regulations related to power plant projects; ▪ Assure that all construction and commissioning workers and supervisors receive adequate safety training; ▪ Complete accident and safety-related incident investigations, emergency response reports for injuries, and inform the CPM of safety-related incidents; and ▪ Assure that all the plans identified in conditions of certification WORKER SAFETY-1 and -2 are implemented. Verification: At least 30 days prior to the start of site mobilization, the project owner shall submit to the CPM the name and contact information for the Construction Safety Supervisor (CSS). The contact information of any replacement (CSS) shall be submitted to the CPM within one business day of starting in the position. **The CSS shall submit in the Monthly Compliance Report a monthly safety inspection report** to include: ▪ Record of all employees trained for that month (all records shall be kept on site for the duration of the project); ▪ Summary report of safety management actions and safety-related incidents that occurred during the month; ▪ Report of any continuing or unresolved situations and incidents that may pose danger to life or health; and ▪ Report of accidents and injuries that occurred during the month.	The CSS shall submit in the Monthly Compliance Report a monthly safety inspection report to include: ▪ Record of all employees trained for that month (all records shall be kept on site for the duration of the project); ▪ Summary report of safety management actions and safety-related incidents that occurred during the month; ▪ Report of any continuing or unresolved situations and incidents that may pose danger to life or health; and ▪ Report of accidents and injuries that occurred during the month.	Appendix B

4 Project Compliance Requirements

4.1 Reporting Period

Consistent with the Compliance-6 Requirement 4,[5] Table 2 contains a list of conditions which have been satisfied during the reporting period, and a description or reference to the actions which satisfied the condition, date of CEC submittal is also noted.

Table 2 Compliance Requirements Completed for June 2025 Reporting Period

Condition	Submittal Type	Date
AQ-SC3	Summary of Compliance and Complaints (AQCMM)	Appendix B
AQ-SC5	Summary of Compliance (Fuel and Equipment)	Appendix B
BIO-2	Biological resource monitoring logs and summaries.	Logs: 6/16, 6/17, 6/18, 6/19, 6/20, 6/23, 6/24, 6/25, and 6/26. Appendix B.
BIO-5	Worker Environmental Awareness Program	WEAP Training Tracker provided in Appendix A
CUL-1	New Cultural Resources Monitor Resume Submitted	Approved 6/10/25 (email communication)
CUL-5	Worker Environmental Awareness Program	WEAP Training Tracker provided in Appendix A
CUL-6	Monthly summary report and logs	06/16, 6/17, and 6/18. Appendix B
PAL-4	Worker Environmental Awareness Program	WEAP Training Tracker provided in Appendix A
PAL-5	Summary of paleontological activities	Appendix B
TRANS-4	Worker Traffic Safety Program (WTSP)	WTSP included in WEAP Training Tracker provided in Appendix A
GEN-6	CBO's approval of the qualifications	Appendix B
WORKER SAFETY-3	Worker Safety Monthly Summary	Appendix B

4.2 Missed Submittals

Consistent with the Compliance-6 Requirement 5,[6] no missed submittals occurred in June 2025.

4.3 Two Month Look Ahead

Table 3 contains a projection of Project compliance activities scheduled to be completed within the next two months per Compliance-6 Requirement 8.[7]

[5] Compliance-6 Requirement 4 states: "This report shall contain a list of conditions that have been satisfied during the reporting period, and a description or reference to the actions that satisfied the condition."
[6] Compliance-6 Requirement 5 states: "This report shall contain a list of any submittal deadlines that were missed, accompanied by an explanation and an estimate of when the information will be provided."
[7] Compliance-6 Requirement 8 states: "This report shall contain a projection of project compliance activities scheduled during the next two months. The project owner shall notify the CPM as soon as any changes are made to the project construction schedule that would affect compliance with conditions of certification."

Table 3 Compliance Requirements for July 2025 – August 2025

Condition	Submittal Type	Pond Lining and/or Interconnection	Date
AQ-SC3	Summary of Compliance and Complaints (AQCMM)	Pond Lining and Interconnection	Appendix B
AQ-SC5	Summary of Compliance (Fuel and Equipment)	Pond Lining and Interconnection	Appendix B
BIO-2	Biological resource monitoring logs and summaries.	Pond Lining and Interconnection	Appendix B, dates: TBD
BIO-5	Worker Environmental Awareness Program	Pond Lining and Interconnection	WEAP Training Tracker provided in Appendix A
CUL-5	Worker Environmental Awareness Program	Pond Lining and Interconnection	WEAP Training Tracker provided in Appendix A
CUL-6	Monthly summary report and logs	Pond Lining and Interconnection	TBD
PAL-4	Worker Environmental Awareness Program	Pond Lining and Interconnection	WEAP Training Tracker provided in Appendix A
PAL-5	Summary of paleontological activities	Pond Lining and Interconnection	Appendix B
SOIL & WATER-2	Drainage, Erosion, and Sedimentation Control Plan (DESCP) Monthly Summary Report	Interconnection	Appendix B
TRANS-4	Worker Traffic Safety Program (WTSP)	Pond Lining and Interconnection	WTSP included in WEAP Training Tracker provided in Appendix A
WORKER SAFETY-3	Worker Safety Monthly Summary	Pond Lining and Interconnection	Appendix B

4.4 Filing or Permits Issued by Other Governmental Agencies

Consistent with the Complinace-6 Requirement 7,[8] no new filings or permits were issued by other governmental agencies.

[8] Compliance-6 Requirement 7 states: "This report shall contain a listing of any filings submitted to, or permits issued by, other governmental agencies during the month."

5 Delinquent Submittals

Consistent with the Compliance-6 Requirement 10,[9] no complaints, notices of violation, official warnings, and citations were received during this reporting period.

[9] Compliance-6 Requirement 10 states: "This report shall contain a listing of complaints, notices of violation, official warnings, and citations received during the month, a description of the resolution of the resolved actions, and the status of any unresolved actions."

6 Changes to CoCs

Consistent with Compliance-6 Requirement 6,[10] there are currently no changes to the CoCs.

[10] Compliance -6 Requirement 6 states: "This report shall contain a cumulative listing of any approved changes to conditions of certification."

7 Compliance File

Consistent with the Compliance-6 Requirement 9,[11] no additions have been made to the on-site compliance file.

[11] Compliance-6 Requirement 9 states: "This report shall contain a listing of the month's additions to the on-site compliance file."

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Appendix A

Worker Environmental Awareness Program Training Tracker and WEAP presentation, Brochure Handout, and WEAP Script (MCR-1)

RINCON CONSULTANTS

24-16970 Midway Pond Lining and Interconnection BESS Project

Worker Environmental Awareness Program (WEAP) Training

Sign-in Sheet

	Name	Company	Phone	Email	Date
1	Dan Johnson	Patch Services	707-592-9493	djohnson@patchservices.com	6/5/2025
2	Ryan Wardle	Rincon Consultants	775-636-4066	rwardle@rinconconsultants.com	6/11/2025
3	Melanie Jensen	Rincon Consultants	559-425-9670	mjensen@rinconconsultants.com	6/11/2025
4	Dan Mocodean	NAES/MRP	619-753-3829	dmocodean@mrpgenco.com	6/12/2025
5	Dave Overstreet	LightHouse Electric.	559-653-7841	doverstreet@lighthouseelec.com	6/12/2025
6	Russ Fidler	Performance Grading	559-999-4065	russf.pgi@gmail.com	6/11/2025
7	Omar Hernandez	Performance Grading	559-519-1849		6/12/2025
8	Jonathan Rodriguez	Performance Grading	559-412-0147		6/12/2025
9	Jose Ramos Cisneros	Performance Grading	559-720-5774		6/12/2025
10	Genaro Esparza-Gomez	Performance Grading	559-216-6622		6/12/2025
11	Chris Luis	Performance Grading	559-318-7087	performancegradinginc@gmail.com	6/12/2025
12	Jaime Cortes	Performance Grading	559-475-2932		6/13/2025
13	John Clingenpeel	NAES/MRP	619-279-0992	jclingenpeel@mrpgenco.com	6/13/2025
14	Wayne Cockream	TTS Construction	530-852-1815	wcockream@ttsconstruction.com	6/13/2025
15	Stephen Wait	TTS Construction	541-505-1146	Swait@ttsconstruction.com	6/13/2025
16	Luis Cortez	TTS Construction	209-747-3815	Lcortez@ttsconstruction.com	6/13/2025
17	Matt Tuckness	Performance Grading	559-240-6505	mtuckness.pgi@gmail.com	6/13/2025
18	Stephen Ashburn	Performance Grading	559-433-5446		6/13/2025
19	Jose Angel Guerrero	TTS Construction	209-648-3944	angel.guerrero0466@gmail.com	6/14/2025
20	Lindsey Younger	Rincon Consultants	(559)317-7344	Lyounger@rinconconsultants.com	6/14/2025

Worker Environmental Awareness Program (WEAP) Training

Sign-in Sheet

	Name	Company	Phone	Email	Date
21	Emma Kirschten	Rincon Consultants	(916) 803 7116	ekirschten@rinconconsultants.com	6/15/2025
22	Katerina Alexis-Konstantinidis	Bargas Enviromental	(860) 305-5156	kalexiskonstantinidis@bargasconsulting.com	6/16/2025
23	Javier Urbina Silvera	NAES/MRP	(559) 396-6909	jsilvera@mrpgenco.com	6/16/2025
24	Gerardo Guerra Ventura	D&E Construction Inc	559-967-9409		6/16/2025
25	Osvaldo Contreras	D&E Construction Inc	559-397-6449		6/16/2025
26	Fabian Alverado	D&E Construction Inc	559-882-8209		6/17/2025
27	Juan Carona Ventura	D&E Construction Inc	559-754-4956		6/17/2025
28	Jose Alvarado	D&E Construction Inc	714-421-9166		6/17/2025
29	Efrain Aguirre	D&E Construction Inc	559-824-3090		6/17/2025
30	Ernesto Alvarado	D&E Construction Inc	559-805-4008	ernesto@deconst.net	6/17/2025
31	Pedro Mejia	D&E Construction Inc	559-931-3375		6/17/2025
32	Alejandro Sanchez	D&E Construction Inc	559-731-9325		6/17/2025
33	Martin Guerra Perez	D&E Construction Inc	559-516-1523		6/17/2025
34	Fernando Ortiz	D&E Construction Inc	915-923-9692		6/17/2025
35	Cynthia Martinson	Rincon Consultants	831-207-3756	cmartinson@rinconconsultants.com	6/19/2025
36	Angel Perez	Cen-Cal pumps inc	559-474-6531	cencalpumpsinc@gmail.com	6/20/2025
37	Christian Ursua	Cen-Cal pumps inc	209-500-8350		6/20/2025
38	Joshua Soto	Lighthouse Electric.	559-991-6160	Jsoto@lighthouseelc.com	6/25/2025
39	Leonel Chavez JR	Performance Grading	559-618-1539		6/25/2025

Worker Environmental Awareness Program (WEAP) Training

Sign-in Sheet

	Name	Company	Phone	Email	Date
40	leonel Chavez	Performance Grading	559-217-4708		6/25/2025
41	Chris Messier	Welding Inspection	916-956-1231	Cdmessier@gmail.com	6/25/2025
42	Vance Cantu	Lighthouse Electric.	559-614-3760	vcantu@lighthouseelec.com	6/25/2025
43	Brian Jimenez	GPRS	408-529-3332	Brian.jimenez@gprsinc.com	6/25/2025

MIDDLE RIVER POWER

WORKER ENVIRONMENTAL AWARENESS PROGRAM

Midway Pond Lining and Interconnection Projects
Fresno County, California

WORKER ENVIRONMENTAL AWARENESS PROGRAM

- This Worker Environmental Awareness Program (WEAP) outlines procedures and requirements for the protection of environmental resources including cultural, paleontological, and biological resources on the Project site.
- The program is designed to provide construction personnel with information regarding the potential to encounter environmental resources on the Project site, how to identify said resources, and procedures to follow in the event of an inadvertent discovery.
- This program is not only due to the Project site's archaeological, paleontological, and biological sensitivity, it is a requirement for Project implementation and construction.
- This program will outline the legal obligations to protect environmental resources and the penalties for not following the protocol outlines in this WEAP.

Mano and Metate

WEAP GOALS

- To be individually responsive in recognizing cultural, paleontological, and biological resources.
- To know what to do in order to avoid impacting these resources.
- To recognize and be aware of potential resources or conditions that might be present on-site; and by their awareness, protect the resources on-site.
- To leave the evaluation of importance of environmental resources to the specialists.

CULTURAL RESOURCES

DEFINING CULTURAL RESOURCES

- **Cultural Resources:** Remnants of human occupation, both California Native American and later historical (50+ years old).
- **Value of Cultural Resources:** provide information about heritage, labor and lifestyles, social interaction, tools and traditions.
- **Diagnostic Artifacts:** Help establish a timeline of human occupation.
  - Examples: Projectile points (arrowheads), bone tools, imported china, Spanish trade beads, glass bottles/ceramics with maker's marks/labels.
- **Food Processing Insights:** Shellfish, bones, and grinding stones reveal diets and food processing methods of California Native American inhabitants.
- **New Discoveries:** Broaden our understanding of the area's archaeology and history.
- **Protection of Artifacts:** Once a resource is looted or destroyed, that information is lost forever. Always leave artifacts in place and immediately notify your supervisor and the onsite Cultural Resources Monitor (CRM).

POTENTIAL TO ENCOUNTER CULTURAL RESOURCES

- The project area has a rich history of California Native American and later historic occupation and there is the potential to encounter cultural resources during ground-disturbing activities.
- California Native American
  - Pre-contact Native American cultural resources.
- Historic
  - A historic resource is anything that is 50 years old or older.

Projectile Points

LEGAL OBLIGATION TO PROTECT CULTURAL RESOURCES

- Adherence to California Energy Commission Conditions of Certification.
- California Public Resources Code [PRC §5097.98] (human remains).
- California Public Resources Code [PRC §5097.99] (theft).

Bedrock Mortars

PENALTIES

- **California Penal Code §622 (Destruction of Sites)**
  - The willful injury, disfiguration, defacement, or destruction of objects of archaeological or historical interest or value on private or public lands is a misdemeanor.

- **California Health & Safety Code 7050.5 (Disturbance of Human Remains)**
  - Intentional disturbance, mutilation, or removal of interred human remains is a misdemeanor. Excavation must cease until a County Coroner makes a report. The County Coroner must contact the Native American Heritage Commission within 24 hours if the coroner identifies the remains to be those of Native American ancestry.

CALIFORNIA NATIVE AMERICAN CULTURAL RESOURCES

- Groundstone Tools
  - Manos
  - Metates
  - Mortars
  - Pestles
  - Hammerstones
  - Choppers
  - Bowls

Manos and Hammerstones

Pestles

CALIFORNIA NATIVE AMERICAN CULTURAL RESOURCES

- Lithic (Stone) Tools
  - Project points (arrowheads)
  - Scrapers
  - Flakes
  - Drills
  - Choppers
  - Cores

Projectile Point

Cores and Flakes

CALIFORNIA NATIVE AMERICAN CULTURAL RESOURCES

- Midden
  - May contain bone, lithics, daub, shell (clam, mussel, abalone, oyster, etc.), and other artifacts.
  - Often oily to the touch and different color from soils of the surrounding area.

- Hearth
  - Represents remnants of a purposeful fire typically comprised of a grouping of fire affected rock and/or dark soils/organic material.

Midden

TRIBAL CULTURAL RESOURCES

- Tribal cultural resources can include:
  - Sites
  - Features
  - Places
  - Cultural landscapes
  - Sacred places
  - Objects with cultural value to a California Native American tribe

HISTORIC-PERIOD CULTURAL RESOURCES (at least 50 years old)

- Bottles
- Cans
- Ceramics/Pottery
- Miscellaneous Metal
- Foundations
- Trash Pits/Scatters

IDENTIFYING CALIFORNIA NATIVE AMERICAN ARTIFACTS ON THE SURFACE

- California Native American artifacts found on the surface are often weathered from sun, wind, and rain. Sun exposure dulls their color, and wind-blown sand rounds the edges of lithic flakes and ceramic sherds. Shell and bone fragments may have a chalky texture due to sun exposure.

- Surface lithic artifacts may show recent fractures from vehicular traffic, with sharp edges due to limited exposure time, unlike the rounded edges of weathered artifacts.

- Single California Native American artifacts, called “isolated artifacts” or “isolates”, are found by themselves.

IDENTIFYING HISTORIC PERIOD ARTIFACTS ON THE SURFACE

- Historic-period artifacts found on the surface or partially buried may be “trash scatters” (e.g., cans, metal, bottles/glass, ceramic fragments, bricks, lumber).

- The historic-period artifacts that make up a “trash scatter” are often found clustered in a small area, sometimes partially buried.

IDENTIFYING BURIED NATIVE AMERICAN ARTIFACTS

- Potential subsurface indicators of a Native American archaeological deposit:
  - A patch of darker soil within lighter surrounding soils might indicate a midden containing artifacts like lithic flakes, pottery sherds, groundstone and decomposing organic material.
  - Shell middens, in particular, are typically present within gray-black soils with a “greasy” feel to it, in an area of lighter-colored soils.
  - A concentration or grouping of rocks in a relatively small area might represent a Native American archaeological feature such as a hearth.

IDENTIFYING BURIED HISTORIC-PERIOD ARTIFACTS

- Historic-period artifacts can also be found below the ground surface in a “trash pit”.
- The “trash pit” will be a different color from the surrounding soil and will often contain charcoal and/or burnt lumber.
- A concentration, cluster, or grouping of brick, stone, or cement in a relatively small area might represent a historic period feature such as a cistern, privy, or foundation – although these kinds of finds are unlikely within the current project area.

PROCEDURES

- If cultural resources are discovered:
  - Halt all ground-disturbing activities within 100 feet of the find.
  - Contact the Cultural Resources Specialist (CRS) or on-site CRM
  - CRS or CRM will monitor all preconstruction and construction activities to ensure no impacts to undiscovered resources.
  - CRS and CRM can halt or redirect construction if significant archaeological resources are found.
  - Workers must recognize potential resources through WEAP training but are not responsible for determining their significance.
  - Workers should stop work immediately if they find potential cultural resources and contact their supervisor and the CRS or CRM.
  - Do not move the find until evaluated by the CRS or CRM to avoid legal issues and project delays.

REPORTING REQUIREMENTS FOR HUMAN REMAINS

- If you find human bones or a burial site on the project
  - **STOP WORK** and
  - **IMMEDIATELY** notify the construction foreman.
    - Foreman will contact Cultural Resources Specialist (CRS).

- State law protects the remains of Native Americans.
- It is illegal for you to disturb these remains.

PALEONTOLOGICAL RESOURCES

PALEONTOLOGICAL RESOURCES

- Paleontological resources (fossils) represent remains of past plant and animal life.
  - Includes impressions, tracks, trails, and fecal material.
- Fossils are typically found in sedimentary rocks.
  - Certain volcanic or metamorphic rocks may contain fossils if formed under specific conditions.
- Fossils help us evaluate evolutionary processes, establish rock age, and investigate past climates and environments.
- Fossils are considered scientifically significant when they are:
  - Well-preserved
  - Identifiable
  - Age informative
  - Environmentally informative
  - Represent new or rare species
- "Significance" is determined by the Paleontological Resources Specialist.
- The entire project site has **high paleontological sensitivity.**

REPRESENTATIVE FOSSILS

- The following slides contain pictures of some of the fossils that may occur based on the site's geology.
- This is not a complete guide to fossils in this area.
- Goal is to help you recognize these fossils, not to make you an expert on evaluating a discovery's significance.

Mammal Bones

Horse

REPRESENTATIVE FOSSILS

Bivalves

Bison

PROJECT REGULATORY REQUIREMENTS

- Comply with Midway Peaker Plant's Conditions of Certification (COCs) to minimize impacts on paleontological resources.
- Qualified paleontological monitor will oversee ground-disturbing activity within previously undisturbed sediments.
- PRS and PRM can halt or redirect construction if significant paleontological resources are found.
- Workers must recognize potential resources through WEAP training but are not responsible for determining their significance.
- Stop work immediately if potential paleontological resources are found and contact your supervisor and the PRS or PRM.

PROTOCOL FOR ON-SITE DISCOVERIES

If a fossil is discovered:

- **STOP** work in the immediate vicinity of the potential discovery.
- **NOTIFY** the construction foreman.
  - Foreman will contact Paleontological Resources Specialist (PRS).

- Monitor will set exclusion zone around fossil to prevent damage and allow for documentation and evaluation of the find.
- PRS will evaluate importance of fossil discovery and determine if further mitigation is required.
- Every attempt will be made to document and evaluate the discovery in a timely manner to minimize construction down time.
- Work in the area will resume once discovery is properly documented and salvaged (if necessary) and authorization is given to resume activity.

PALEONTOLOGICAL REMINDERS

- It is unlawful to damage or disturb fossils in the project area.
- If you believe that you have encountered a paleontological resource, **STOP** work and immediately **NOTIFY** monitor or foreman.
- It is the worker's responsibility, through WEAP training, to recognize potential resources, but not to determine the significance of the resource.

BIOLOGICAL RESOURCES

FEDERAL AND STATE LAWS DESIGNED TO PROTECT SPECIES

ESA definition of "take": to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct;

CESA definition of "take": to hunt, pursue, catch, capture, or kill, or attempt to do so.

Applicable Laws:

- U.S. Endangered Species Act (ESA)
- Migratory Bird Treaty Act (MBTA)
- Bald and Golden Eagle Protection Act (BGEPA)
- The Clean Water Act (CWA)
- California Endangered Species Act (CESA)
- Native Plant Protection Act (NPPA)
- California Fish and Game Code (CFGC)

ENVIRONMENTAL LAWS & REGULATIONS

- Federal Agency - United States Fish and Wildlife Service (USFWS).
- State Agencies - California Department of Fish and Wildlife (CDFW), California Energy Commission (CEC).

PENALTIES:

- Federal Penalties for violating ESA.
  - Up to $100,000 criminal fine and up to 1 year in jail for an individual.
  - $200,000 for a business for each violation.
- State Penalties for violating CESA.
  - $5,000 criminal fine and up to 1 year in jail for each violation.
- Federal Penalties for violating Bald and Golden Eagle Protection Act.
  - $5,000 criminal fine or up to 1 year in jail for first offense, $10,000 or 2 years in jail for second offense.
  - Fine doubles for a business.

PROTECTED SPECIES

San Joaquin Kit Fox

Raptors and Nesting Birds

Swainson's Hawk

Burrowing Owls

If any protected species are observed by any individual, **all** work in the immediate area must stop immediately, and the Designated Biologist **must** be contacted.

"Take" of a listed species is illegal.

SAN JOAQUIN KIT FOX

- Federally Endangered, State Threatened.
- Small, tan fox with a bushy, black-tipped tail. Small in comparison with other canids.
- Typically found in the desert and grasslands of San Joaquin Valley, in areas with minimal shrubs and dominated by grasses.
- Feed on kangaroo rats, mice, and other small mammals.
- Utilize burrows and may not be visible above ground. Typically active between dusk and dawn.
- Will utilize pipes and other equipment left within work area.
- Very curious and attracted to trash, food, etc. so it's important to keep the work area clean.
- Though no sightings have been recently recorded in the vicinity of the Project site, this species historically exists in the area and may occur on site.

If a kit fox is observed at any point during construction activities, notify the Designated Biologist immediately.

Swainson's Hawk

- State Threatened.
- Broad-winged with narrow bodies with pale, light feathers ranging from dark to light brownish-red.
- Multiple color morphs exist and can be challenging to identify from other common hawk species (red-tailed hawk).
- Inhabit grasslands and agricultural lands.
- Feed on rodents, rabbits, reptiles, and insects- primarily grasshoppers.
- Nesting sites are primarily large trees but may be within transmission towers or other infrastructure.
- Nests are large stick nests. Appear similar to other hawks, ravens, or other large raptors. Any large nest observed should be reported to the project Biologist to assess.

OTHER PROTECTED BIOLOGICAL RESOURCES

Burrowing Owl

- Burrowing owls are currently protected as “candidates” under the California Endangered Species Act (CESA).
- Burrowing owls may use pre-existing burrows. Since they are opportunistic, they may also use pipes, culverts, and other manmade structures as burrows.
- Unlawful to take, including destruction of nesting burrows.
- Occupied burrows indicated by “white wash”, pellets, and feathers around burrows 4” or greater.

Common Raptors

- (e.g., red-tailed hawk).
- Protected under CFGC 3503.5 and MBTA.
- Nests may not be destroyed.

NESTING BIRDS

Protected under CFGC 3503 and MBTA.

How to Identify Nesting Birds in the Work Area

- Carrying material
- Carrying food
- Aggression
- Nest

If you see these behaviors in your work area:

- STOP WORK in the area.

Call Designated Biologist.

NESTING BIRDS

- Nesting bird season is generally January 1 (for raptors) and February 1 (for all other avian species) through September 1.
- Nesting birds can occur on vegetation, ground, burrows, fence posts, structures, or equipment.
- If an active nest is found, the Designated Biologist will establish a no-work buffer as needed. No-work buffer zones will be clearly marked with dull colored flagging, or other suitable buffer materials such as signage or marked wooden stakes, as needed to effectively mark sensitive areas. No employees may enter or perform work within these no-work buffer zones.
- Biologists will be on-site and on-call to monitor project activities.
- If a nest or nesting behavior is observed within the project area, do not approach and notify the Designated Biologist.

MEASURES FOR IMPACT AVOIDANCE

- Follow all posted speed limits within the work area (10MPH).
- Limits of grading and construction activities should be clearly delineated. Keep vehicles and equipment within designated project areas.
- Any equipment operated adjacent to waterways will be maintained daily to prevent leaks.
- No debris, soil, silt, sand, bark, slash, sawdust, other organic/earthen materials, or pollutants will be discharged into a waterbody.
- Cleanup of any spills will begin immediately after they are observed.

PROJECT WILDLIFE REMINDERS

The following measures are in place to reduce impacts to San Joaquin kit foxes and other wildlife that may occur on site:

- Trash: Secure trash and food waste in wildlife-proof containers and remove regularly.
- Excavations: Excavations, steep-walled holes and trenches should be covered to prevent wildlife entry/entrapment. If not possible, a wildlife escape ramp/slope must be provided. All trenches or holes deeper than 2 feet must be inspected by a biological monitor prior to backfilling. If at any point a trapped or injured kit fox is discovered, notify the Designated Biologist immediately.
- Pipes: Pipes, conduit, or similar 4 inches or greater stored onsite for one night or longer must be inspected by a Bio monitor prior to movement, capping, burial, etc. Best Management Practices (BMPs) will be implemented to cover pipes, thereby preventing the entrapment and nesting of wildlife.
- Rodenticides: Use of rodenticides will be limited. If necessary, only zinc phosphide (non-anticoagulant) bait will be used.

PROJECT WILDLIFE REMINDERS

- Speed-Limit: Project-related vehicles shall observe a 10-mph speed limit in all project areas during construction, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. To the extent possible, night-time construction should be minimized. Off-road traffic outside of designated project areas should be prohibited.
- Firearms: No firearms shall be allowed on the project site.
- Pets: To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets will be permitted on project sites.
- Trapped Animals: escape ramps or structures should be installed immediately for the animal to escape.

PROJECT WILDLIFE REMINDERS

DON'T

- Pick up or touch animals or nests.
- Remove animals, nests, or animal parts – this can result in fines and/or jail time.
- Drive off-road except for designated route to construction site.
- Bring firearms or pets to project site.

Contact the Designated Biologist if:

- You see a nest anywhere within the project area, including in your equipment.
- You observe protected wildlife
- You see trapped, dead, or injured wildlife.

If any special status species are found on site…

STOP

all work in the area and contact the Designated Biologist **immediately!**

GENERAL - POINTS OF CONTACT

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WEAP Completion Responsibilities

- Sign the WEAP acknowledgement form to complete this training.
- Pick up an informational WEAP brochure that identifies reporting procedures in the event of a Discovery.
- An acknowledgement form signed by each worker indicating that he/she has received the training; and
- A sticker that shall be placed on hard hats indicating that environmental training has been completed.

Traffic Safety

- Motor Vehicle Laws and Safe Driving Practices:
  - Applicable Laws: Adhere to all local motor vehicle laws, including speed limits, seat belt usage, and prohibitions on distracted driving. Penalties for violations can include fines, license suspension, and other legal consequences.
  - Safe Driving Practices: Always drive defensively and be aware of potential road conditions such as school bus stops, children walking to/from bus stops, children boarding/exiting buses, ground fog, horses/livestock, and slow vehicles along W Panoche Road.
- Commute Work Travel Times:
  - Delivery Trucks: Expected delivery times are between 6AM to 9PM, Monday through Friday, and 7AM to 5PM on weekends.
  - Worker Vehicles: Construction worker vehicles will park in the existing employee parking lot along W Panoche Road.
- School Bus Travel Times:
  - Bus Route: The Mendota School District bus route stops at 43405 W Panoche Road, traveling westbound, and uses the property to make a U-turn to travel back eastbound. This route will not be impacted by construction traffic.
- Consequences for Unsafe Driving:
  - Penalties: Workers found driving unsafely may face disciplinary actions, including suspension or termination of employment, in addition to legal penalties.

QUESTIONS?

Rincon Consultants, Inc.
180 North Ashwood Avenue
Ventura, California 93003
805-644-4455

April 21, 2025
Rincon Project No. 24-16970

Ann Crisp
California Energy Commission
715 P Street, 3rd Floor
Sacramento, California 95814
Via email: Ann.Crisp@energy.ca.gov

Subject: Worker Environmental Awareness Program Script for the Midway Interconnection Project in Fresno County, California (06-AFC-10C)

Dear Ms. Crisp:

Rincon Consultants, Inc. (Rincon) has prepared a Worker Environmental Awareness Program (WEAP) presentation for the Midway Interconnection Project in Fresno County, California. This document provides a script to accommodate the WEAP presentation.

Worker Environmental Awareness Program (Slide 2)

Introduction (Slide 2)

Welcome, everyone. Today, we'll be discussing the Worker Environmental Awareness Program, or WEAP. This program is essential to ensuring environmental protection on the Project site. Whether it's cultural, paleontological, or biological resources, safeguarding these elements is a legal requirement and a fundamental part of responsible construction.

Purpose of WEAP (Slide 2)

The goal of this program is to educate construction personnel on the types of environmental resources they may encounter, how to recognize them, and the proper procedures to follow if any discoveries occur.

Key Responsibilities (Slide 2)

As part of this project, it is your responsibility to be aware of the sensitivity of this site. Due to its archaeological, paleontological, and biological significance, adhering to WEAP is not optional—it is a mandated requirement for project implementation and construction

Legal Obligations (Slide 2)

This program will provide guidance on the legal responsibilities involved in environmental protection. Failure to comply with WEAP protocols can result in penalties, which will be outlined in this training.

Next Steps (Slide 2)

Throughout this session, we'll cover specific identification methods, response procedures, and best practices for ensuring compliance. By the end, you'll be equipped with the knowledge needed to responsibly work within the Project site while preserving its valuable environmental resources.

WEAP Goals (Slide 3)

The success of the Worker Environmental Awareness Program depends on each individual's commitment to protecting cultural, paleontological, and biological resources on-site. By understanding and applying key principles, we ensure that these valuable environmental assets remain undisturbed.

Key Goals (Slide 3)

Recognizing Environmental Resources

Every team member should be able to generally identify potential cultural, paleontological, and biological resources while working on-site. Awareness is the first step in responsible environmental stewardship.

Preventing Impact

Knowing what to do when encountering these resources is crucial. Taking immediate and appropriate action ensures that these sensitive areas remain protected.

Maintaining Vigilance

Resources and conditions may not always be obvious. Remaining observant and aware of the surroundings enables us to proactively safeguard the site's environmental integrity.

Deferring to Experts

This Project has dedicated cultural, paleontological, and biological resources professionals that will be your contacts throughout the duration of the Project. These contacts include Breana Campbell and Kholood Abdo for cultural resources, Andrew McGrath for paleontological resources, Ryan Wardle and Melanie Jensen for biological resources. While we all play a role in environmental protection, the evaluation of the significance of these resources should be left to specialists. If a potential discovery is made, stop all work in the area and immediately report it to the appropriate resource lead rather than attempting to assess its importance yourself.

In addition to the cultural, paleontological, and biological resource contacts, it's also important to note your general Project contacts, Ashley Quackenbush, Josh Ihm, and Jon Boyer. All contact information will be provided at the end of the WEAP.

Cultural Resources (Slide 4)

Defining Cultural Resources (Slide 5)

This portion of the WEAP will provide information on cultural resources that may be encountered on-site. Cultural Resources are remnants of human occupation, both from California Native American communities and later historical periods, offer invaluable insights into our past.

Cultural Resources

Cultural resources are more than just old objects. They provide crucial information about heritage, labor and lifestyles, social interaction, tools, and traditions.

Diagnostic Artifacts

Diagnostic artifacts play a key role in establishing a timeline of human occupation. Examples include projectile points (arrowheads), bone tools, imported china, Spanish trade beads, and glass bottles or ceramics with maker's marks or labels.

Food Processing Insights

Shellfish, bones, and grinding stones reveal the diets and food processing methods of California Native American inhabitants.

New Discoveries

New discoveries continually broaden our understanding of the area's archaeology and history.

Protection of Artifacts

It's vital to protect these artifacts. Once a resource is looted or destroyed, that information is lost forever. If found, always leave artifacts in place and immediately notify your supervisor and the on-site Cultural Resources Monitor (CRM).

Potential to Encounter Cultural Resources (Slide 6)

The project area has a rich history of California Native American and later historic occupation. During ground-disturbing activities, there is the potential to encounter cultural resources.

Let's delve into the types of cultural resources we might find.

California Native American resources include pre-contact Native American cultural artifacts. These remnants provide a glimpse into the lives and traditions of the area's earliest inhabitants.

Historic resources are defined as anything that is 50 years old or older. These artifacts offer valuable insights into the more recent past and the evolution of the community.

As we work on this project, it's important to be mindful of these cultural resources. They are key to understanding the area's rich heritage and history.

Legal Obligation to Protect Cultural Resources (Slide 7)

While on-site, it's very important to remember that each of us has a legal obligation to protect cultural resources. To ensure compliance, keep the following legal protections in mind:

- Adherence to California Energy Commission Conditions of Certification
- California Public Resources Code [PRC §5097.98] addresses human remains
- California Public Resources Code [PRC §5097.99] addresses theft of cultural resources

Penalties (Slide 8)

Along with the legal obligations we have to protect cultural resources, disturbance of these resources have significant penalties that should be avoided: The California Penal Code §622 which addresses the destruction of sites: "The willful injury, disfiguration, defacement, or destruction of objects of archaeological or historical interest or value on private or public lands is a misdemeanor."

And the California Health & Safety Code 7050.5 which addresses the disturbance of human remains. "Intentional disturbance, mutilation, or removal of interred human remains is a misdemeanor. Excavation must cease until a County Coroner makes a report. The County Coroner must contact the Native American Heritage Commission within 24 hours if the coroner identifies the remains to be those of Native American ancestry."

California Native American Cultural Resources (Slides 9 through 11)

Now that we better understand why protecting cultural resources are so important, let's talk about types of cultural resources that you may find on-site: Some may come in the form of groundstone tools such as manos, metates, mortars, pestles, hammerstones, choppers, and bowls. Some may come in the form of lithic (stone) tools such as project points (arrowheads), scrapers, flakes, drills, choppers, cores, midden which often contain bone, lithics, daub, shell (clam, mussel, abalone, oyster, etc.), and other artifacts or are often oily to the touch and are a different color from the soils in the surrounding area, and hearth which represent remnants of purposeful fire typically comprised of a grouping of fire affected rock and/or dark soils/organic material.

Tribal Cultural Resources (Slide 12)

Tribal cultural resources can be in many forms such as sites, features, places, cultural landscapes, sacred places, and various objects that hold a cultural value to a California Native American tribe.

Historic-period Cultural Resources (At Least 50 Years Old; Slide 13)

Historic-period cultural resources are resources that are at least 50 years old and can come in the form of bottles, cans, ceramics/pottery, miscellaneous metals, foundations, or even trash pits or trash scatters.

Identifying California Native American Artifacts on the Surface (Slides 14 and 15)

Now we'll move onto how to identify California Native American artifacts that may be found along the ground during work. These types of artifacts include pre-contact Native American artifacts, surface lithic artifacts, single Native American artifacts, and historic period artifacts.

Native American artifacts found on the surface are often weathered from sun, wind, and rain. Sun exposure dulls their color, and wind-blown sand rounds the edges of lithic flakes and ceramic sherds. Shell and bone fragments may have a chalky texture due to sun exposure.

Surface lithic artifacts may show recent fractures from vehicular traffic, with sharp edges due to limited exposure time, unlike the rounded edges of weathered artifacts.

Single Native American- artifacts, called "isolated artifacts" or "isolates", are found by themselves.

Historic-period artifacts found on the surface or partially buried may be "trash scatters" (e.g., cans, metal, bottles/glass, ceramic fragments, bricks, lumber). The historic-period artifacts that make up a "trash scatter" are often found clustered in a small area, sometimes partially buried.

Identifying Buried Native American Artifacts (Slides 16 and 17)

Next, we'll discuss how to recognize potential subsurface indicators of a Native American archaeological deposit: A Native American deposit may have a patch of darker soil within lighter surrounding soils which might indicate a midden containing artifacts like lithic flakes, pottery shards, groundstone and decomposing organic material. Shell middens, in particular, are typically present

within gray-black soils with a "greasy" feel to it, in an area of lighter-colored soils. In addition, a concentration or grouping of rocks in a relatively small area might represent a Native American feature such as a hearth.

Historic-period artifacts can also be found below the ground surface in a "trash pit" which will typically be a different color from the surrounding soil and will often contain charcoal and/or burnt lumber. A concentration, cluster, or grouping of brick, stone, or cement in a relatively small area might represent a historic period feature such as a cistern, privy, or foundation – although these kinds of finds are unlikely within the current project area.

Procedures (Slide 18)

If cultural resources are discovered, workers will need to halt all ground disturbing activities within 100 feet of the find and contact the Cultural Resources Specialist (CRS) or on-site CRM. The CRS or CRM will monitor all preconstruction and construction activities to ensure there are no impacts to undiscovered resources. The CRS and CRM can halt or redirect construction if significant archaeological resources are found.

Remember that although workers must be able to recognize potential cultural resources, they are not responsible for determining their significance.

If you find a potential cultural resource, stop work immediately and contact their supervisor and the CRS or CRM. Do not move the find until evaluated by the CRS or CRM to avoid legal issues and project delays.

Reporting Requirements for Human Remains (Slide 19)

If you find human bones or a burial site on the project you must stop work and immediately notify the construction foreman. The construction foreman will then contact the CRS. Since state law protects the remains of Native Americans, it is illegal to disturb remains.

Paleontological Resources (Slide 20)

Paleontological Resources (Slide 21)

Paleontological resources (fossils) represent remains of past plant and animal life and can include bones, shells, impressions, tracks, trails, and fecal material. Fossils are typically found in sedimentary rocks, but certain volcanic or metamorphic rocks may contain fossils if formed under specific conditions.

Fossils help us evaluate evolutionary processes, establish rock age, and investigate past climates and environments. Fossils are considered scientifically significant when they are well-preserved, identifiable, age informative, environmentally informative, and/or represent new or rare species.

Though workers should be able to identify paleontological resources by the end of this WEAP, workers are not responsible for determining the significance of the find. This is determined by the Paleontological Resources Specialist.

The entire project site has high paleontological sensitivity.

Representative Fossils (Slides 22 and 23)

Though this is not a complete guide to the fossils in the area, the following slides provide photos of the types of fossils that may occur within the early Holocene and late Pleistocene sediments found in

the project site. Please review these photos as needed. The goal is to help you recognize these fossils if you come across them on the site. Light-colored and/or porous material found within the ground could represent fossil bones of Ice Age mammals. Sea shell-like material could represent fossil freshwater invertebrates.

Project Regulatory Requirements (Slide 24)

As a worker on the Midway Interconnection Project, it's your responsibility to comply with Midway Peaker Plant's Conditions of Certification (COCs) to minimize impacts on paleontological resources.

The Project's qualified paleontological monitor will oversee ground-disturbing activity within previously undisturbed sediments. A Paleontological Resource Specialist or monitor has the authority to halt or redirect construction if suspected paleontological resources are found.

After completing this WEAP, workers must be able to recognize potential resources but are not responsible for determining their significance.

Stop work immediately if potential paleontological resources are found and contact your supervisor, Paleontological Resource Specialist, or paleontological monitor.

Protocol for On-Site Discoveries (Slide 25)

Since the entire project site has a high paleontological sensitivity, we will now be discussing what to do if a fossil is discovered on-site.

First, stop work in the immediate vicinity of the potential discovery. Do not move it or pick it up. Then, notify the construction foreman or paleontological monitor. The foreman or monitor will then contact Paleontological Resources Specialist.

The monitor will set exclusion zone around the fossil to prevent damage and allow for documentation and evaluation of the find. The PRS will evaluate the importance of the fossil discovery and determine if further mitigation is required.

Every attempt will be made to document and evaluate the discovery in a timely manner to minimize construction down time.

Work in the area will resume only once discovery is properly documented and salvaged (if necessary) and authorization is given to resume activity.

Paleontological Reminders (Slide 26)

As you work on-site during project activities, keep in mind that it is unlawful to damage or disturb fossils in the project area. If you believe that you have encountered a paleontological resource, stop work and immediately notify monitor or foreman.

Remember, it is the worker's responsibility, through WEAP training, to recognize potential resources, but not to determine the significance of the resource.

Biological Resources (Slide 27)

Federal and State Laws Designed to Protect Species (Slide 28)

When talking about biological resources, it's important to understand the U.S. Endangered Species Act, which protects species from a federal level and the California Endangered Species Act, which protects species from a state level; and their respective definitions of "take." Though the ESA and

CESA have different definitions of "take," it is illegal to "take" on both a federal and state level. The ESA definition of "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct; whereas the CESA definition of "take" means to hunt, pursue, catch, capture, or kill, or attempt to do so.

Laws applicable to biological resources for this project include the U.S. Endangered Species Act (ESA), which was discussed previously, the Migratory Bird Treaty Act (MBTA), which protects all migratory and nesting birds, the Bald and Golden Eagle Protection Act (BGEPA) which protects bald and golden eagles and their parts, nests, and eggs from unpermitted "take," the Clean Water Act (CWA) which regulates the protection of the nation's waters, the California Endangered Species Act (CESA) which was discussed previously, the Native Plant Protection Act (NPPA) which designates and protects rare and endangered native plants, and the California Fish and Game Code (CFGC) which regulates the management and conservation of wildlife, fish, and marine resources.

Environmental Laws and Regulations (Slide 29)

Federal and agencies involved in protecting biological resources include the United States Fish and Wildlife Service (USFWS, Federal Agency), and the California Department of Fish and Wildlife (CDFW, State Agency).

Similar to penalties for other resources discussed previously in this presentation, there are also penalties for violating the ESA, CESA, and the Bald and Golden Eagle Protection Act. Federal Penalties for violating the ESA include up to $100,000 criminal fine and up to 1 year in jail for an individual or $200,000 for a business for each violation. State Penalties for violating CESA include a $5,000 criminal fine and up to 1 year in jail for each violation. Federal Penalties for violating Bald and Golden Eagle Protection Act include a $5,000 criminal fine or up to 1 year in jail for first offense, or $10,000 or 2 years in jail for second offense. Fine doubles for a business.

Protected Species (Slide 30)

San Joaquin Kit Fox (Slide 31)

The San Joaquin kit fox is a federally endangered, state threatened species, and is a small, tan fox with a bushy black tipped tail. The San Joaquin kit fox is small in comparison with other canids.

This species is typically found in the desert and grasslands of San Joaquin Valley, in areas with minimal shrubs and dominated by grasses. It feeds on kangaroo rats, mice, and other small mammals.

This species utilizes burrows as well as pipes and other equipment left within work area and may not be visible above ground. They are typically active between dusk and dawn.

This species is very curious and attracted to trash, food, etc. so it's important to keep the work area clean. Though no sightings have been recently recorded in the vicinity of the project site, this species historically exists in the area and may occur on-site. Historically, a San Joaquin Kit Fox was reported 2.5-miles northwest from project site, back in 1937. If a kit fox is observed at any point during construction activities, notify the Designated Biologist immediately.

In addition to the actions we've discussed on this slide, a more thorough list of measures that are in place for protecting San Joaquin kit fox are provided later during this presentation, on Slides 36 through 39.

Swainson's Hawk (Slide 32)

The Swainson's hawk is a State Threatened raptor with broad-winged with narrow bodies with pale, light feathers ranging from dark to light brownish red. Multiple color morphs exist and can be challenging to identify from other common hawk species (red-tailed hawk).

This species inhabit grasslands and agricultural lands and feed on rodents, rabbits, reptiles, and insects- primarily grasshoppers.

Nesting sites are primarily large trees but may be within transmission towers or other infrastructure. Nests are large stick nests that similar to other hawks, ravens, or other large raptor nests. Any large nest observed should be reported to the Designated Biologist to assess.

Other Protected Biological Resources (Slide 33)

Burrowing Owl

Burrowing owls are currently protected as "candidates" under the California Endangered Species Act (CESA). This status indicates that the species is under review and may soon be classified as either endangered or threatened. Burrowing owls may use pre-existing burrows, yet since they are opportunistic, they may also use pipes, culverts, and other manmade structures as burrows.

It is unlawful to take, including destruction of nesting burrows.

Occupied burrows can be identified by "white wash", pellets, and feathers around burrows 4" or greater.

Common Raptors

Common raptors that may be found within the project site (e.g., red-tailed hawk) are protected under CFGC 3503.5 and MBTA, which means that the nests are not to be destroyed.

Nesting Birds (Slides 34 and 35)

Similarly, nesting birds are protected under CFGC 3503 and MBTA. If you think a bird is nesting within the work area, the nesting bird may be carrying nesting material, carrying food, showing signs of aggression, or you may even come across a nest. If you observe the described behaviors or a nest, stop work in the area and call the Designated Biologist.

Nesting bird season is generally January 1 (for raptors) and February 1 (for all other avian species) through September 1. Nesting birds can occur on vegetation, ground, burrows, fence posts, structures, or equipment.

If an active nest is found, the Designated Biologist will establish a no-work buffer as needed. No-work buffer zones will be clearly marked with dull colored flagging, or other suitable buffer materials such as signage or marked wooden stakes, as needed to effectively mark sensitive areas. No employees may enter or perform work within these no-work buffer zones. Biologists will be on-site and on-call to monitor project activities.

As a reminder, if a nest or nesting behavior is observed within the project area, do not approach and notify the Designated Biologist.

Measures for Impact Avoidance (Slide 36)

As you work on-site, it's important to keep in mind the measures that are in place for protecting biological resources. These measures include but are not limited to following all posted speed limits within the work area (10 miles per hour), the limits of grading and construction activities should be clearly delineated throughout the site, keeping vehicles and equipment within designated project areas, any equipment operated adjacent to waterways will be maintained daily to prevent leaks, no debris, soil, silt, sand, bark, slash, sawdust, other organic/earthen materials, or pollutants will be discharged into a waterbody and the cleanup of any spills will begin immediately after they are observed.

Project Wildlife Reminders (Slides 37 through 39)

Project Wildlife Reminders (Slide 37)

The following measures are in place to reduce impacts to San Joaquin kit foxes and other wildlife that may occur on-site:

Trash (Slide 37)

Secure trash and food waste in wildlife-proof containers and remove regularly.

Excavations (Slide 37)

Excavations, steep-walled holes and trenches should be covered to prevent wildlife entry/entrapment. If not possible, a wildlife escape ramp/slope must be provided. All trenches or holes deeper than 2 feet must be inspected by a biological monitor prior to backfilling. If at any point a trapped or injured kit fox is discovered, notify the Designated Biologist immediately.

Pipes (Slide 37)

Pipes, conduit, or similar 4 inches or greater stored on-site for one night or longer must be inspected by a Bio monitor prior to movement, capping, burial, etc. Best Management Practices (BMPs) will be implemented to cover pipes, thereby preventing the entrapment and nesting of wildlife.

Rodenticides (Slide 37)

Use of rodenticides will be limited. If necessary, only zinc phosphide (non-anticoagulant) bait will be used.

Speed-Limit (Slide 38)

Project-related vehicles shall observe a 10-mile-per-hour speed limit in all project areas during construction, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. To the extent possible, night-time construction should be minimized. Off-road traffic outside of designated project areas should be prohibited.

Firearms (Slide 38)

No firearms shall be allowed on the project site.

Pets (Slide 38)

To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets will be permitted on project sites.

Trapped Animals (Slides 38 and 39)

Escape ramps or structures should be installed immediately for the animal to escape.

A few final reminders as we conclude the WEAP. Do not pick up or touch animals or nests, do not remove animals, nests, or animal parts – this can result in fines and/or jail time, do not drive off-road except for designated route to construction site or bring firearms or pets to project site.

You must contact the Designated Biologist if you see a nest anywhere within the project area, including in your equipment, if you observed protected wildlife, or if you see trapped, dead, or injured wildlife. If any special status species are found on-site, stop all work in the area and contact the Designated Biologist immediately!

Points-of-Contact (Slides 40 through 43)

General Points-of-Contact (Slide 40)

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Cultural Points-of-Contact (Slide 41)

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Paleontological Point-of-Contact (Slide 42)

Andrew McGrath
Paleontological Resource Specialist, Rincon Consultants
Phone: 805-427-9690
Email: amcgrath@rinconconsultants.com

Biological Points-of-Contact (Slide 43)

Ryan Wardle
Designated Biologist, Site Lead, Rincon Consultants
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Email: rwardle@rinconconsultants.com

Melanie Jensen
Designated Biologist, Rincon Consultants
Phone: 559-425-9670
Email: mjensen@rinconconsultants.com

WEAP Completion Responsibilities (Slide 44)

As requirements for WEAP compliance, workers will need to pick up an informational WEAP brochure that identifies reporting procedures in the event of a Discovery, sign an acknowledgement form indicating that he/she has received the training, and a sticker shall be placed on hard hats indicating that environmental training has been completed.

Sincerely,
Rincon Consultants, Inc.

Andrew McGrath, PhD
Paleontological Resource Specialist

Kholood Abdo
Cultural Resources Specialist

Ryan Wardle
Designated Biologist, Site Lead

Worker Environmental Awareness Program
Midway Interconnection Projects

Basic Environmental Compliance Knowledge

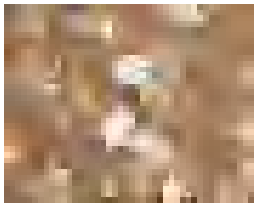
This Worker Environmental Awareness Procedure (WEAP) material defines the procedures and requirements of staff and visitors for the protection of environmental resources including cultural, paleontological, and biological resources on the Project site. The WEAP is designed to provide construction personnel with information regarding the potential to encounter environmental resources on the Project site, how to identify said resources, and procedures to follow in the event of an inadvertent discovery. There is a legal obligation to protect environmental resources. It is the worker's responsibility, through WEAP training, to recognize potential resources, but not to determine the significance of the resource.

Measures for Impact Avoidance

- Stay within approved work areas and on designated access roads, and park vehicles and equipment in designated areas.
- Any equipment operated adjacent to waterways will be maintained daily to prevent leaks. This project includes upgrades to an existing 25,000 square foot wastewater evaporation pond on the east side of the Project site.
- No debris, soil, silt, sand, bark, slash, sawdust, other organic/earthen materials, or pollutants will be discharged into a waterbody.
- Cleanup of any spills will begin immediately after they are observed.
- Trash: secure trash and food waste in containers inaccessible to wildlife and remove regularly.
- Excavations: Excavations should be covered to prevent wildlife entry/entrapment. If not possible, a wildlife escape ramp/slope must be provided. All trenches or holes deeper than 2 feet must be inspected by a biological monitor prior to backfilling.
- Pipes: pipes, conduit, or similar 4 inches or greater stored onsite for one night or longer must be inspected by a biological monitor prior to movement, capping, burial, etc. Best Management Practices (BMPs) will be implemented to cover pipes, thereby preventing the entrapment and nesting of wildlife.
- Rodenticides: use of rodenticides will be limited. If necessary, only zinc phosphide (non-anticoagulant) bait will be used.
- Speed-Limit: Project-related vehicles shall observe a 10-mph speed limit in all project areas during construction, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. To the extent possible, night-time construction should be minimized. Off-road traffic outside of designated project areas should be prohibited.
- Firearms: No firearms shall be allowed on the project site.
- Pets: To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets will be permitted on project sites.

Cultural Resources

- Cultural resources are the remnants of human habitation or occupation of an area or region. They can be California Native American or later historical (50 years or older) and provide information about heritage, labor and lifestyles, social interaction, tools and traditions.
  - California Native American Resources: groundstone tools, lithic (stone) tools, midden, hearth
  - Tribal Resources: sites, features, places, cultural landscapes, sacred places, California Native American tribal cultural objects
  - Historical Resources: bottles, cans, ceramics/pottery, miscellaneous metal, foundations, trash pits/scatter

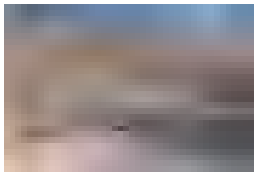


Native American Resource

- Identifying California Native American Artifacts on the Surface
  - California Native American artifacts that are found on the surface will have been exposed to sun, wind, and rain and will be weathered. Their color will likely be dull as a result of sun exposure and abrasion from wind-blown sand. Shell and faunal bone fragments will sometimes have a chalky texture due to exposure to the sun.
  - Lithic artifacts that are found on the surface may exhibit recent fractures or breaks resulting from vehicular traffic.

Historic Artifact

- Identifying Historic Artifacts on the Surface
  - Historic-period artifacts found on the surface or partially buried may be "trash scatters" that contain rusted metal cans, miscellaneous pieces of metal, whole and/or fragmentary bottles, ceramic fragments, bricks, and lumber. They are often found concentrated or clustered in a small area.
- Identifying Buried California Native American Artifacts
  - Potential indicators of a Native American archaeological deposit encountered during construction related ground disturbance.
    - A patch of darker soil within lighter colored surrounding soils might indicate the presence of a midden containing artifacts like lithic flakes, pottery sherds, groundstone and decomposing organic material.
    - Shell middens, in particular, are typically present within relatively discolored gray-black soils with a "greasy" feel to it, in an area of lighter-colored soils.
    - A concentration, cluster, or grouping of rocks in a relatively small area might represent a Native American archaeological feature such as a hearth.



Native American Deposit

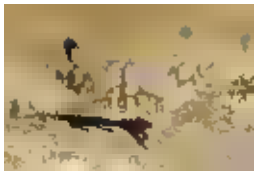
- Identifying Buried Historic Artifacts
  - Historic-period artifacts can also be found below the ground surface in a "trash pit".
  - The "trash pit" will be a different color from the surrounding soil and will often contain charcoal and/or burnt lumber.

Paleontological Resources


Paleontological Resource

- Paleontological resources (fossils) represent past life including remains of marine and terrestrial vertebrates, invertebrates, and plants. Includes impressions, tracks, trails, and fecal material. They help us evaluate evolutionary processes, establish rock age, and investigate past climates and environments.
- All undisturbed sediments within the project site are considered to be early Holocene to Pleistocene in age and are assigned have high paleontological sensitivity.

Biological Resources


San Joaquin Kit Fox

- Federal and state laws have been designed to protect species.
- **ESA definition of "take":** to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct;
- **CESA definition of "take":** to hunt, pursue, catch, capture, or kill, or attempt to do so.
- **"Take"** as defined is **illegal.**
- Protected biological resources: San Joaquin kit fox, nesting birds, Swainson's hawk, burrowing owl, and common raptors.

San Joaquin Kit Fox (Federally Endangered, State Threatened)


Swainson's Hawk

- Small, tan fox with a bushy, black-tipped tail. Small in comparison with other canids.
- They might burrow within pipes and other equipment left within work area.

Swainson's Hawk (State Threatened)

- Broad-winged with narrow bodies with pale, light feathers ranging from dark to light brownish-red.
- They might nest in large trees but may be within transmission towers or other infrastructure.

Burrowing Owl ("Candidate" Under the CESA)


Burrowing Owls

- Small, brown owl with bright yellow eyes and long legs. Small in comparison with other owls. Utilize burrows, may not be noticed above ground.
- Burrowing owls may use pre-existing burrows. Since they are opportunistic, they may also use pipes, culverts, and other manmade structures as burrows.

Nesting Birds (Protected under CA Fish and Game Code 3503, Migratory Bird Treaty Act)

- Nesting bird season is generally January 1 (for raptors) and February 1 (for all other avian species) through September 1
- Nesting birds can occur on vegetation, ground, burrows, fence posts, structures, or on heavy equipment
- If an active nest is found, the Designated Biologist will establish a no-work buffer as needed. No work buffer zones will be clearly marked with dull colored flagging, or other suitable buffer materials such as signage or marked wooden stakes, as needed to effectively mark sensitive areas. No employees may enter or perform work within these no-work buffer zones.
- How to identify nesting birds in the work area: carrying material, aggression, nest

STOP WORK

- If you find human bones or a burial site on the project: **STOP WORK** and **IMMEDIATELY** notify a supervisor who will notify the CRS. State law protects the remains of Native Americans. It is illegal for you to disturb these remains. The CRS will notify the client, as appropriate.
- If a fossil or other paleontological resource is discovered: **STOP WORK** and **IMMEDIATELY** notify the paleontological monitor or construction foreman who will contact the Paleontological Resources Specialist (PRS).
  - It is unlawful to damage or disturb fossils in the Project area.
- If a San Joaquin kit fox, burrowing owl, or Swainson's hawk are discovered or if nesting behaviors are observed, **STOP WORK** and **IMMEDIATELY** notify the Designated Biologist: If you see a nest anywhere within the project area, including in your equipment, if you observe protected wildlife, or if you see trapped, dead, or injured wildlife.

DO NOT

- Pick up or touch animals or nests.
- Remove animals, nests, or animal parts – this can result in fines and/or jail time.
- Drive off-road except for designated route to construction site.

Contact Information

Josh Ihm Site Project Manager **Middle River Power** 602-615-8140 jihm@mrpgenco.com	**Ashley Quackenbush** Env. Project Manager **Rincon Consultants** 206-251-5691 aquackenbush@rinconconsultants.com	**Kholood Abdo** Cultural Resource Specialist **Rincon Consultants** 951-405-2351 kabdo@rinconconsultants.com	**Breana Campbell** Cultural Resource Specialist **Rincon Consultants** 760-517-9128 bcampbell@rinconconsultants.com
Andrew McGrath Paleontological Resources Specialist **Rincon Consultants** 805-427-9690 amcgrath@rinconconsultants.com	**Ryan Wardle** Designated Biologist **Rincon Consultants** 805-947-4835 rwardle@rinconconsultants.com	**Jon Boyer** Director of Environmental, Health, and Safety **Middle River Power** 769-912-3007 jboyer@mrpgenco.com	**Ramiro Gonzalez** Plant Manager **CalPeak and Midway** 619-229-7619 ramiro.gonzalez@mrpgenco.com

Appendix B

Required Midway Monthly Compliance Report Documentation

Required Midway MCR Documentation

Appendix	Documentation	CoC(s)
B1	Monthly summary, copies of complaints with air district, and other documents	AQ-SC3, AQ-SC5
B2	Biological Monitoring Reports and Biological Resource Monthly Monitoring Summary for June 2025	BIO-2
B3	Cultural Resources Monthly Monitoring Summary Report	CUL-6
B4	Chief Building Official (CBO) schedule updates and inspector	GEN-2, GEN-6
B5	CBO Statement	STRUC-1
B6	Paleontological Resources Monthly Monitoring Summary Report	PAL-5
B7	Worker Safety Monthly Summary Report	WORKER SAFETY-3

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Appendix B1

Monthly summary, copies of complaints with air district, and other documents (AQ-SC3 and AQ-SC5)

Outlook

RE: [EXT] Fw: Dust Management at Midway Peaking Evaporation Pond and Water Improvement Project

From: Matthew Tedesche <mjtedesche@patchservices.com>
Sent: Friday, July 11, 2025 1:45 PM
To: Ashley Quackenbush <aquackenbush@rinconconsultants.com>
Subject: [EXT] Fw: Dust Management at Midway Peaking Evaporation Pond and Water Improvement Project

CAUTION: This email originated from outside of Rincon Consultants. Be cautious before clicking on any links, or opening any attachments, until you are confident that the content is safe .

Get Outlook for iOS

From: Dan Johnson <djohnson@patchservices.com>
Sent: Tuesday, July 8, 2025 11:14:09 AM
To: Matthew Tedesche <mjtedesche@patchservices.com>
Subject: Dust Management at Midway Peaking Evaporation Pond and Water Improvement Project

Matt,

This email is to summarize the dust control efforts during the Midway Peaking evaporation pond improvement.

Pond Lining Upgrades
During excavation, when there was a high potential for dust, a water truck and fire hose were used to wet the soil being disturbed.
Traffic was limited to essential vehicles only.
Non-essential vehicles were restricted to designated parking areas outside of the work area.
Speed limit of 5 miles per hour was enforced.
Most of the property is covered by several inches of 1-inch crushed granite gravel.
Signage was placed on the plant gate with contact information for noise and dust complaints.

Water Supply Upgrades
The water truck has not been used during this phase of the work due to the lack of heavy equipment used. Most of this work utilized hand tools.
The valve removal excavation did not require dust control due to the moisture content of the soil.
Traffic was limited to essential vehicles only.
Non-essential vehicles were restricted to designated parking areas outside of the work area.
Speed limit of 5 miles per hour was enforced.
Most of the property is covered by several inches of 1-inch crushed granite gravel.
Signage was placed on the plant gate with contact information for noise and dust complaints.

Dan Johnson P.E.
Patch Services
333 Sunset Ave
Suite 210
Suisun Sity, CA
Cell 707-592-9493
djohnson@patchservices.com

Outlook

FW: [EXT] Fw: Dust Management at Midway Peaking Evaporation Pond and Water Improvement Project

From: Tyler Haining <THaining@ttsconstruction.com>
Sent: Monday, July 14, 2025 4:09 PM
To: Matthew Tedesche <mjtedesche@patchservices.com>; Jon Boyer <jboyer@mrpgenco.com>; Dan Johnson <djohnson@patchservices.com>; Ramiro Gonzalez <ramiro.gonzalez@mrpgenco.com>
Cc: Ashley Quackenbush <aquackenbush@rinconconsultants.com>; Robert Ray <rray@patchservices.com>; Joe Patch III <cjpatch@patchservices.com>
Subject: RE: [EXT] Fw: Dust Management at Midway Peaking Evaporation Pond and Water Improvement Project

CAUTION: This email originated from outside of Rincon Consultants. Be cautious before clicking on any links, or opening any attachments, until you are confident that the content is safe .

Matthew,
Please see below:

- All diesel fuel was purchased in compliance with the air quality management plan
- All heavy equipment is maintained in accordance with the air quality management plan
- There have been no complaints related to dust
- Safety training has been provided for all personnel on site including WEAP training and there are daily tail board meetings in order to ensure compliance with all safety requirements on site
- As of July 14th 2025 there have been no safety incidents accidents or injuries

Please let us know if you need anything else.

Tyler Haining
TTS Construction
209-333-7788 Office
209-747-0687 Cell

Equipment owner	Equipment Make and Model	Type of Equipment	Fuel Purchase Estimated (gallons)
TTS Construction	Yanmar Vio35	Mini Excavator	10
TTS Construction	Miller 300	Welding machine	5
Performance Grading	CAT D6T	Dozer	120
Performance Grading	CAT 335F	Excavator	100
Performance Grading	CAT 305E	Mini Excavator	30
Performance Grading	CAT 301.5	Mini Excavator	20
Performance Grading	CAT 289D3	Skidsteer	60
TTS Construction	Water buffalo	water trailer	15

*All Equipment was maintained in accordance with the plan

Initial TH

*All Fuel was purchased in compliance with the plan

Initial TH

*There have been no dust complaints

Initial TH

Signed 

Printed Name: Tyler Haining 7/14/2025

TTS Construction

Appendix B2

Biological Monitoring Reports and Biological Resource Monthly Monitoring Summary for June 2025 (BIO-2)

July 15, 2025

Dr. Anwar Ali
California Energy Commission
Energy Facilities Siting Division
1516 Ninth Street, MS 2000
Sacramento, CA 95814-5512

Subject: **Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP) Monthly Compliance Monitoring Summary for the Midway BESS Interconnection Project and Pond Lining and Raw Water Supply Upgrade Project in unincorporated Fresno County, California**

The following is a summary of the biological monitoring activities conducted by the Designated Biologist and Approved Biological Monitor(s) for activities between June 1, 2025, and June 30, 2025. Should you have any questions regarding the information contained in this summary, please contact Rincon's project manager, Ryan Wardle, at 775-636-4066 or rwardle@rinconconsultants.com.

Total Daily Monitoring Logs: 9

Non-compliance Events: 0

Monitoring Activity Occurring this Month:

Prior to the start of work activities a pre-construction Survey was conducted by the Designated Biologist consistent with the requirements outlined in the BRMIMP. No special status species or other sensitive biological resources were observed during this survey. A preconstruction survey report is included in Attachment 1.

The Designated Biologist and Biological Monitors (biologists) conducted full-time biological monitoring during all ground disturbance, as well as conducted morning and evening checks of all open excavations per Conditions of Certification (COCs) BIO-2, BIO-8, and BIO-9 as well as monitoring requirements outlined within the BRMIMP (BIO-6). The biologists surveyed the entire project site and a 200-foot buffer for sensitive biological resources focusing on the active work area, laydown area, and staged equipment. The biologists also surveyed for burrows and sign of potential special status species within the project area and buffer. All open trenches or excavations were ensured to be fully covered or have wildlife escape ramps installed to prevent wildlife entrapment at the end of work each day. Open excavations 24-inches and less did not have temporary fencing installed given low risk of wildlife entrapment, consistent with guidance in "Standardized Recommendations for Protection of SJKF Prior to or During Ground Disturbance" (USFWS 1999).

Biological Monitoring results are summarized in Table 1. Daily Monitoring logs are included in Attachment 2.

Work occurring this month included:

- Mobilization of construction equipment and crews
- Excavation and grading of retention pond
- Excavation of trench (24 inches deep) around perimeter of pond
- Installation of impervious pond liner
- Backfill of trench to anchor pond liner
- Excavation of waterline valve (covered with steel plates)
- Replacement of well pump
- Pipeline valve replacement

Biological resources observed and related mitigation measures implemented this month included:

- Swainson's hawk (*Buteo swainsoni;* SWHA) dark-morph fly over on 6/23/2025
    - No mitigation necessary, fly over past and out of Project Site
- House finch (*Haemorrhous mexicanus;* HOFI) nest located within the project area on 6/25/2025
    - Appropriate avoidance area buffer installed around nest and communicated to crews using brightly colored flagging. Stakes could not be installed due to impenetrable ground surface, flagging and cones utilized. Nest avoidance buffer was installed at 50ft given disturbance tolerance of HOFI pair within powerplant.
- No impacts to biological resources occurred during this month and no compliance issues were observed.

Table 1 Biological Monitoring Results

Date	Monitor	Violation?	Location	Activities Monitored
June 16, 2025	Emma Kirschten	No	Pond area, waterline, and laydown.	Surveyed work area, 200-ft buffer, and laydown. Monitoring construction activities.
June 17, 2025	Emma Kirschten	No	Pond area, waterline, and laydown.	Surveyed work area, 200-ft buffer, and laydown. Monitoring construction activities.
June 18, 2025	Emma Kirschten	No	Pond area, waterline, and laydown.	Surveyed work area, 200-ft buffer, and laydown. Monitoring construction activities.
June 19, 2025	Emma Kirschten	No	Pond area, waterline, and laydown.	Surveyed work area, 200-ft buffer, and laydown. Monitoring construction activities.
June 20, 2025	Emma Kirschten	No	Pond area, waterline, and laydown.	Surveyed work area, 200-ft buffer, and laydown. Monitoring construction activities.
June 23, 2025	Melanie Jensen	No	Pond area, waterline, and laydown.	Surveyed work area, 200-ft buffer, and laydown. Monitoring construction activities. SWHA fly over observed.
June 24, 2025	Grace Myers	No	Pond area, waterline, and laydown.	Surveyed work area, 200-ft buffer, and laydown. Monitoring construction activities.
June 25, 2025	Cynthia Myers	No	Pond area, waterline, and laydown.	Surveyed work area, 200-ft buffer, and laydown. Monitoring construction activities.
June 26, 2025	Cynthia Myers	No	Pond area, waterline, and laydown.	Surveyed work area, 200-ft buffer, and laydown. Monitoring construction activities. HOFI nest discovered, 50-ft avoidance buffer implemented as practicable.

Attachment 1

Pre-construction Survey Report

May 30, 2025
Project No: 24-16970

Jon Boyer
Midway BESS LLC
43627 West Panoche Road
Firebaugh, California 93622

Subject: Pre-construction Biological Survey Report
Midway BESS Project, 43627 West Panoche Road, Firebaugh, CA 93622

Dear Midway BESS LLC,

This memorandum documents the results of the biological pre-construction survey completed for Midway BESS LLC's Midway Battery Energy Storage System (BESS) 13.8 kV Interconnection and Pond Lining and Raw Water Supply Upgrade Project (Project). No special status species, active nests, or other sensitive biological resources were observed during this survey. Survey background, methodology, and results are discussed below and the Survey Log is included as Attachment 1.

Background

This survey was conducted pursuant to the Conditions of Certification (CoC) issued by the California Energy Commission (CEC) as part of licensing and subsequent amendments (Docket No. 06-AFC-10 and Post-Certification Amendments). CEC COC BIO-6 requires the preparation of a Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP) and compliance with all approved measures within the BRMIMP. BRMIMP Section 6.1 states:

Pre-construction surveys for special status species (e.g., state and federal protected species, nesting passerines, and raptors) and their habitats will be conducted no less than 14 days, and no more than 30 days prior to commencement of surface-disturbing activities; during construction, operation and maintenance of the Project. Pre-construction surveys will include the following areas:

- *Project site;*
- *Laydown and employee parking areas; and*
- *Other areas subject to physical ground disturbance, to the maximum extent practical.*

Pre-construction survey results will be included in the Monthly Biological Monitoring Report that will be sent to the CEC. A summary of these reports will also be included in the Post-construction Compliance Report. The pre-construction survey report will include descriptions of the following:

- *Survey methods;*
- *Flagging and signage of Project site, construction area, and roads;*
- *Flagging of avoidance areas;*
- *Sensitive biological resources observed; and*
- *Impact avoidance measures implemented.*

This pre-construction survey report is intended to comply with the BRMIMP preconstruction survey and reporting conditions.

Survey Methodology

The pre-construction pedestrian survey was conducted throughout the Project footprint plus a 200-foot buffer (survey area) as safety and access permitted. The biologist utilized a high-quality pair of binoculars and spotting scope to survey for special status wildlife species, active nests, and other sensitive biological resources. The survey was focused on potential special status wildlife species, their nests, burrows, or other sign, along with active nests and any other sensitive biological resources. Special status species survey for include San Joaquin kit fox (*Vulpes macrotis mutica*), burrowing owl (*Athene cunicularia*) and Swainson's hawk (*Buteo swainsoni*).

The survey was conducted by Rincon Biologist, Ryan Wardle, a CEC approved Designated Biologist, on May 29, 2025, starting at 0930 and completing at 1200. Weather conditions are outlined in Table 1 below.

Table 1 Weather Conditions

Time	Weather Conditions
0930	72 F, WS: 1-3 MPH, 0% cloud cover, clear skies, no precipitation, good visibility
1200	88 F, WS: 3-6 MPH, 0% cloud cover, clear skies, no precipitation, good visibility

Survey Results

No special status wildlife species, their nests, burrows, or signs of the species were observed within the survey area. There is a small amount of low quality foraging habitat for Swainson's hawk present in the bare soil and ruderal vegetation areas surrounding the project site within the buffer but given the level of disturbance from the surrounding peaker plants, and agricultural activity, Swainson's hawk foraging is not expected. Suitable nest sites exist in the transmission towers, plant facilities, and other infrastructure, though no SWHA nests were observed.

There was no suitable nesting or denning habitat for burrowing owl or San Joaquin kit fox as no burrows of suitable size were present within the survey area. There were no burrowing mammals such as California ground squirrel (*Ottospermophilus beeyechi*) present within the survey area, and no indication of burrowing activity by kit fox. It is possible that either species may transiently enter the site or excavate a burrow, but this is not anticipated given the developed nature of the work area and surrounding level of disturbance. Very small amounts of foraging habitat were present in ruderal vegetation patches surrounding the facility, but of such small size as to be negligible for foraging for either species. It is not expected that any special status wildlife species will be present within the survey area during construction.

No active passerine or raptor nests were observed within the survey area. Additionally, no sign of nesting behavior such as carrying of nest material, food carries to nestlings, or copulations were observed. A previously observed common raven (*Corvus corax*) nest was present within the survey area in an electrical pole to the west of the retention pond work area. This nest had been previously located and confirmed to be active during spring 2025 surveys for a nearby project. This nest was confirmed to be in the nestling stage on April 18th 2025, with the likely hatch date estimated to be several days prior based on observed nestling age. The common raven nest was observed during the survey from a suitable distance for over one hour with no activity observed. Given the duration between discovery and the preconstruction survey nestlings would have reached fledge age prior to this survey, and if nestlings remained at the nest they would be very large and likely branching. The lack of any observed nestlings, food carries by parents, or other activity leads to the conclusion that this nest most likely successfully fledged and is now inactive. As a result, no avoidance areas or other buffers were established as the nest had become inactive post fledge. No other passerine or raptor nests were observed within the survey area.

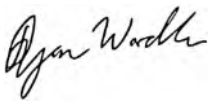
No sensitive biological resource areas were identified and no avoidance areas were established within the survey area.

Other species were observed during this survey and are documented in Table 2 below.

Table 2 Species Compendium

Scientific Name	Common Name
Buteo jamaicensis	red-tailed hawk
Falco sparverius	American kestrel
Haemorrhous mexicanus	house finch
Lepus californicus	Black-tailed jack rabbit
Mimus polyglottos	northern mockingbird
Sturnus vulgaris	European starling
Tyrannus verticalis	western kingbird
Zenaida macroura	mourning dove

Please contact Rincon Consultants, Inc. with any questions about this notification or other matters related to our services for this Project.



Sincerely,
Ryan Wardle
Designated Biologist/Project Manager

Ashley Quackenbush
Senior Environmental Planner/Project Manager

Christopher Julian
Principal Regulatory Specialist

Attachments

Appendix 1 Survey Log

Appendix 1 Survey Log

Rincon Project No.: 24-16970 **Project Name:** Midway Pond Liner and Interconnect Project		
Biologist: Ryan Wardle		
Date: 05/29/2025	**Start Time (24 hour)** 0930	**Stop Time (24 hour):** 1200
Weather (Temperature, wind speed, cloud cover, precipitation): **Start:** 72 F, WS: 1-3 MPH, 0% cloud cover, clear skies, no precipitation **End:** 88 F, WS: 3-6 MPH, 0% cloud cover, clear skies, no precipitation		
Start Location: 36°39'16.6"N 120°34'47.6"W **End Location:** 36°39'16.6"N 120°34'47.6"W		

Site Description

Topography	Soil Type & Vegetation	Area/Activity
flat	sandy loam barren cleared land and developed Midway Peaker Plant site Ruderal vegetation	Midway Peaker Plant facility and 200 foot buffer. Work areas at detention pond, waterline, and gentie connections

Summary:

Rincon biologist, Ryan Wardle, arrived on site at the Midway Peaker Plant facility at 0930. He began a pre-activity survey for Swainson's hawk (*Buteo swainsoni;* SWHA), burrowing owl (*Athene cunicularia;* BUOW), San Joaquin kit fox (*Vulpes macrotis mutica; SJKF*) and any other observed special-status species and nesting birds. The Project area and a 200 foot buffer of the surrounding landscape was surveyed using binoculars and spotting scope in a combination of pedestrian and visual surveys.

No SWHAs, their nests, or signs of the species were observed anywhere within the survey area. Marginally suitable SWHA foraging habitat was present within the open areas of bare soil as these areas occasionally still support prey species, but quality is very low. No large trees suitable for SWHA nesting were present within the survey area, however, transmission line towers were present and are structures known to be suitable nest sites. All towers within the survey area were checked for nests, individuals, and signs of the species using a spotting scope. The visibility was good with no SWHAs observed.

No BUOWs, their burrows, or signs of the species were observed anywhere within the survey area. No suitably sized burrows for BUOW were observed within the accessible portions of the survey area and no California ground squirrel (*Ottospermophilus beeyechi*) were observed. No

suitable foraging habitat or nesting habitat was present within the survey area.

No SJKF, their dens, or other sign of this species was observed within the survey area. There were no dens of suitable size to be used, and no indication of prey species present. There was very marginal foraging habitat present within minor open grassland patches, but they were of such small size and surrounded by development and disturbed areas as to be negligible.

There were no active nests observed within the survey area. No nesting behavior such as carrying food or nest material, copulations, etc. were observed. Potential nesting habitat was present within the plant facility structures, or on the ground, but no suitable vegetation for nesting was present within the plant. North of the pond lining work area several ornamental trees are planted around the facility office, but no nests or nesting behavior was observed in this vicinity. The trees showed signs of recent pruning and trimming which may have provided disturbance to deter nesting in these trees.

No other special status species or sensitive biological resources were observed within the survey area.

Observed Species List:

northern mockingbird (*Mimus polyglottos),* mourning dove (*Zenaida macroura),* European starling (*Sturnus vulgaris*), American kestrel (*Falco sparverius*), western kingbird (*Tyrannus verticalis*), house finch (*Haemorrhous mexicanus*), and black-tailed jack rabbit (*Lepus californicus).*

Site Photos

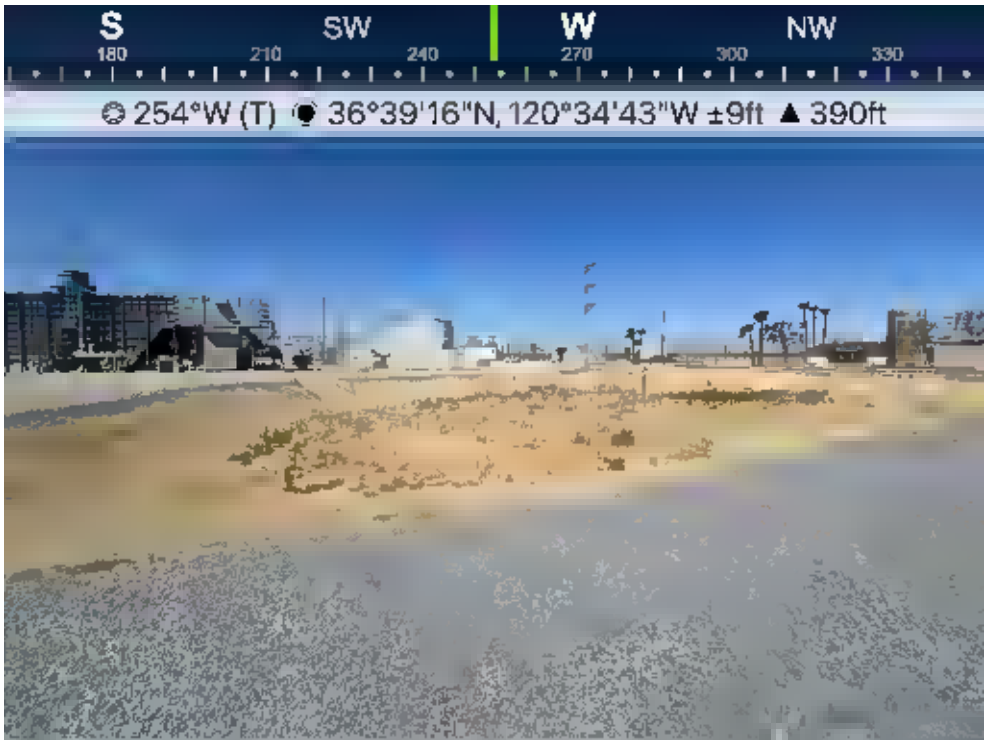


Photo 1. Pond lining work area and surrounding Midway Peaker Plant facility.

Photo 2. Waterline and Gen-tie interconnect work area.

Photo 3. Waterline and Gen-tie interconnect work area.

Photo 4. Bare ground and energy facility to west of work area.

Photo 5. Ruderal/ annual grassland patch to south of work area. Bare soil disked visible beyond.

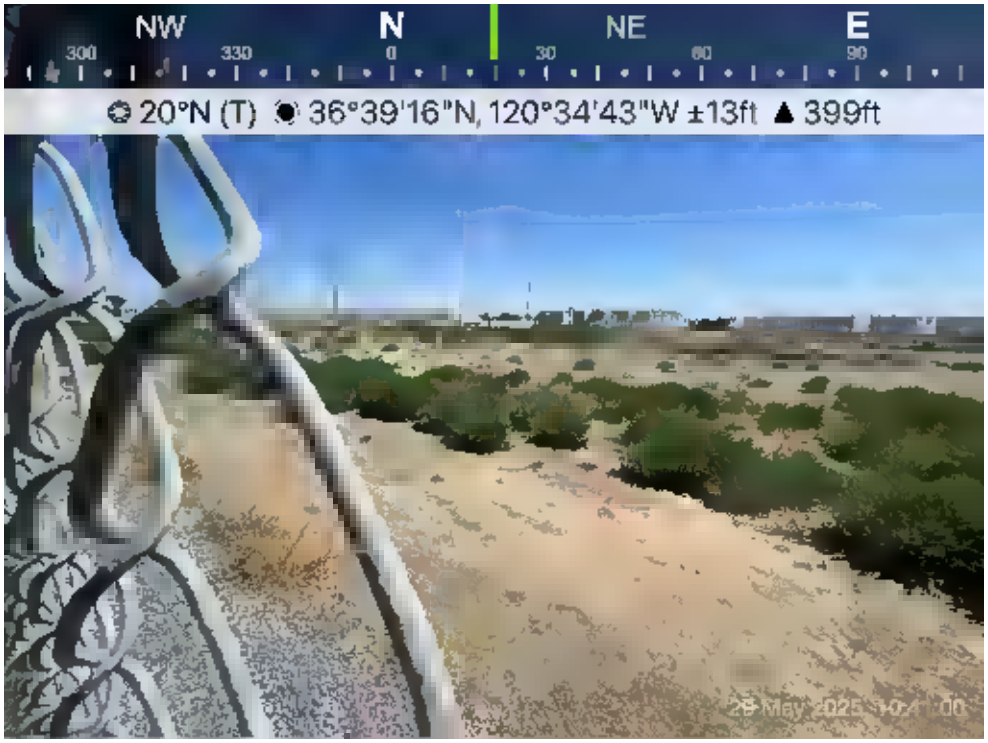


Photo 6. Bare ground/ ruderal vegetation to east of work area. Staged battery units beyond.

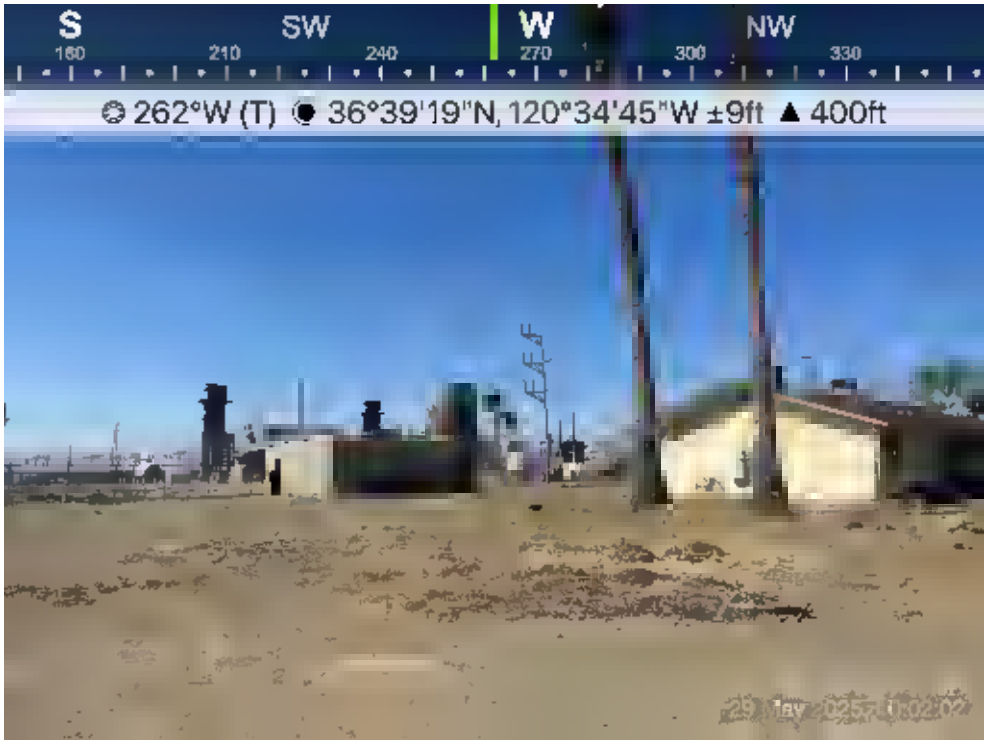


Photo 7. Office facility with trees to north of work area.

Photo 8. Additional energy facilities to south east of project site.

Attachment 2

Daily Monitoring Logs

Daily Monitoring Report

Project Name: Midway-Panoche	**Location:** Chaney Ranch	
Monitor(s): Emma Kirschten	**Date:** June 16, 2025	
Start Time: 06:30	**Stop Time:** 15:40	**Total Hours Worked:** 9.17
Temp (F): 66/92 **Start / Stop**	**Cloud Cover (%):** 0/0 **Start / Stop**	**Wind (mph):** 5/14 **Start / Stop**

Environmental Education Provided: ☐ No ☑ Yes

Summary of Day's Activities and Progress of Work Completed To Date: 1ft of soil was dug out of the pond in preparation for pond lining. The spoils were loaded into trucks and removed from the site. The gravel surrounding the pond was also removed. A 4ft by 8ft area was cleared of gravel and compacted for a concrete pour

Upcoming Planned Construction Activities' Forecast: Trenching around the pond should occur tomorrow, followed by lining and backfilling over the next few days

Important Communications:

Critical Action Items To Follow Up On:

Compliance Measures:

Special-Status Species Observations:

Nesting Bird Observations:

Wildlife Observations:

Wildlife Relocations:

Additional Pertinent Notes: No issues of non-compliance were observed

Daily Activities in Time – Activity Format:

06:30 - Arrived onsite. Checked in with plant manager and received a tour of the plant. Attended a morning tailboard meeting with the crews to discuss work plans for the day, address safety concerns on the power plant, and to ensure WEAP trainings were completed and environmental concerns on the site were thoroughly understood.

07:50 - Crew began digging in the pond to remove 1 ft of soil.

09:18 - Minor use of excavation tools to remove gravel and clear the ground at a small 4ft by 8ft concrete pour site

09:34 - Continued to monitor excavation of the pond

15:12 - Work in the pond ceased for the day.

15:35 - Crews left the work site

Pond before excavation

Excavation begins on the pond.

Daily Monitoring Report

Soil being loaded to be taken offsite.

Daily Monitoring Report

4ft by 8ft site where concrete pad will be installed

Pond lining excavation

Scraping to remove gravel along the edges of the pond

Pond at end of day

Equipment staged at end of the day

Daily Monitoring Report

Concrete pour site being cleaned up for the day. Pour will likely occur tomorrow

Daily Monitoring Report

Project Name: Midway-Panoche	**Location:** Chaney Ranch	
Monitor(s): Emma Kirschten	**Date:** June 17, 2025	
Start Time: 06:50	**Stop Time:** 16:20	**Total Hours Worked:** 9.5
Temp (F): 63/91 **Start / Stop**	**Cloud Cover (%):** 0/0 **Start / Stop**	**Wind (mph):** 6/10 **Start / Stop**

Environmental Education Provided: ☑ No ☐ Yes

Summary of Day's Activities and Progress of Work Completed To Date: Excavation of the pond completed, and all soil was hauled off site. Trenching began. Trenches have proper wildlife escape ramps. Excavation for waterline improvement began. Pipe was found to be deeper than 5 feet, so a permit is needed. Work paused.

Upcoming Planned Construction Activities' Forecast: Crews will continue trenching tomorrow. Concrete will be poured tomorrow for a small 4 by 8 ft pad.

Important Communications: Open excavation for the waterline was covered half with a steel plate and half with wooden pallets at the end of day. Largest gap between slats of the pallets ~2in. No risk for larger wildlife.Discussed that tomorrow they will cover fully with plywood.

Critical Action Items To Follow Up On:

Compliance Measures:

Special-Status Species Observations:

Nesting Bird Observations:

Wildlife Observations:

Wildlife Relocations:

Additional Pertinent Notes:

Daily Activities in Time – Activity Format:

07:00 - Morning check-in with plant manager and crews

07:15 - Finished morning sweep of the work area. No compliance issues or biological resources observed

07:18 - Crews began loading up soil pile into trucks to be hauled off the site

08:11 - Crews began scraping up gravel to clear way for trenching, and continued to load soil into trucks to be carried offsite

09:33 - Excavation begins to reach a pipe approximately 4 feet deep in the soil. Soil continues to be removed from the pond

12:37 - Soil piles have been completely removed from the pond. All soil has been hauled offsite.

13:43 - Trenching begins around the pond perimeter

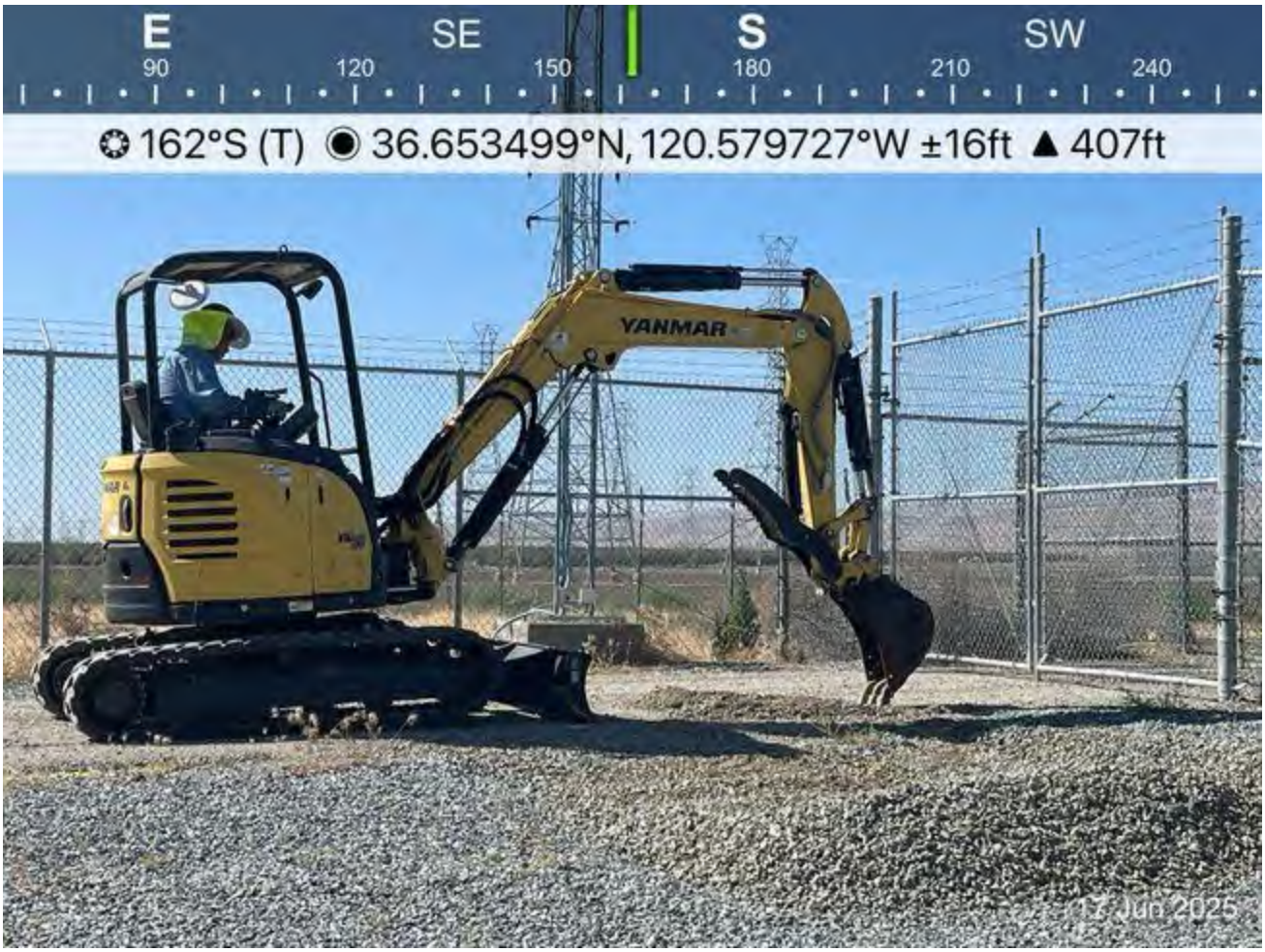
15:25 - Crews finsihed with trench work for the day and added earthen wildlife escape ramps.

16:10 - Crews left for the day. Discussed proper wildlife coverings for excavations with the site lead.

16:20 - Monitor left for the day

Photo of pond before work begins

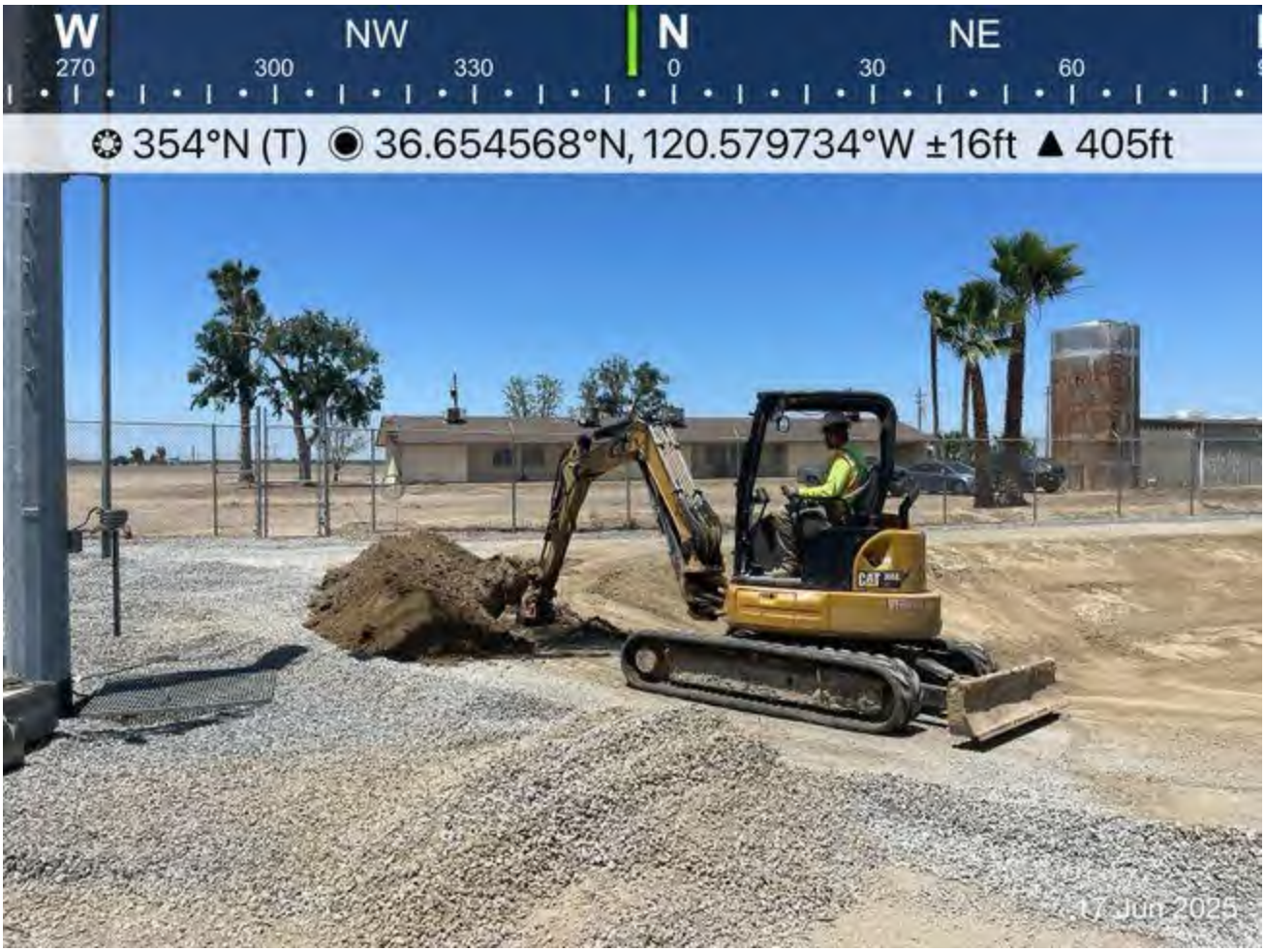
Crews scrapping up gravel along the outside of the pond to clear for trenching



Excavation begins to reach pipeline

Soil piles completely removed from the pond.

Excavation to water pipeline approx 4 feet deep

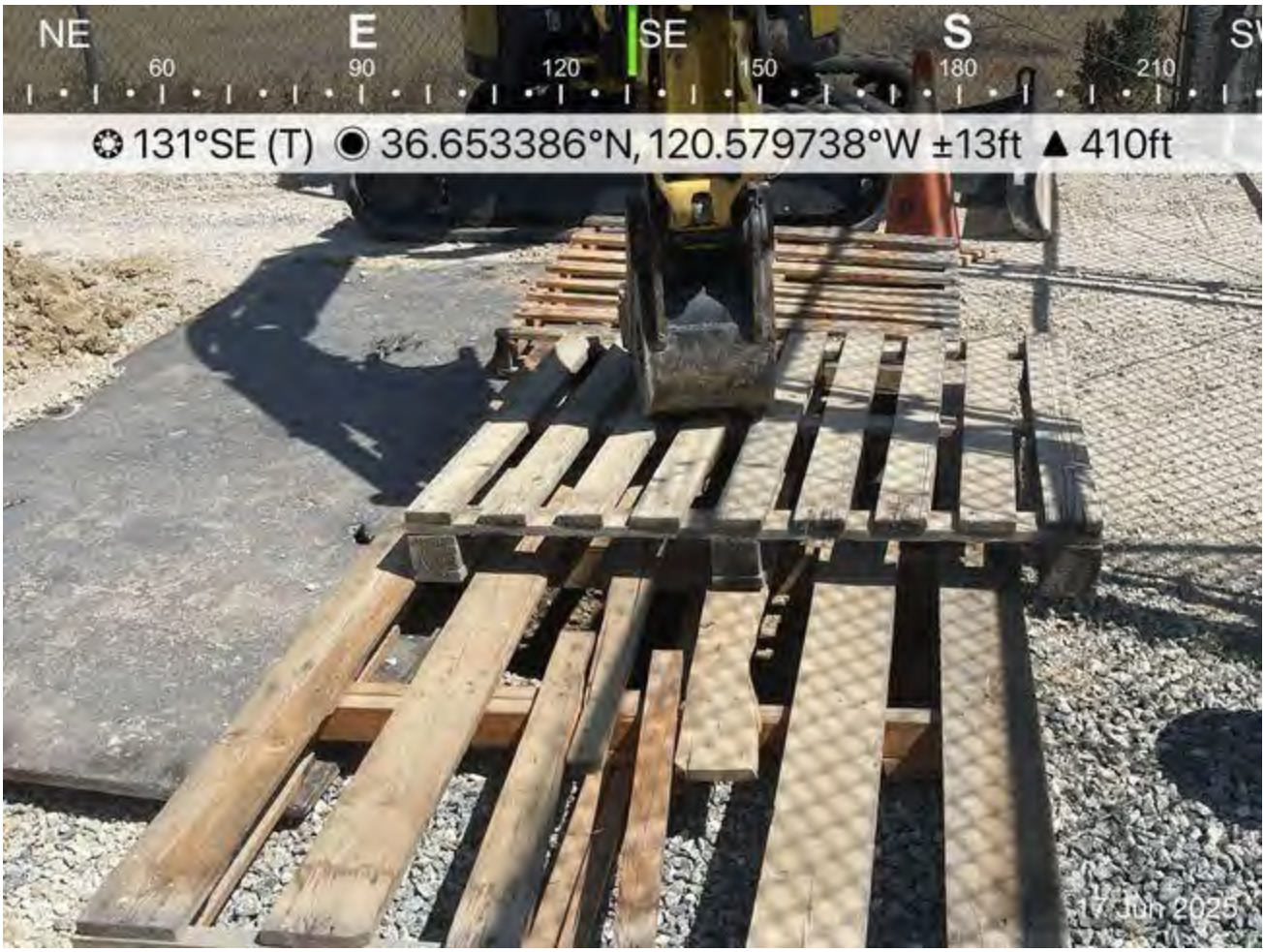


Trenching around the pond for lining

Trench at end of work day

Earthen wildlife escape ramp in each trench

Daily Monitoring Report



Excavation (8x8ft and 5 feet deep) covered half with steel sheet, and half with wooden pallets. Discussed improvements for covering the hole with plywood tomorrow to reduce wildlife gaps.

Daily Monitoring Report

Project Name: Midway-Panoche	**Location:** Chaney Ranch	
Monitor(s): Emma Kirschten	**Date:** June 18, 2025	
Start Time: 06:50	**Stop Time:** 15:30	**Total Hours Worked:** 8.67
Temp (F): 64/97 **Start / Stop**	**Cloud Cover (%):** 10/0 **Start / Stop**	**Wind (mph):** 6/17 **Start / Stop**

Environmental Education Provided: ☑ No ☐ Yes

Summary of Day's Activities and Progress of Work Completed To Date: Trenching along the pond perimeter was completed today. Concrete was poured for the 4 by 8 concrete pad

Upcoming Planned Construction Activities' Forecast: Piping work planned for tomorrow.

Important Communications:

Critical Action Items To Follow Up On:

Compliance Measures:

Special-Status Species Observations:

Nesting Bird Observations:

Wildlife Observations:

Wildlife Relocations:

Additional Pertinent Notes:

Daily Activities in Time – Activity Format:

07:00 - Started morning sweep of the worksite. No biological resources or resource concerns were seen. Checked trenches and excavations for wildlife.

08:02 - Excavation on trench around the pond begins

10:34 - Concrete pour for 4 by 8 concrete pad begins

10:54 - Concrete pour completed, and crews are smoothing the foundation. Monitor continues to monitor trenching around the pond

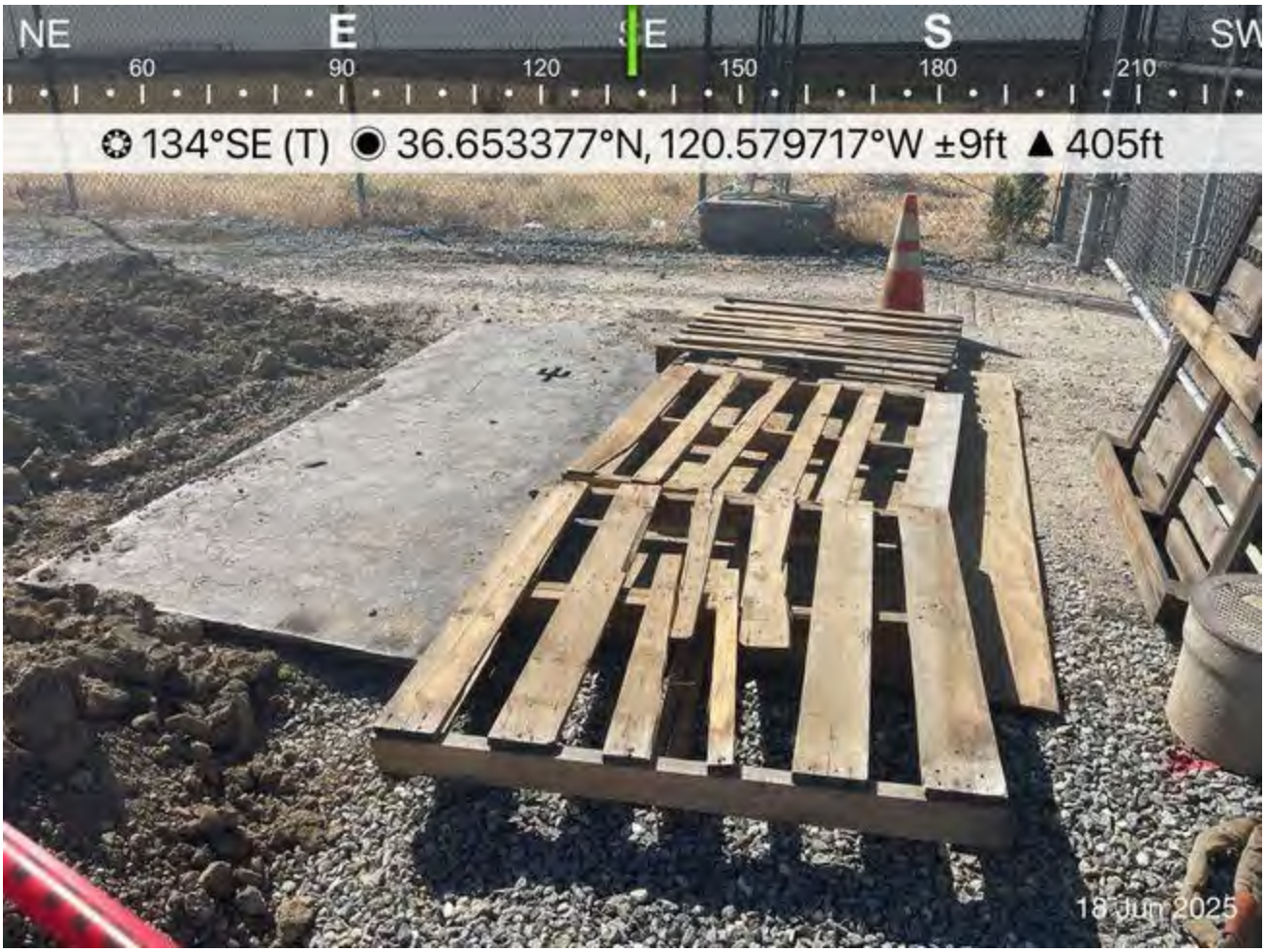
14:38 - Trenching around pond completed. Crew is now placing wildlife escape ramps every 200 feet along the trench

15:30 - Crews have left the site

Daily Monitoring Report

Morning trench check for wildlife

Daily Monitoring Report

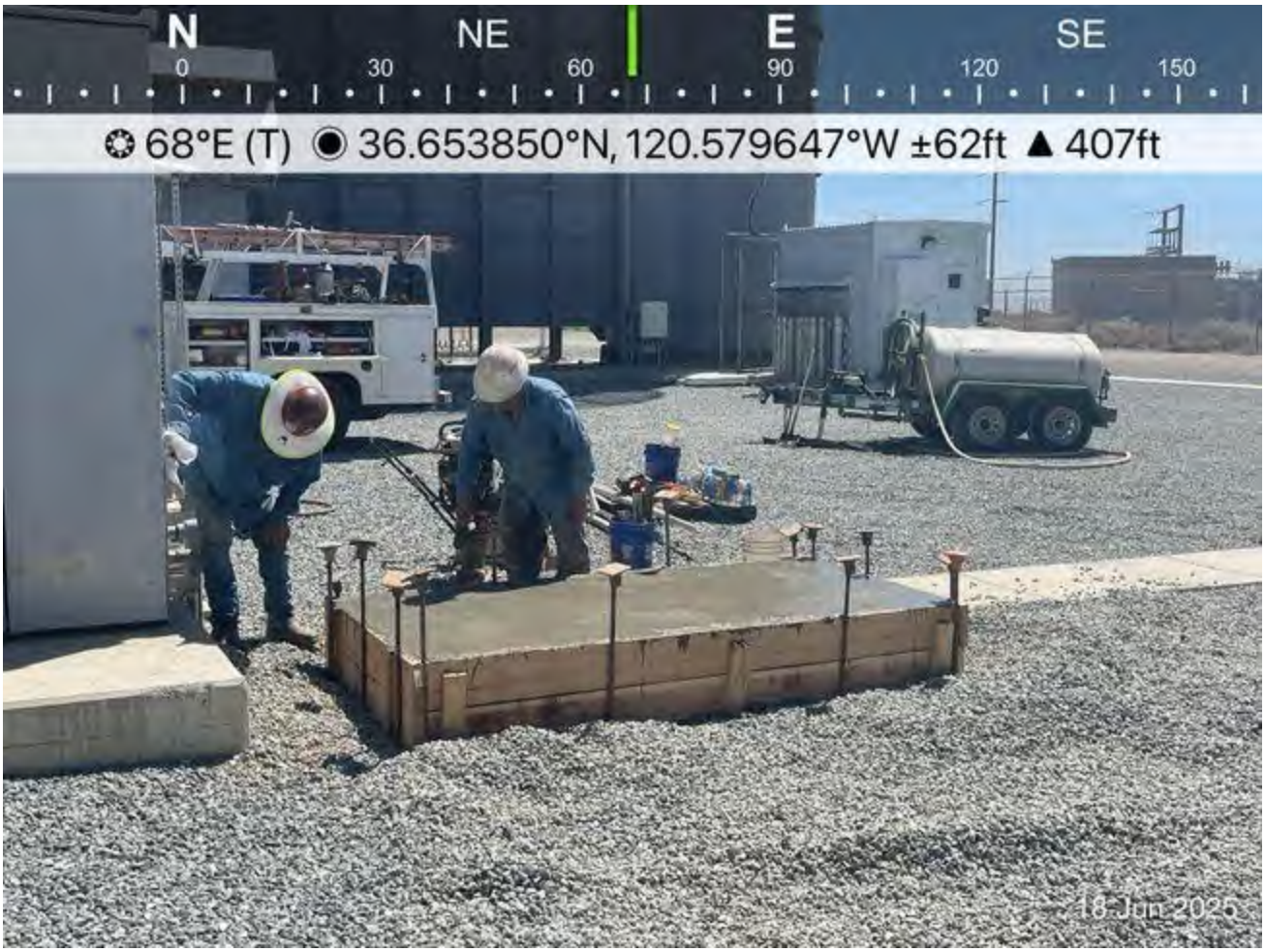


5 ft deep excavation now covered with steel plate and sheet of plywood. Fully covered

Daily Monitoring Report

Concrete pour

Daily Monitoring Report

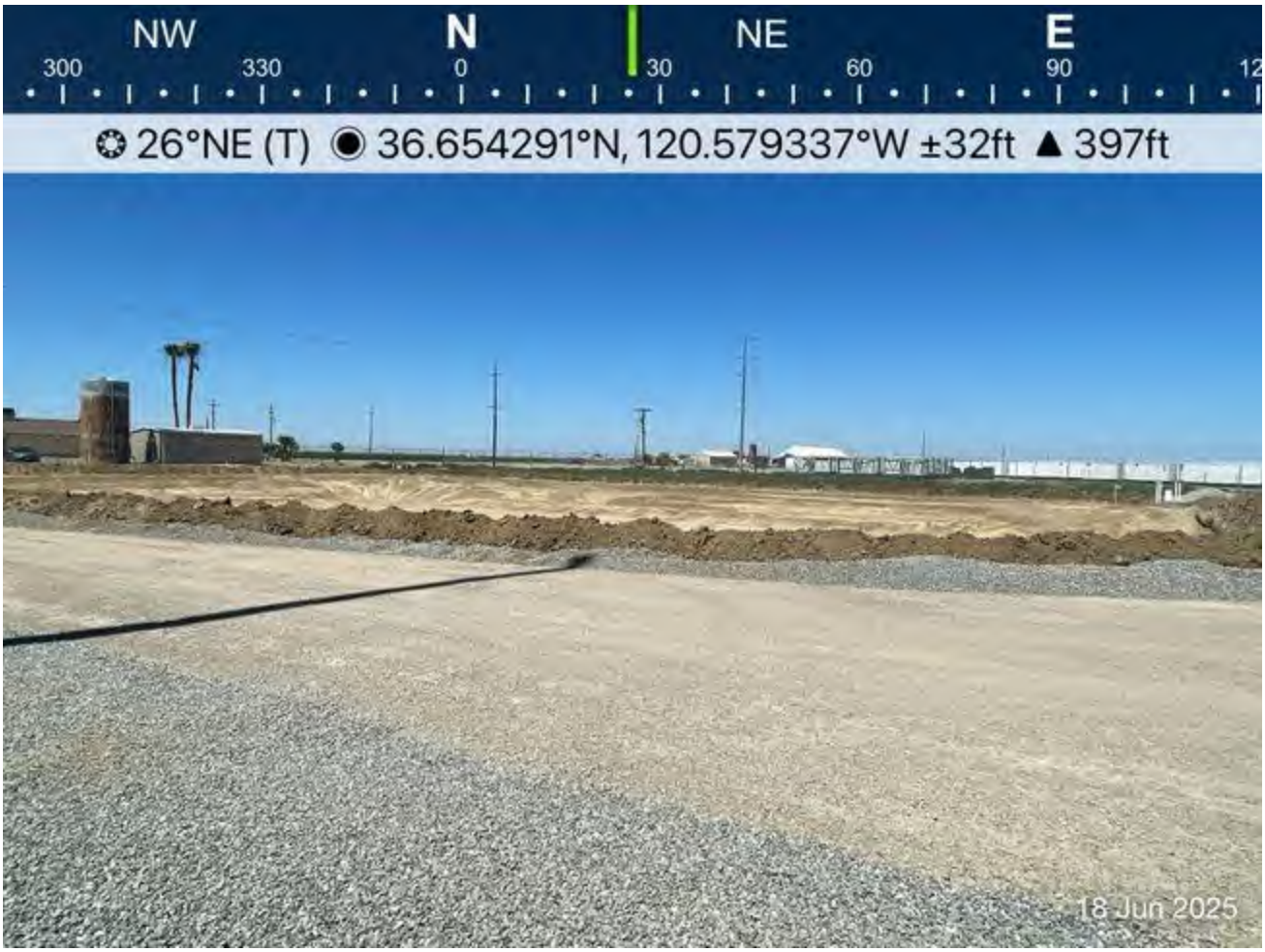


Concrete pour completed

Daily Monitoring Report

Trench work continuing

Daily Monitoring Report



Trenching completed

Wildlife escape ramps placed every 200ft in trench

Daily Monitoring Report

Project Name: Midway-Panoche	**Location:** Chaney Ranch	
Monitor(s): Emma Kirschten	**Date:** June 19, 2025	
Start Time: 06:55	**Stop Time:** 14:40	**Total Hours Worked:** 7.75
Temp (F): 69/94 **Start / Stop**	**Cloud Cover (%):** 0/0 **Start / Stop**	**Wind (mph):** 4/17 **Start / Stop**

Environmental Education Provided: ☑ No ☐ Yes

Summary of Day's Activities and Progress of Work Completed To Date: Pipe was prepared for the future control valve installation. Pond lining was delivered and staged onsite.

Upcoming Planned Construction Activities' Forecast:

Important Communications:

Critical Action Items To Follow Up On:

Compliance Measures:

Special-Status Species Observations:

Nesting Bird Observations:

Wildlife Observations:

Wildlife Relocations:

Additional Pertinent Notes:

Daily Activities in Time – Activity Format:

07:00 - Conducted morning sweep of the worksite. No resource concerns or new biological resources were observed.

07:30 - Crew begins welding work on pipes for control valve installation. Wooden form around yesterdays concrete pour also being removed.

08:25 - Service man arrived to conduct tests on the well valves. Control valve work continues.

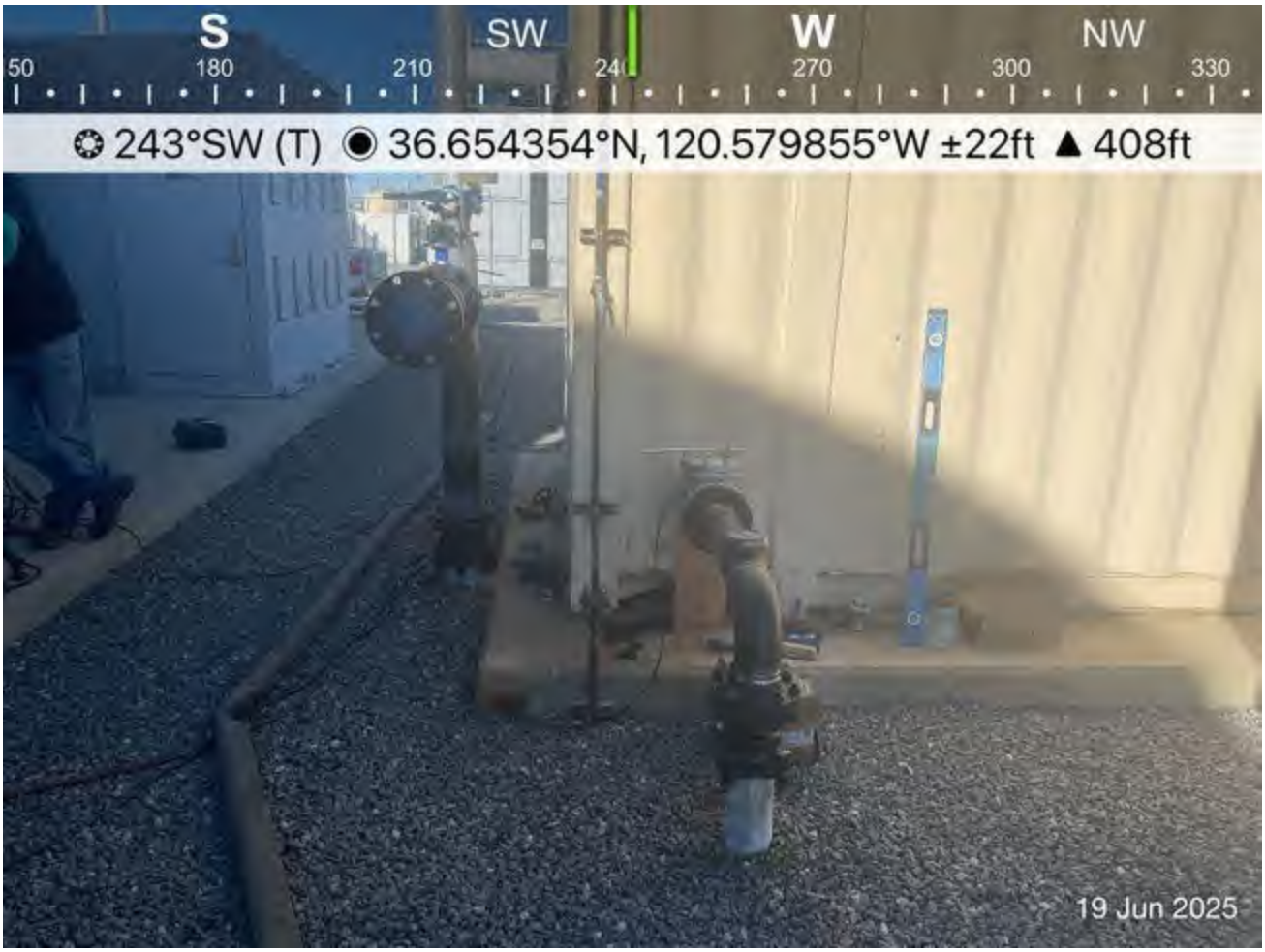
11:44 - Pond living was delivered, and heavy machinery used for the pond excavation was removed from the site. Control valve installation preparation continued

14:40 - Crew has finished pipe work for the day, will continue to work on control valve tomorrow.

Daily Monitoring Report

Morning trench check with wooden wildlife escape ramps installed.

Welding work on pipes



Control valve worksite

Pond lining delivery and heavy machinery pick up

Pond lining staged on worksite

Wooden form removed from concrete slab after yesterdays concrete pour

Daily Monitoring Report

Project Name: Midway-Panoche	**Location:** Chaney Ranch	
Monitor(s): Emma Kirschten	**Date:** June 20, 2025	
Start Time: 06:40	**Stop Time:** 13:50	**Total Hours Worked:** 7.17
Temp (F): 57/83 **Start / Stop**	**Cloud Cover (%):** 5/5 **Start / Stop**	**Wind (mph):** 6/12 **Start / Stop**

Environmental Education Provided: ☑ No ☐ Yes

Summary of Day's Activities and Progress of Work Completed To Date: Control valve installation preparation continued. Crew needs valves to be delivered before full installation.

Upcoming Planned Construction Activities' Forecast: Next week, pond lining will begin. Backfill of trench onto lining will likely occur Wednesday to Thursday of next week. Well pump replacement will take place next week.

Important Communications:

Critical Action Items To Follow Up On:

Compliance Measures:

Special-Status Species Observations:

Nesting Bird Observations:

Wildlife Observations:

Wildlife Relocations:

Additional Pertinent Notes:

Daily Activities in Time – Activity Format:

06:40 - Arrived onsite. Discussed work plans for the day

07:02 - Conducted morning sweep of the work site. No resource concerns found. Trench has proper wildlife escape ramps installed, and excavation is fully covered

07:15 - Crew continues to work on welding pipe for the control valve installation

10:00 - Three water filtration vessels were delivered to the site, while three were removed from the site. Work on control valve pipes continued

13:44 - Crew finished up welding/ control valve preparation work for the day and left the site.

Daily Monitoring Report

Morning trench check.

Control valve location

Pipe welding

Staged pond liner

Water filtration vessels being delivered

Work site at mid-day

Work site at end of day

Daily Monitoring Report

Project Name: Midway-Panoche	**Location:** Chaney Ranch	
Monitor(s): Melanie Jensen	**Date:** June 23, 2025	
Start Time: 06:30	**Stop Time:** 15:00	**Total Hours Worked:** 8.5
Temp (F): 62/86 **Start / Stop**	**Cloud Cover (%):** 10/15 **Start / Stop**	**Wind (mph):** 2-3/1-2 **Start / Stop**

Environmental Education Provided: ☑ No ☐ Yes

Summary of Day's Activities and Progress of Work Completed To Date: Pond lining work activities.

Upcoming Planned Construction Activities' Forecast: Pond lining work to continue for the next two days, with anticipation of backfilling trench around pond lining by end of the week.

Important Communications: Patch Services LLC worker informed biologist that pond lining crew (D&E Construction) wants an earlier start tomorrow (6/24). Start time to be between 6:00-6:30AM, with anticipation of it starting closer to 6:30AM.

Critical Action Items To Follow Up On:

Compliance Measures:

Special-Status Species Observations: One (1) healthy dark morph adult Swainsons hawk was observed soaring southeast of project site. Swainsons hawk continued flying southwest and was not impacted by project activities. Observed at 13:07, 83 Fahrenheit, 2-3 mph winds, 10% cloud cover.

Nesting Bird Observations:

Wildlife Observations: Northern mockingbird, house finch, mourning dove, American crow, great egret, western kingbird, cliff swallow, swainson's hawk.

Wildlife Relocations:

Additional Pertinent Notes:

Daily Activities in Time – Activity Format:

06:30 - Biologist arrived on site and conducted visual inspection of surrounding area with binoculars for nesting birds. None were observed.

06:45 - Pond lining crew (D&E Construction) arrived on site and tailboard/safety meeting occurred.

07:15 - Biologist conducted clearance sweep of work areas and staging areas. No nesting birds or special status species observed. D&E crew began filling bags of dirt for holding down the pond lining during installation. Dirt utilized from stockpile around pond.

08:30 - D&E crew began rolling pond lining into evaporation pond, securing each roll with sandbags previously prepared.

12:45 - Pond lining work continued.

14:35 - D&E construction crew cleaned up and demonized from site.

15:00 - Biologist confirmed adequate wooden plank ramps placed around pond trench to prevent wildlife entrapment. No compliance concerns observed. Biologist demobilized site.

Initial visual inspection with binoculars of evaporation pond and surrounding areas.

Daily Monitoring Report

Environmental sweep of work area with adequate wooden plank ramps for wildlife entrapment prevention. No wildlife or environmental concerns observed.

Daily Monitoring Report

Environmental sweep of staging area. No nesting birds or nesting bird behaviors observed.

D&E crew preparing bags of dirt for securing pond liner during installation. Dirt was used from stockpile around pond edge utilizing hand tools.

Pond liner rolls relocated using a forklift woth special attachment.

D&E crew rolling out pond lining into the evaporation pond.

D&E crew continuing pond lining work activities.

Pond lining work continued.

Daily Monitoring Report

End of day with no compliance concerns. Adequate wooden ramp visible in foreground.

Daily Monitoring Report

Project Name: Midway interconnection and pond lining	**Location:** Firebaugh, CA	
Monitor(s): Grace Myers	**Date:** June 24, 2025	
Start Time: 06:10	**Stop Time:** 13:00	**Total Hours Worked:** 6.83
Temp (F): 57/87 **Start / Stop**	**Cloud Cover (%):** 5/0 **Start / Stop**	**Wind (mph):** 5/2 **Start / Stop**

Environmental Education Provided: ☑ No ☐ Yes

Summary of Day's Activities and Progress of Work Completed To Date: I arrived on site at 0610 to clear the site prior to pond lining work. Once the site was cleared, I met with Ernesto and made sure all of his crew had taken the WEAP training, which they had. Crew started work promptly at 0630 and ended at 1300.

Upcoming Planned Construction Activities' Forecast: Different crew will be on site 6/25 and 6/26 for backfilling trench around the pond.

Important Communications: Not all crew members had a sticker on their hard hats. I spoke with Dan of Patch Services and he said he would mention it to the crew.

Critical Action Items To Follow Up On: N/A

Compliance Measures:

Special-Status Species Observations: N/A

Nesting Bird Observations: N/A

Wildlife Observations: House sparrow, house finch, black phoebe, mourning dove, northern mockingbird, western kingbird, American robin, American crow, American goldfinch, cliff swallow.

Wildlife Relocations: N/A

Additional Pertinent Notes:

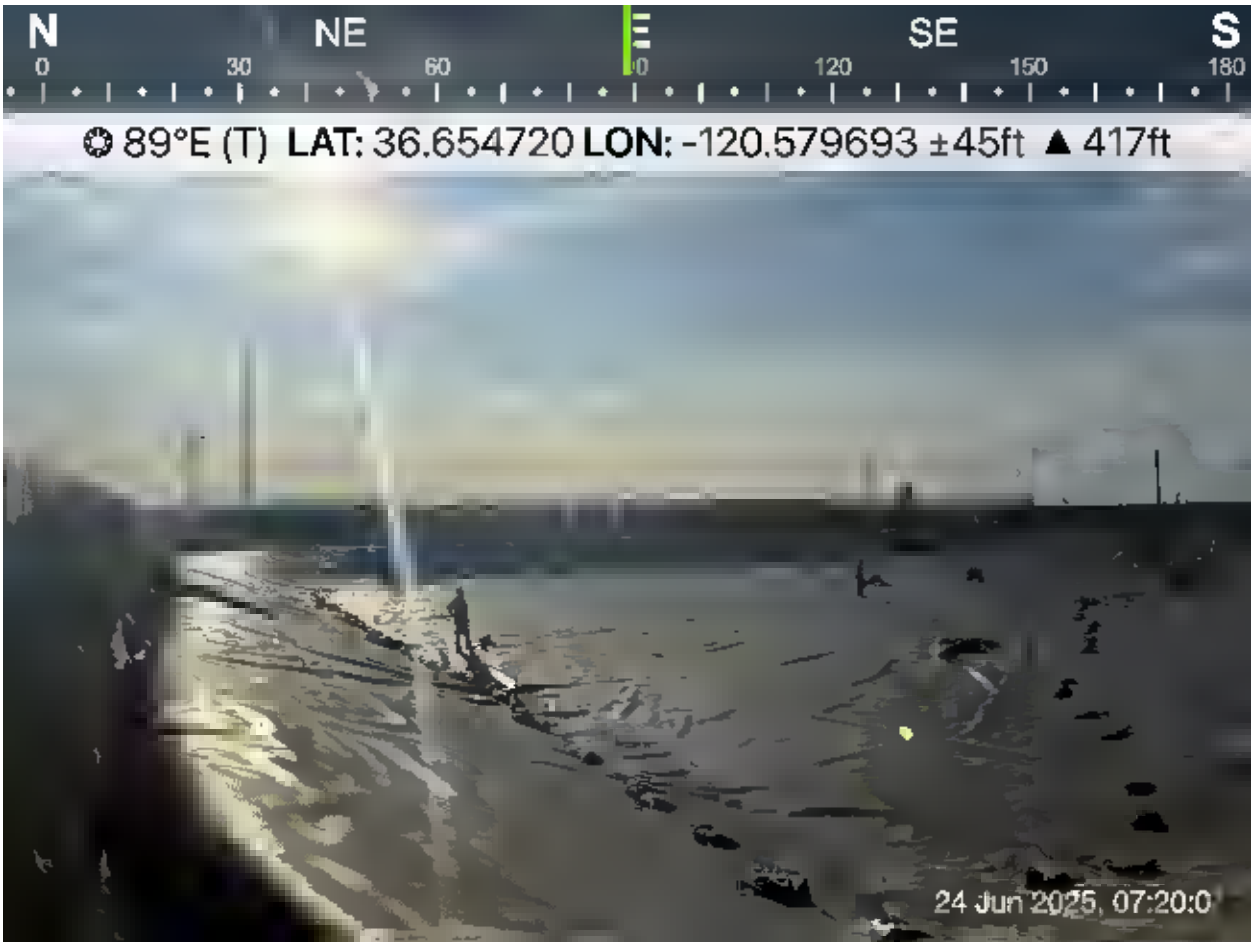
Daily Activities in Time – Activity Format:

0610 – Arrived on site and met with the plant manager. biologist surveyed the pond lining area for sensitive biological resources. None were observed.

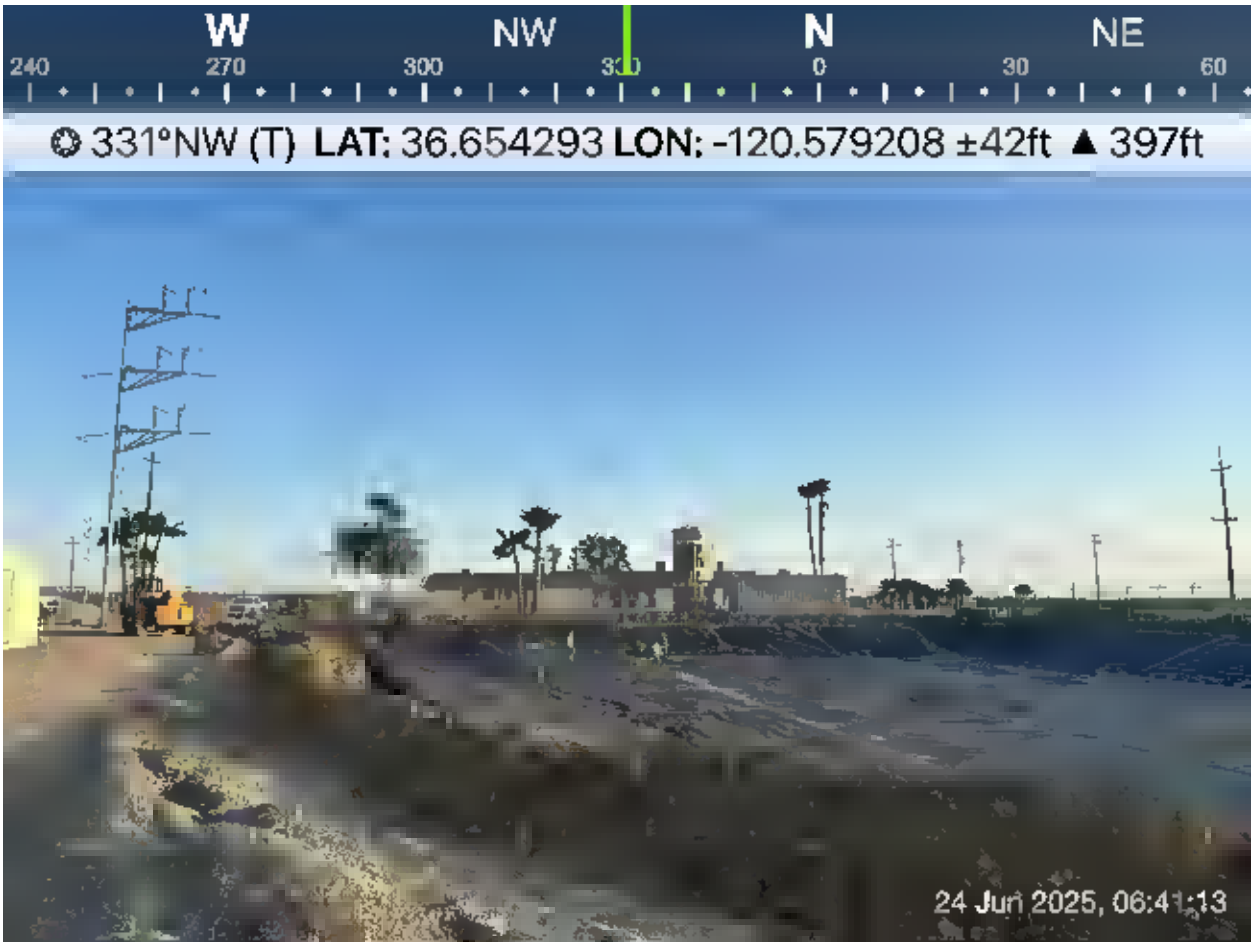
0630 - 1300 – Biologist monitored the crew's pond lining activities and periodically checked surrounding areas. No compliance issues were observed.

1250 - Prior to work completing, escape ramps were placed in the trench and were checked by the biologist.

1300 - Work was complete and the crew left the work site.



Crew sealing the pond lining, facing east. June 24, 2025.



Crew sealing the pond lining, facing northwest. June 24, 2025.

Crews continuing to seal the pond lining, facing northeast. June 24, 2025.

Pond lining prior to crews testing the seal, facing northeast. June 24, 2025.

One of three escape ramps that were added to the trench once work was complete, facing south. June 24, 2025.

Daily Monitoring Report

Project Name: Midway_Panoche BESS	**Location:** Firebaugh	
Monitor(s): Cynthia Martinson	**Date:** June 25, 2025	
Start Time: 07:11	**Stop Time:** 15:45	**Total Hours Worked:** 8.57
Temp (F): / **Start / Stop**	**Cloud Cover (%):** / **Start / Stop**	**Wind (mph):** / **Start / Stop**

Environmental Education Provided: ☐ No ☑ Yes

Summary of Day's Activities and Progress of Work Completed To Date: Crew backfilled the open trench in order to complete pond liner installation.

Upcoming Planned Construction Activities' Forecast: Crew to finish pond liner installation and smoothing out gravel base.

Important Communications: Dan noted that the project received some information in which may delay the project for multiple weeks - work beyond tomorrow (pond liner completion) is TBD.

Critical Action Items To Follow Up On: Covered excavation is still present onsite.

Compliance Measures: Dust mitigation, secondary fueling, and biological monitoring are compliant.

Special-Status Species Observations: None observed

Nesting Bird Observations: HOFI, MODO, EUCD, NOMO

Wildlife Observations: Cottontail rabbit

Wildlife Relocations: None

Additional Pertinent Notes: None

Daily Activities in Time – Activity Format:

07:11 - Monitor arrived on site, signed in, received WEAP sticker, joined crew tailboard.

07:21 - (1) new personnel (Welding inspector) received WEAP training. Monitor conducts a pre-sweep of the site; no biological or compliance concerns were observed.

07:30 - Crew begins mobilization of equipment for backfilling activities.

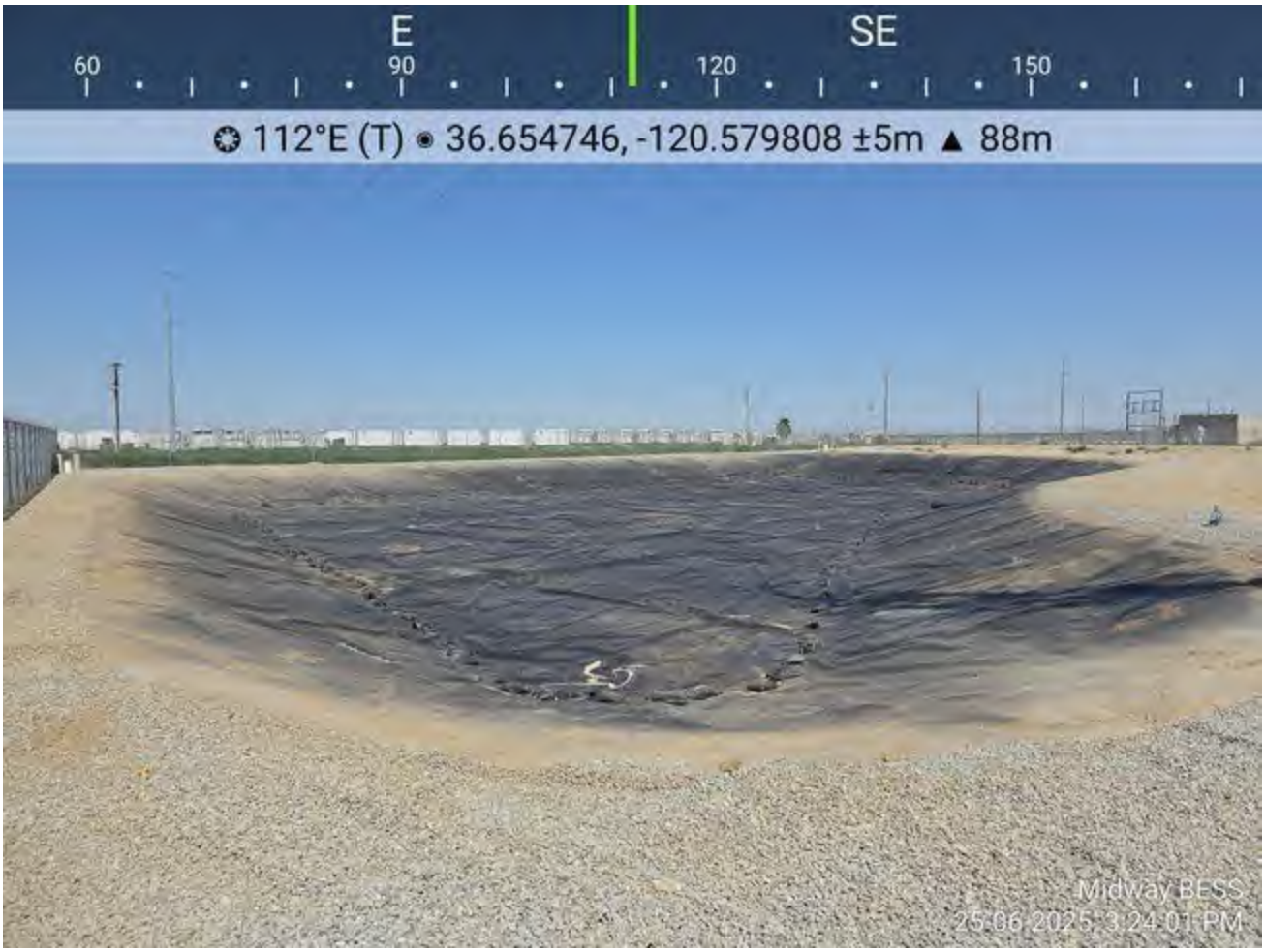
15:21 - Crew begins to stage equipment overnight. Monitor performs post-sweep of the site; no compliance concerns were observed.

15:45 - Monitor confirms tomorrow's meeting details and that work will continue before departing site.

Worksite overview

Covered excavation

Smoothing gravel over compacted trench



Post work site overview

Post-work staging overview

Daily Monitoring Report

Project Name: Midway_Panoche BESS	**Location:** Firebaugh	
Monitor(s): Cynthia Martinson	**Date:** June 26, 2025	
Start Time: 07:05	**Stop Time:** 1500	**Total Hours Worked:**

Environmental Education Provided: ☑ No ☐ Yes

Summary of Day's Activities and Progress of Work Completed To Date: Crew backfilled the open trench in order to complete pond liner installation.

Upcoming Planned Construction Activities' Forecast: Crew to finish pond liner installation and smoothing out gravel base.

Important Communications: Dan noted that the project received some information in which may alter the course of the project for multiple weeks. HOFI nest discovery elevated to Dan and John; John explicitly forbade the installation of a buffer

Critical Action Items To Follow Up On: Covered excavation is still present onsite.

Compliance Measures: Dust mitigation, secondary fueling, and biological monitoring are compliant. Nest buffer not installed due to explicit direction my plant manager; Patch Services activity within the work area (water pump installation) monitored.

Special-Status Species Observations: None observed

Nesting Bird Observations: HOFI, EUCD, NOMO, HOSP, ANHU

Wildlife Observations: Cottontail rabbit

Wildlife Relocations: None

Additional Pertinent Notes: John notes that electricians will be coming to drop of equipment and that they will be running hydro. Only electrical work will take place Mon-Wed. Active HOFI nest with 3 eggs present on gas meter valve; female observed singing near nest.

Daily Activities in Time – Activity Format:

07:05 - Monitor arrived on site, signed in, received WEAP sticker, joined crew tailboard.

07:21 - Monitor conducts a pre-sweep of the site; no biological or compliance concerns were observed.

07:22 - Crew begins mobilization of equipment for pond liner activities (smoothing gravel over compacted trench).

10:19 - Crew completes pond liner installation and begins meter installation.

10:30 - Crew finishes pond liner installation. Water pump installation continues.

10:24 - Cen-cal Pumps crew installing water pump approximately 95ft southwest of HOFI nest

Daily Monitoring Report

11:30 - Monitor discussed the need to install a nest buffer (stakes/flagging) around the gas canister meter and valves due to the presence of an active HOFI nest with 3 eggs. Estimated fledge: 8.24.2025.

15:00 - Monitir performs a post-work sweep. No additional concerns were observed.

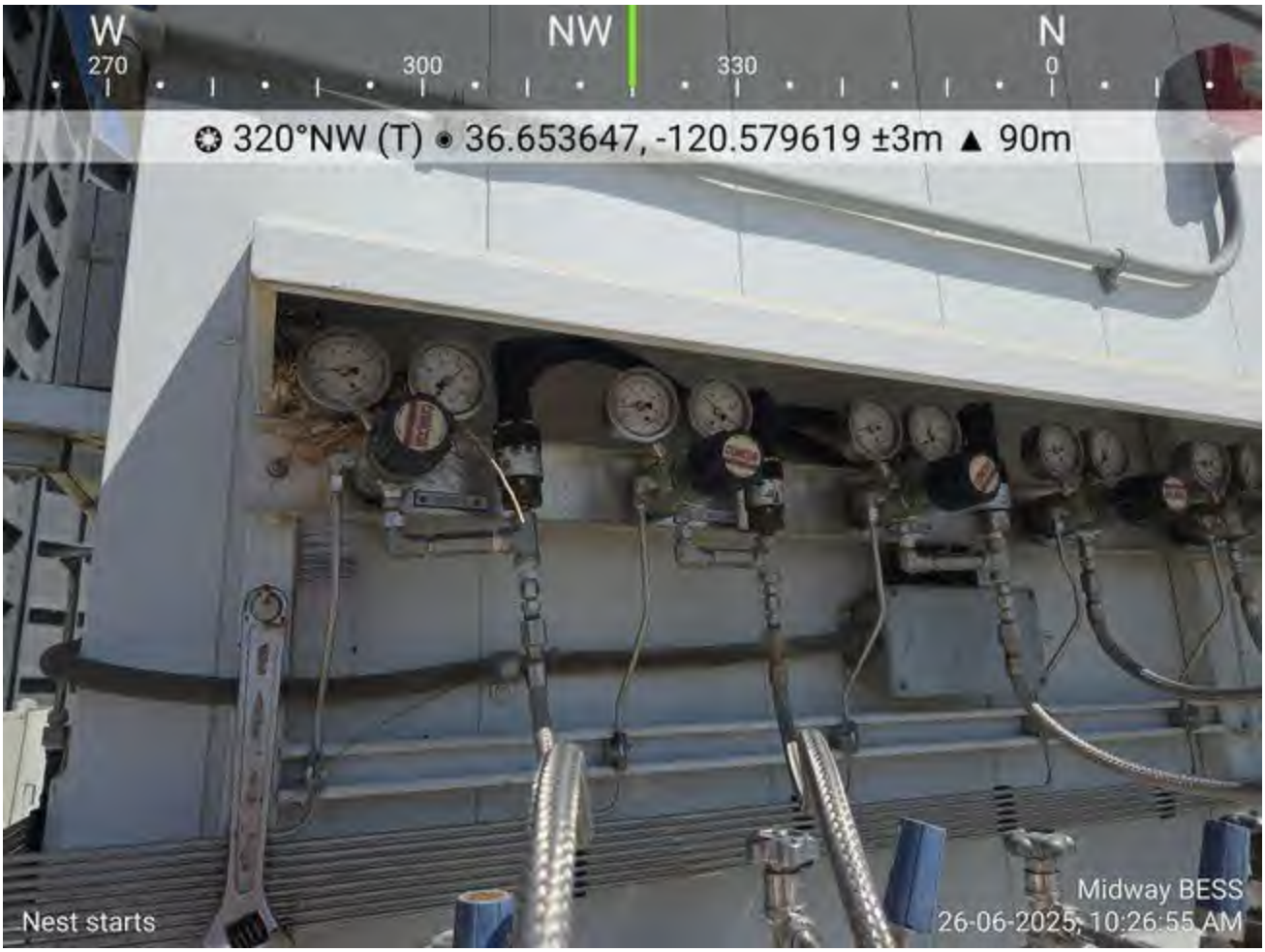
Worksite overview

Daily Monitoring Report

Pond liner installed

Cen-Cal Pumps crew installing water pump

Daily Monitoring Report



Active HOFI nest location

Water pump install and covered excavation in relation to nest (far right of photo).

Appendix B3

Cultural Resources Monthly Monitoring Summary Report (CUL-6)

Rincon Consultants, Inc.
4589 North Marty Avenue, Unit 102
Fresno, California 93722
559-228-9925

July 15, 2025
Project No: 24-16970

Anwar Ali, Compliance Project Manager
California Energy Commission
1516 Ninth Street (MS-2000)
Sacramento, California, 95814
Via email: anwar.ali@energy.ca.gov

Subject: Cultural Resources Monitoring Report, June 2025, Midway BESS Interconnection Project and Pond Lining and Raw Water Supply Upgrade Project, Unincorporated Fresno County, California (CEC Docket No. 06-AFC-10C)

Dear Dr. Ali:

Rincon Consultants, Inc. (Rincon) was retained by Midway Battery Energy Storage System (BESS) LLC to provide archaeological monitoring services for the Midway BESS Interconnection Project and Pond Lining and Raw Water Supply Upgrade Project (project), located within the existing Midway Peaking Power Plant (MPP) property at 43627 West Panoche Road in an unincorporated area of western Fresno County, California (Attachment 1). The project must comply with the California Energy Commission's Conditions of Certification for the project, including CUL-3 through CUL-7.

Worker Environmental Awareness Program

An in-person cultural Worker Environmental Awareness Training was provided to construction personnel before construction began on June 16, 2025.

Monitoring Methods and Results

Lindsey Younger, Rincon's on-site Cultural Resource Monitor (CRM) conducted archaeological monitoring from June 16 through June 18, 2025. The Rincon CRM was present during project-related, ground-disturbing activities, including grading, pond basin excavation and trenching activities associated with monitoring for the Pond lining. During ground-disturbing activities, the monitor examined exposed soils for prehistoric artifacts (e.g., chipped stone tools and production debris, stone milling tools), historic period debris (e.g., metal, glass, ceramics), or soil discoloration that might indicate the presence of an archaeological feature. The CRM documented field observations on Daily Monitoring Logs (Attachment 1). No cultural resources were identified during the week of June 16 through June 18, 2025.

Conclusions

Three days of archaeological monitoring of project-related ground disturbance were conducted in accordance with CUL-6 of the project's Conditions of Certification for the week of June 16 through June 18, 2025. No artifacts, archaeological deposits, or archaeological features were identified during the monitoring of ground-disturbing construction activities, and no non-compliances occurred during monitoring. Based on the results of the monitoring effort, the ground-disturbing activities that occurred during the week of January 16, 2025, did not impact any cultural resources. Additional excavations within previously undisturbed/native soils in July 2025 will require full-time archaeological monitoring.

Please do not hesitate to contact me at 951-405-2351 or kabdo@rinconconsultants.com if you have any questions regarding this monitoring effort.

Sincerely,
Rincon Consultants, Inc.

Kholood Abdo, MA, RPA
Midway BESS Project
Cultural Resource Specialist

Attachments

Attachment 1 Daily Monitoring Logs

Attachment 1

Daily Monitoring Logs

Daily Monitoring Report

Project Number: 24-16970		**Project Name:** Midway Panoche BESS
Monitor: Lindsey Younger		
Date: June 16, 2025	**Start Time (24 hour):** 06:45	**Stop Time (24 hour):** 15:30
Weather (Temperature, wind speed, cloud cover, precipitation): 93 ° F, 1-3 mph, gusts up to 8mph mph, 0 %, None		
Start Location: Zone 10S 716348E 4059328N		

Worker Environmental Education Program provided: ☑ **Yes** ☐ **No**

Daily activities and compliance summary in format of Time – Activity (i.e., 07:00 – Arrived at project site):

07:54 - Pond basin excavation

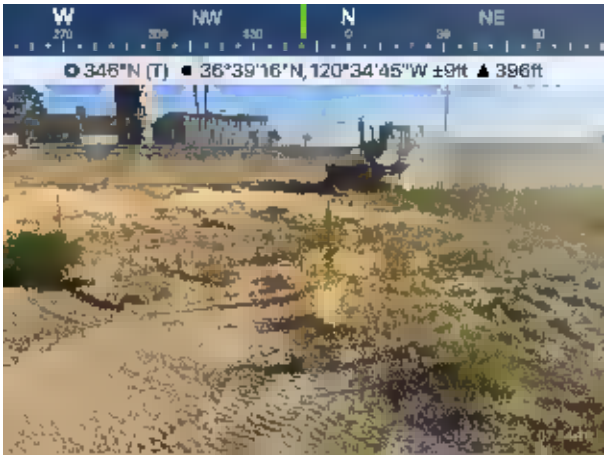
Type of Monitoring: Continuous Monitoring

Additional Notes: Using a CAT D6T grader, the existing ponding basin is excavated an additional 12 in.

Location: 10S 716373E 4059266N

Depth of Ground Disturbance: 12 in.

Soils/Lithology Description: Non native silty clay



07:54 Facing north
Ponding basin excavation.

08:08 - Excavated soil removal

Type of Monitoring: Continuous Monitoring

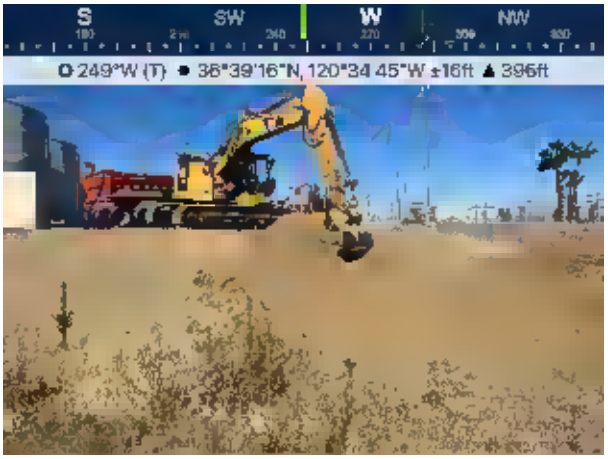
Additional Notes: Using a CAT 335F excavator, the excavated soil is being removed and placed into dump trucks to be hauled off site.

Location: 10S 716366E 4059275N

Depth of Ground Disturbance: N/A

Soils/Lithology Description: Non native silty clay

Daily Monitoring Report



08:08 Facing west
CAT excavator removing excavated soil.

08:31 - Gravel clearing

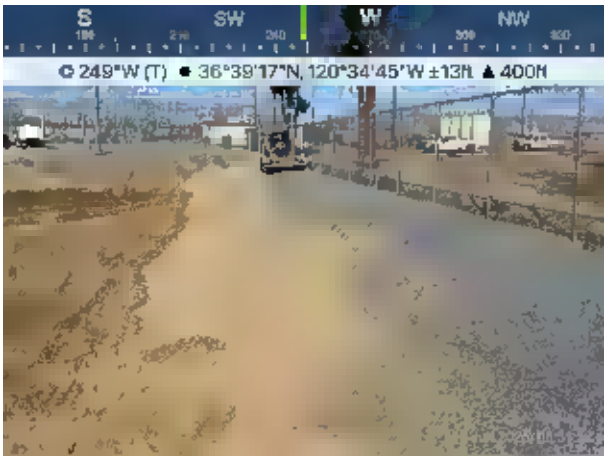
Type of Monitoring: Continuous Monitoring

Additional Notes: Using a CAT skid steer, the gravel layer around the perimeter of the exisiting basin is being moved for the trench excavation planned for 6/17.

Location: 10S 716392E 4059312N

Depth of Ground Disturbance: N/A

Soils/Lithology Description: Subangular gravel



08:31 Facing west
Skid steer clearing gravel.

09:18 - Gravel clearing

Type of Monitoring: Continuous Monitoring

Additional Notes: On the SE side of the plant, a small 4 ft by 8 ft area was cleared of gravel to prepare the area for a concrete pad. Soil was not moved.

Location: 10S 716349E 4059203N

Depth of Ground Disturbance: N/A

Soils/Lithology Description: Subangular gravel

Daily Monitoring Report

09:18 Facing east
Gravel clearing for a concrete pad installation.

10:21 - Gravel clearing

Type of Monitoring: Continuous Monitoring

Additional Notes: The majority of gravel was cleared with imported dirt being brought in to level the area.

Location: 10S 716350E 4059203N

Depth of Ground Disturbance: N/A

Soils/Lithology Description: Subangular gravel

10:21 Facing east
Cleared gravel area.

13:32 - Gravel clearing

Type of Monitoring: Continuous Monitoring

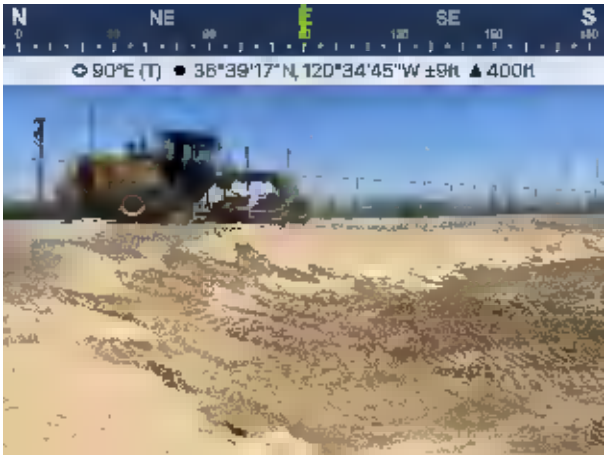
Additional Notes: A CAT 140 grader is being used to aid in the clearing of gravel around the ponding basin.

Location: 10S 716394E 4059307N

Depth of Ground Disturbance: N/A

Soils/Lithology Description: Subangular gravel

Daily Monitoring Report



13:32 Facing east
Grader clearing gravel around the ponding basin.

13:33 - Ponding basin excavation

Type of Monitoring: Continuous Monitoring

Additional Notes: The soil excavated from the ponding basin remained consistent in color and composition.

Location: 10S 716355E 4059306N

Depth of Ground Disturbance: N/A

Soils/Lithology Description: Silty clay

13:33 Facing southwest
Soil excavated from the ponding basin.

15:11 - Ponding basin excavation

Type of Monitoring: Continuous Monitoring

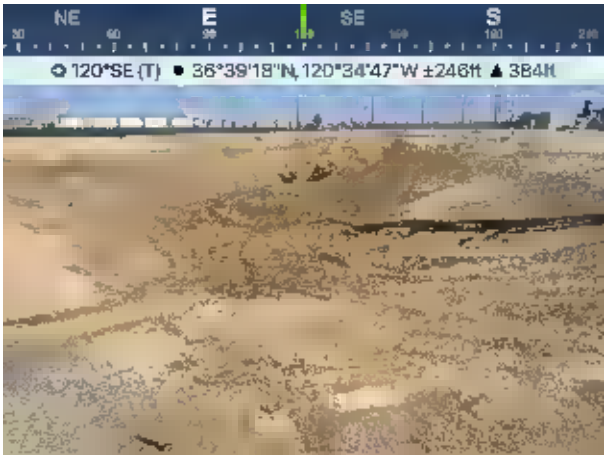
Additional Notes: The ponding basin is mostly at grade. The spoils will continue to be removed on 6/17.

Location: 10S 716353E 4059309N

Depth of Ground Disturbance: 12 in.

Soils/Lithology Description: Silty clay

Daily Monitoring Report



15:11 Facing southeast
End of the day overview of ponding basin.

Summary of project related communications:
Ground disturbance will continue tomorrow 6/17 with trench excavation around the ponding basin to hold the pond liner down as well as excavation of an exisiting valve.

☑ **COMPLIANCE** ☐ **REMEDIATION ACTION NEEDED** (see Non Compliance Report)

See final page for additional notes regarding non-compliances, if any.

Native American Monitor present? ☐ Yes ☑ No

Archaeological Discovery Made? ☐ Yes ☑ No

Safety Concerns? ☐ Yes ☑ No

Daily Monitoring Report

Project Number: 24-16970		**Project Name:** Midway Panoche BESS
Monitor: Lindsey Younger		
Date: June 17, 2025	**Start Time (24 hour):** 07:00	**Stop Time (24 hour):** 15:45
Weather (Temperature, wind speed, cloud cover, precipitation): 94 ° F, 1-3 mph mph, 0 %, None		
Start Location: Zone 10S 716355E 4059309N		

Worker Environmental Education Program provided: ☐ **Yes** ☑ **No**

Daily activities and compliance summary in format of Time – Activity (i.e., 07:00 – Arrived at project site):

07:19 - Gravel clearing

Type of Monitoring: Continuous Monitoring

Additional Notes: Using a CAT skid steer, the remaining gravel around the perimeter of the ponding basin is being scraped off the surface.

Location: 10S 716345E 4059311N

Depth of Ground Disturbance: 2 in.

Soils/Lithology Description: Subangular gravel

07:19 Facing south
Skid steer removing gravel.

07:37 - Spoils removal

Type of Monitoring: Continuous Monitoring

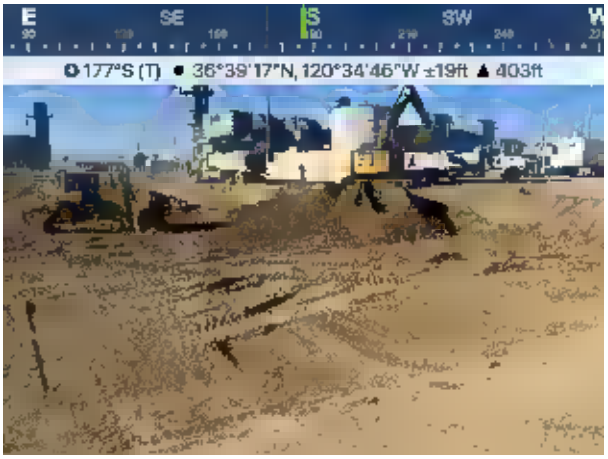
Additional Notes: Using a CAT 335F excavator, the remaining spoils are being removed by dump trucks. The spoils are being taken to the Panoche Water District property.

Location: 10S 716343E 4059324N

Depth of Ground Disturbance: N/A

Soils/Lithology Description: Silty clay

Daily Monitoring Report



07:37 Facing south
Spoils pile being removed and hauled away.

08:22 - Excavating ponding basin sidewall

Type of Monitoring: Continuous Monitoring

Additional Notes: Using the CAT 140 grader, the sidewalls of the ponding basin are excavated an additional 12 in., making the basin wider.

Location: 10S 716349E 4059317N

Depth of Ground Disturbance: 12 in.

Soils/Lithology Description: Silty clay

08:22 Facing south
Grading the ponding basin sidewalls.

09:02 - Grading ponding basin

Type of Monitoring: Continuous Monitoring

Additional Notes: Using the CAT D6T grader, the floor of the excavated basin is cleaned up and graded.

Location: 10S 716351E 4059313N

Depth of Ground Disturbance: 12 in.

Soils/Lithology Description: Silty clay

Daily Monitoring Report

09:02 Facing south
Grading the ponding basin floor.

09:34 - Water valve excavation

Type of Monitoring: Continuous Monitoring

Additional Notes: Using a Yanmar ViO35 excavator, a 5 ft by 8 ft hole (including shelf) is excavated to a depth of approximately 5.5ft to expose an existing water valve to close it off. A 1 ft side shelf was excavated on the SW side of the hole for safety reasons.

Location: 10S 716339E 4059154N

Depth of Ground Disturbance: 66 in.

Soils/Lithology Description: Subangular gravel and fill soil

09:34 Facing southeast
Excavation of the water valve.

12:38 - Ponding basin excavation

Type of Monitoring: Continuous Monitoring

Additional Notes: The ponding basin excavation is at depth.

Location: 10S 716351E 4059312N

Depth of Ground Disturbance: 12 in.

Soils/Lithology Description: Silty clay

Daily Monitoring Report

12:38 Facing east
Completed ponding basin.

13:42 - Trench excavation

Type of Monitoring: Continuous Monitoring

Additional Notes: After completing the ponding basin, the crew began excavating the 2 ft wide 2 ft deep trench around the perimeter of the ponding basin to hold the pond lining. The trench starts at the pedestrian entrance and extends into the E direction.

Location: 10S 716349E 4059312N

Depth of Ground Disturbance: 24 in.

Soils/Lithology Description: Silty clay

13:42 Facing north
Beginning of trench excavation.

14:17 - Trench excavation

Type of Monitoring: Continuous Monitoring

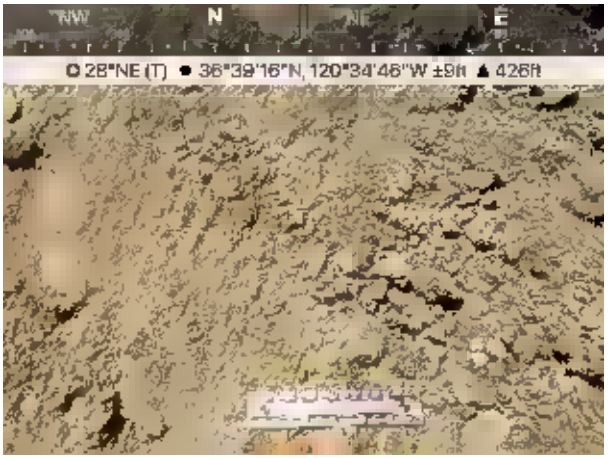
Additional Notes: The soil excavated from the trench remained consistent throughout the trench.

Location: 10S 716355E 4059293N

Depth of Ground Disturbance: 24 in.

Soils/Lithology Description: Silty clay with subangular gravel from the surface

Daily Monitoring Report



14:17 Facing northeast
Soil excavated from the trench.

15:23 - Trench excavation

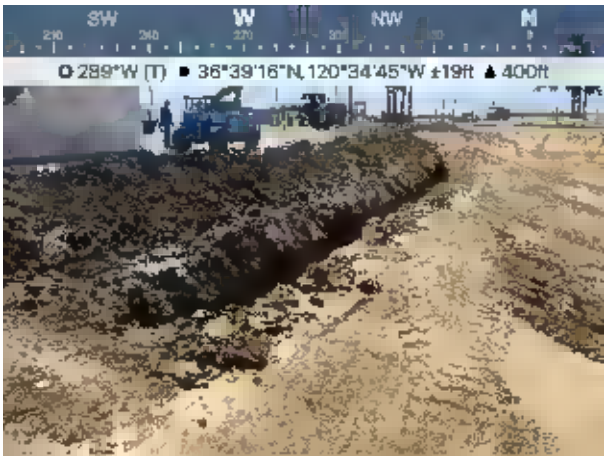
Type of Monitoring: Continuous Monitoring

Additional Notes: Approximately 85 ft of trench was excavated to a depth of 24 in. and a width of 24 in.

Location: 10S 716341E 4059325N

Depth of Ground Disturbance: 24 in.

Soils/Lithology Description: Silty clay and some subangular gravel



15:23 Facing west
End of the day overview of ponding basin trench.

14:47 - Valve excavation

Type of Monitoring: Continuous Monitoring

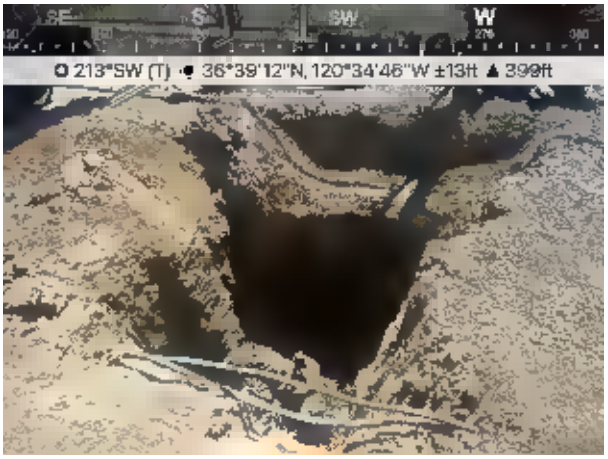
Additional Notes: A maximum depth of 5.5 ft was reached but the valve was not fully exposed. A permit is required to dig deeper. The hole currently measures 5 ft by 8 ft with the shelf.

Location: 10S 716348E 4059161N

Depth of Ground Disturbance: 66 in.

Soils/Lithology Description: Subangular gravel and fill soil

Daily Monitoring Report



14:47 Facing southwest
End of the day overview of the valve excavation.

Summary of project related communications:
The valve excavation is on hold as they did not have the proper permits to excavate deeper than 5 ft.

☑ **COMPLIANCE** ☐ **REMEDIATION ACTION NEEDED** (see Non Compliance Report)

See final page for additional notes regarding non-compliances, if any.

Native American Monitor present? ☐ Yes ☑ No

Archaeological Discovery Made? ☐ Yes ☑ No

Safety Concerns? ☐ Yes ☑ No

Daily Monitoring Report

Project Number: 24-16970		**Project Name:** Midway-Panoche BESS
Monitor: Lindsey Younger		
Date: June 18, 2025	**Start Time (24 hour):** 07:00	**Stop Time (24 hour):** 15:20
Weather (Temperature, wind speed, cloud cover, precipitation): 99 ° F, 1-3 mph mph, 0 %, None		
Start Location: Zone 10S 716347E 4059309N		

Worker Environmental Education Program provided: ☐ **Yes** ☑ **No**

Daily activities and compliance summary in format of Time – Activity (i.e., 07:00 – Arrived at project site):

08:02 - Trench excavation

Type of Monitoring: Continuous Monitoring

Additional Notes: Trench excavation is continuing from the previous days starting point, heading in the NE direction. Using a CAT 301.7 excavator, the trench is excavated to a maximum depth and width of 2 ft.

Location: 10S 716337E 4059308N

Depth of Ground Disturbance: 24 in.

Soils/Lithology Description: Silty clay and imported subangular gravel

08:02 Facing northeast
Trench excavation continuing.

14:42 - Trench excavation

Type of Monitoring: Continuous Monitoring

Additional Notes: The finished trench measures approximately 1000 ft. long and 24 in. deep at its greatest depth. The excavated soil will be used as backfill for the trench. No archaeological evidence observed.

Location: 10S 716351E 4059304N

Depth of Ground Disturbance: 24 in.

Soils/Lithology Description: Silty clay and imported subangular gravel

Daily Monitoring Report

14:42 Facing southwest
End of the day overview of completed trench.

14:42 - Trench excavation

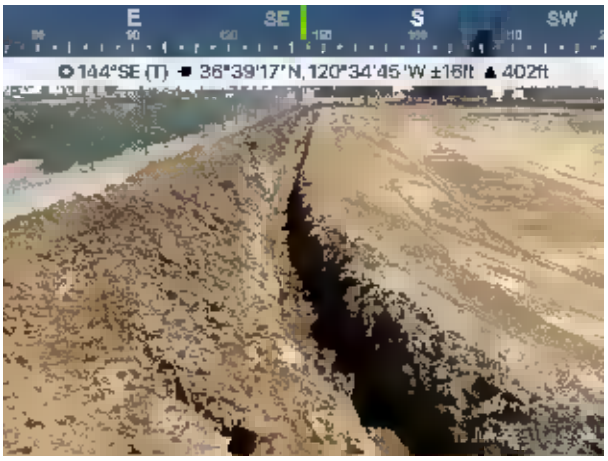
Type of Monitoring: Continuous Monitoring

Additional Notes: The finished trench measures approximately 1000 ft. long and 24 in. deep at its greatest depth. The excavated soil will be used as backfill for the trench. No archaeological evidence observed.

Location: 10S 716365E 4059306N

Depth of Ground Disturbance: 24 in.

Soils/Lithology Description: Silty clay and imported subangular gravel



14:42 Facing southeast
End of the day overview of completed trench.

14:44 - Trench excavation

Type of Monitoring: Continuous Monitoring

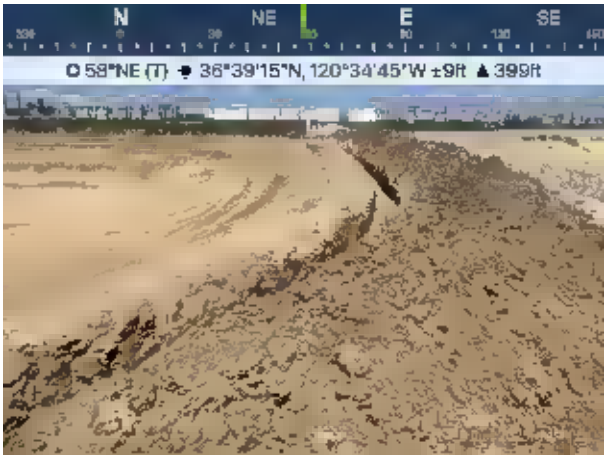
Additional Notes: The finished trench measures approximately 1000 ft. long and 24 in. deep at its greatest depth. The excavated soil will be used as backfill for the trench. No archaeological evidence observed.

Location: 10S 716336E 4059300N

Depth of Ground Disturbance: 24 in.

Soils/Lithology Description: Silty clay and imported subangular gravel

Daily Monitoring Report



14:44 Facing northeast
End of the day overview of completed trench.

14:44 - Trench excavation

Type of Monitoring: Continuous Monitoring

Additional Notes: The finished trench measures approximately 1000 ft. long and 24 in. deep at its greatest depth. The excavated soil will be used as backfill for the trench. No archaeological evidence observed.

Location: 10S 716340E 4059307N

Depth of Ground Disturbance: 24 in.

Soils/Lithology Description: Silty clay and imported subangular gravel

14:44 Facing northwest
End of the day overview of completed trench.

14:41 - Trench excavation

Type of Monitoring: Continuous Monitoring

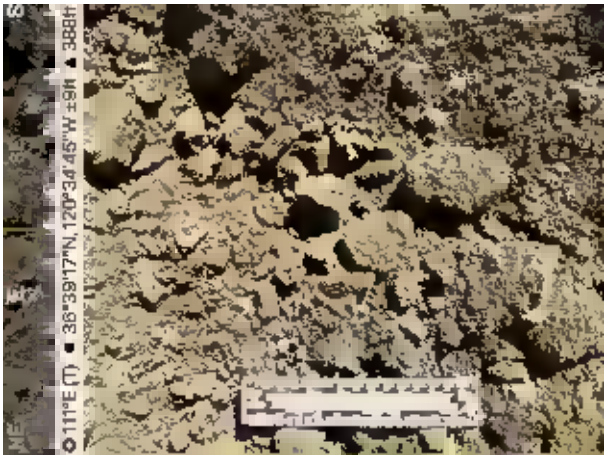
Additional Notes: The soil remained consistent in color and composition throughout the trench.

Location: 10S 716344E 4059301N

Depth of Ground Disturbance: 24 in.

Soils/Lithology Description: Silty clay and imported subangular gravel

Daily Monitoring Report



14:41 Facing southeast
Soil excavated from the trench.

Summary of project related communications:
Ground disturbance is on hold while the proper permits are being obtained.

☑ **COMPLIANCE** ☐ **REMEDIATION ACTION NEEDED** (see Non Compliance Report)

See final page for additional notes regarding non-compliances, if any.

Native American Monitor present? ☐ Yes ☑ No

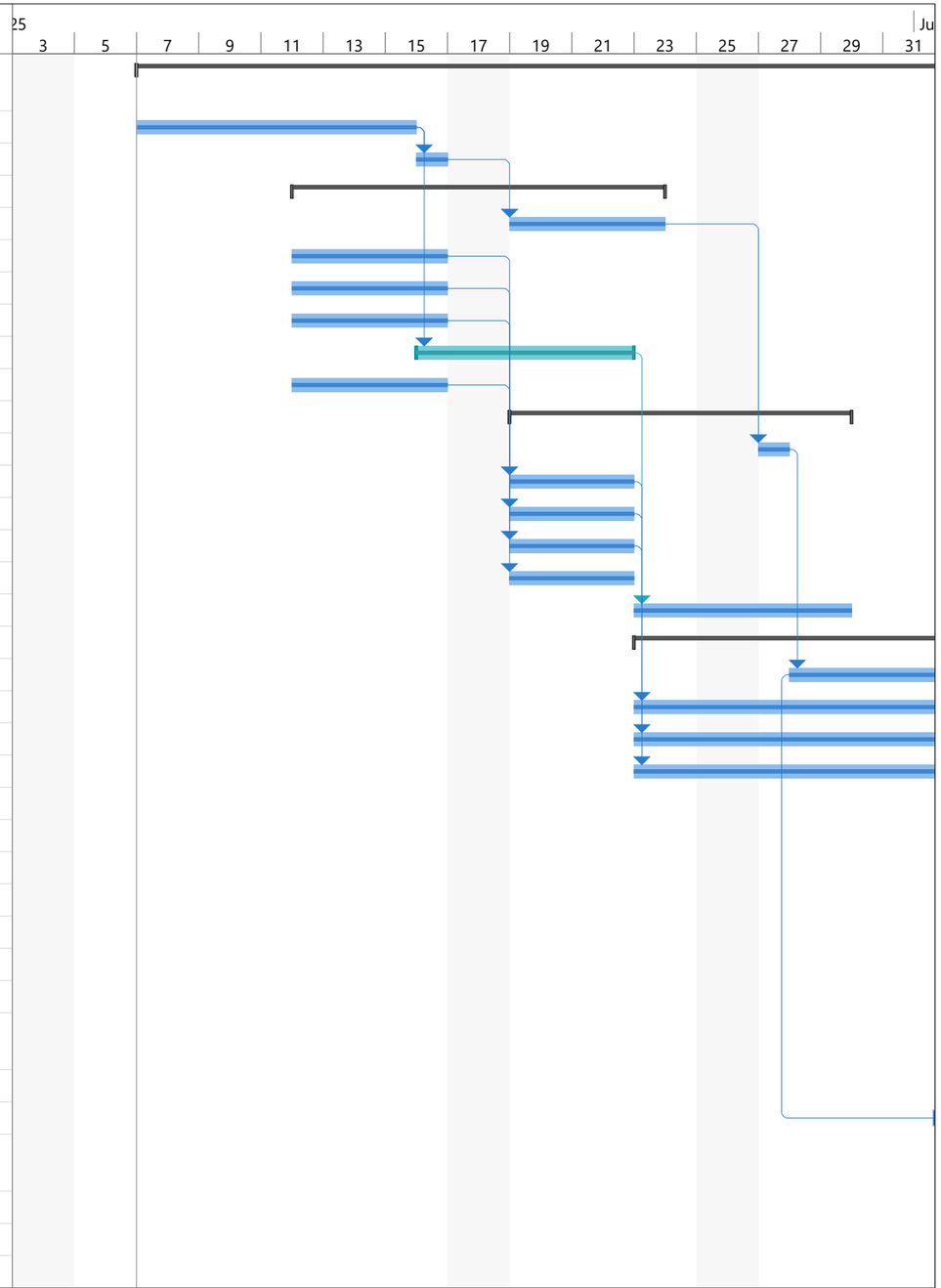
Archaeological Discovery Made? ☐ Yes ☑ No

Safety Concerns? ☐ Yes ☑ No

Appendix B4

Chief Building Official (CBO) schedule updates and inspector (GEN-2 and GEN-6)

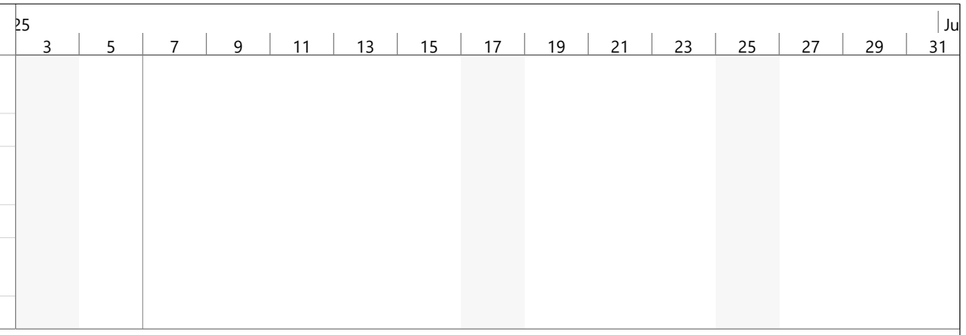
ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	% Complete	Resource Names
1		**Midway Pond Liner & Raw Water Improvements**	**68 days**	**Wed 5/7/25**	**Tue 8/12/25**		**75%**	
2		Subcontract Negotiations	7 days	Wed 5/7/25	Thu 5/15/25		100%	
3		NTP	1 day	Fri 5/16/25	Fri 5/16/25	2	100%	
4		**Submittals**	**10 days**	**Mon 5/12/25**	**Fri 5/23/25**		**100%**	
5		Electrical Submittals	1 wk	Mon 5/19/25	Fri 5/23/25	3	100%	
6		Liner Submittal	1 wk	Mon 5/12/25	Fri 5/16/25		100%	
7		Piping & Valve Submittal	1 wk	Mon 5/12/25	Fri 5/16/25		100%	
8		Pump Submittal	1 wk	Mon 5/12/25	Fri 5/16/25		100%	
9		Rebar submittal	1 wk	Fri 5/16/25	Thu 5/22/25	2	100%	
10		Concrete Submittal	1 wk	Mon 5/12/25	Fri 5/16/25		100%	
11		**Submittal Review**	**8 days**	**Mon 5/19/25**	**Thu 5/29/25**		**100%**	
12		Electrical Review	1 day	Tue 5/27/25	Tue 5/27/25	5	100%	
13		Liner Reivew	4 days	Mon 5/19/25	Thu 5/22/25	6	100%	
14		Piping & Valve Review	4 days	Mon 5/19/25	Thu 5/22/25	7	100%	
15		Pump Review	4 days	Mon 5/19/25	Thu 5/22/25	8	100%	
16		Concrete Review	4 days	Mon 5/19/25	Thu 5/22/25	10	100%	
17		Rebar Review	4 days	Fri 5/23/25	Thu 5/29/25	9	100%	
18		**Material Procurement**	**22 days**	**Fri 5/23/25**	**Tue 6/24/25**		**100%**	
19		Electrical Materials	4 wks	Wed 5/28/25	Tue 6/24/25	12	100%	
20		Liner Procurement	2 wks	Fri 5/23/25	Fri 6/6/25	13	100%	
21		Piping & Valve Procurement	2 wks	Fri 5/23/25	Fri 6/6/25	14	100%	
22		Pump Procurement	2 wks	Fri 5/23/25	Fri 6/6/25	15	100%	
23		**Construction**	**46 days**	**Mon 6/9/25**	**Tue 8/12/25**		**43%**	
24		Pond Excavation	7 days	Mon 6/16/25	Tue 6/24/25	20FS+1 wk	100%	
25		Liner install	3 days	Wed 6/25/25	Fri 6/27/25	24,20	100%	
26		Backfill liner trench	2 days	Mon 6/30/25	Tue 7/1/25	25	75%	
27		Disconnect existing piping	3 days	Wed 6/25/25	Fri 6/27/25	24	75%	
28		Pump Installation	2 days	Mon 6/30/25	Tue 7/1/25	27	100%	
29		Prefab RO Piping at shop	6 days	Mon 6/9/25	Mon 6/16/25	21	100%	
30		RO PIPING INSPECTION at SHOP	6 days	Mon 6/9/25	Mon 6/16/25	29SS	100%	TTSC
31		RO Piping Pressure test	1 day	Fri 6/27/25	Fri 6/27/25	30FS+8 days	0%	
32		Electrical Construction	5 wks	Mon 6/30/25	Mon 8/4/25	19SS+23 days	0%	
33		Electrical Conduit Installation	2 wks	Mon 6/30/25	Mon 7/14/25	32SS	0%	
34		CONDUIT INSPECTION	1 day	Fri 7/11/25	Fri 7/11/25	33SS+8 days	0%	WEC3
35		Dig/form/rebar for concrete	3 days	Mon 6/16/25	Wed 6/18/25	24SS	100%	
36		EXCAVATION INSPECTION	2 days	Mon 6/16/25	Tue 6/17/25	35SS	100%	WEC3



Project: Baseline Schedule
Date: Wed 6/25/25

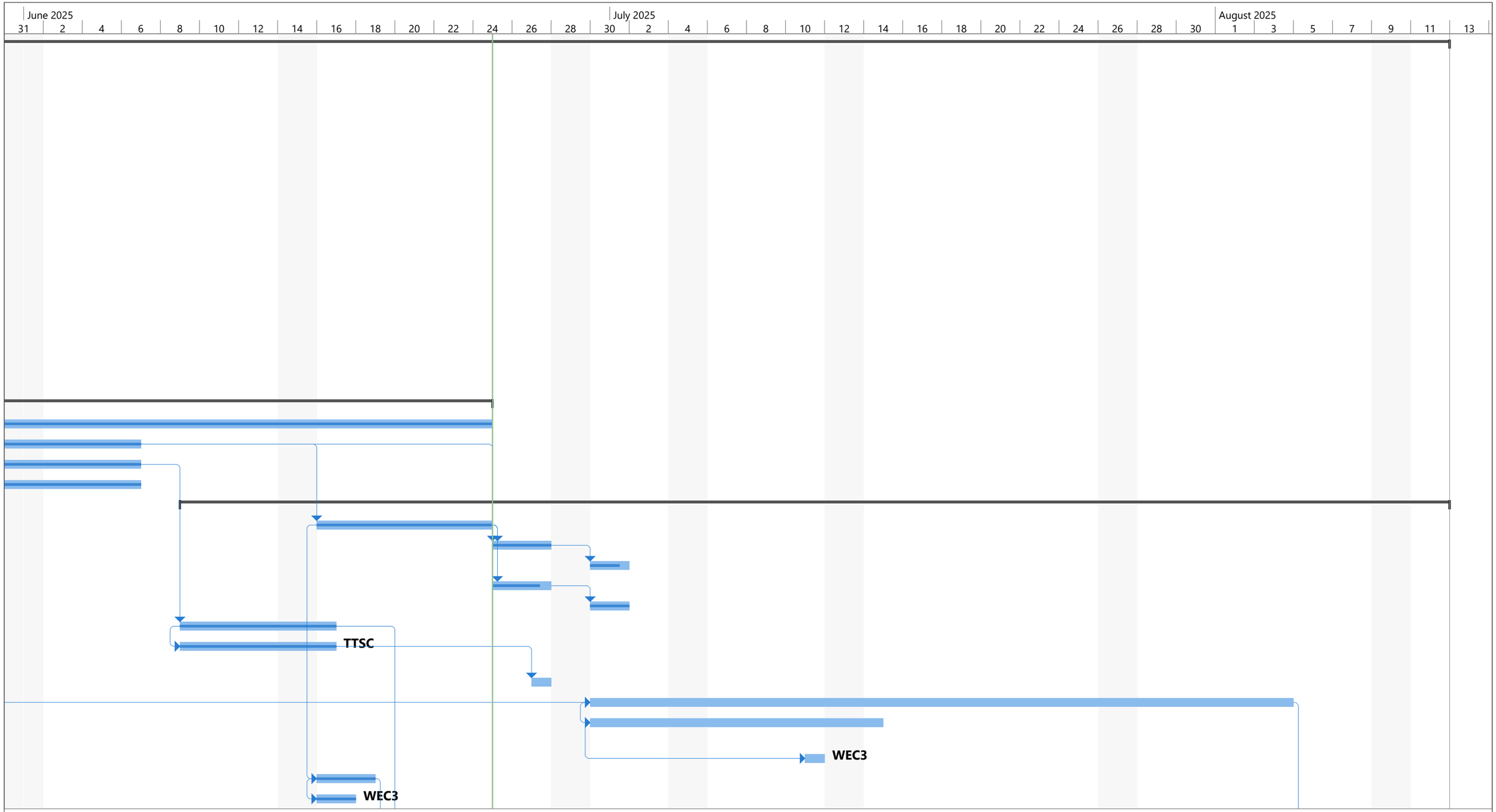
Task	Project Summary	Manual Task	Start-only	Deadline
Split	Inactive Task	Duration-only	Finish-only	Progress
Milestone	Inactive Milestone	Manual Summary Rollup	External Tasks	Manual Progress
Summary	Inactive Summary	Manual Summary	External Milestone	

ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	% Complete	Resource Names
37		REBAR AND PIPE KICKER INSPECTION	1 day	Wed 6/18/25	Wed 6/18/25		100%	WEC3
38		Install new concrete for VFD	1 day	Thu 6/19/25	Thu 6/19/25	35	100%	
39		CONCRETE SAMPLE INSPECTION	1 day	Thu 6/19/25	Thu 6/19/25	38SS	100%	WEC3
40		RO PIPING INSTALLATION	4 days	Fri 6/20/25	Wed 6/25/25	38,29	0%	
41		WC3 Permit Agency Inspections	1 day	Tue 8/5/25	Tue 8/5/25	32	0%	
42		Commissioning and Startup	1 wk	Wed 8/6/25	Tue 8/12/25	41	0%	



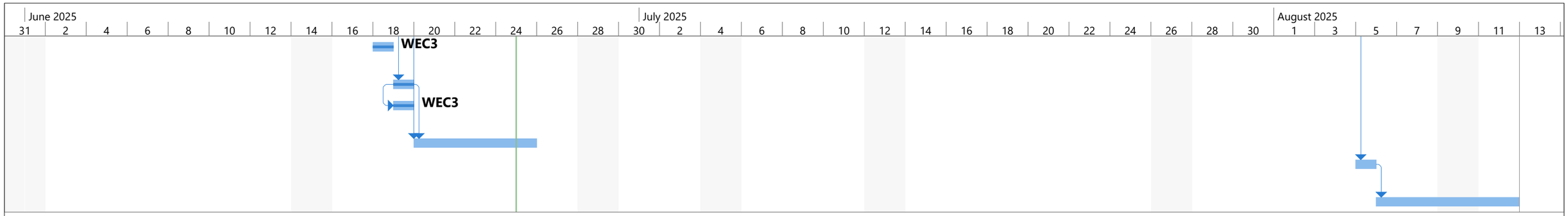
Project: Baseline Schedule
Date: Wed 6/25/25

Task	Project Summary	Manual Task	Start-only	Deadline			
Split	Inactive Task	Duration-only	Finish-only	Progress			
Milestone	Inactive Milestone	Manual Summary Rollup	External Tasks	Manual Progress			
Summary	Inactive Summary	Manual Summary	External Milestone				



Project: Baseline Schedule
Date: Wed 6/25/25

Task	Project Summary	Manual Task	Start-only	Deadline
Split	Inactive Task	Duration-only	Finish-only	Progress
Milestone	Inactive Milestone	Manual Summary Rollup	External Tasks	Manual Progress
Summary	Inactive Summary	Manual Summary	External Milestone



Project: Baseline Schedule
Date: Wed 6/25/25

Task		Project Summary		Manual Task		Start-only		Deadline	
Split		Inactive Task		Duration-only		Finish-only		Progress	
Milestone		Inactive Milestone		Manual Summary Rollup		External Tasks		Manual Progress	
Summary		Inactive Summary		Manual Summary		External Milestone			

February 24, 2025

Dr. Anwar Ali
Work Authorization Manager
California Energy Commission
Energy Facilities Siting Division
1516 Ninth Street, MS 2000
Sacramento, CA 95814-5512

CEC WA #04 – ACCEPTANCE

Re: Midway Peaking Project - Improvement of Existing Evap. Pond (WA #04) – Plan Review Acceptance
Address: 43627 Panoche Road, Firebaugh, California 92029

Dear Dr. Anwar Ali:

On behalf of the California Energy Commission, West Coast Code Consultants, Inc. (WC³) has reviewed the documents, listed on the attached sheet, as they relate to the **Midway Peaking Project - Improvement of Existing Evaporation Pond** (WA-04). Documents appear to be in compliance with all applicable laws, ordinances, regulations, and standards (LORS). Please note that the plan review is complete and we have uploaded all stamped permit documents to the WC³ project portal which can be viewed at the following link:

https://plans.wc-3.com/submittals/all/110678

Please feel free to call or email me (801-550-7630, dougs@wc-3.com) with any questions that you might have.

Sincerely,

West Coast Code Consultants, Inc. (WC³)

Doug Smith, M.C.P., C.B.O.
Chief Building Official

Cc: Jon Boyer, Director Eviron. Health & Safety, MRP (jboyer@mrpgenco.com)
Matthew Tedesche, P.E., Patch Services (mjtedesche@patchservices.com)
Andrew Tankel, MRP (atankel@mrpgenco.com)
Ramiro Gonzalez, MRP (ramiro.gonzalez@mrpgenco.com)

LIST OF DOCUMENTS PERMITTED:

File Type / Description	File Name
Plans	EVAPORATION-POND-RAW-WATER-SYSTEM-UPGRADE-100-IFC-DRAWINGS-R1
Structural Calculations	9002-STRUCTURAL-FOUNDATION-CALCS
Scope of Work	9004-CONTRUCTION-SCOPE-OF-WORK-R1
Control Narrative	D-9001-MIDWAY-PEAKING-PLANT-RAW-WATER-CONTROLS-NARRATIVE
Specifications	9006-HDPE-GEOMEMBRANE-LINER-INSTALLATION-SPECIFICATION
Manufacturer Specs	676f114fdeedf2880375ce10_tech-spec-powertron-mts-web
Manufacturer Specs	VFD -AllenBradley-PowerFlex750series-Technicaldata

Appendix B5

CBO Statement (STRUC-1)

Outlook

Midway - Improvement of Existing Evap. Pond (WA #04) – Plan Review Approval

From	Doug Smith <dougs@wc-3.com>
Date	Mon 2/24/2025 08:40
To	Anwar Ali <anwar.ali@energy.ca.gov>
CC	Jon Boyer <jboyer@mrpgenco.com>; David Leckie <davidl@wc-3.com>; Andrew Tankel <atankel@mrpgenco.com>: Matthew Tedesche <mjtedesche@patchservices.com>; Ramiro Gonzalez <ramiro.gonzalez@mrpgenco.com>

1 attachment (158 KB)
WA-04_Acceptance_2025-2-24.pdf;

Hello Anwar:

We have completed our review of the Midway Peaking Project - Improvement of Existing Evap. Pond (WA #04) . All of our previous correction items have been addressed and the plans have been approved. Attached to this email is our plan review acceptance letter. This letter and the approved documents have also been uploaded to the online project portal at: https://plans.wc-3.com/submittals/all/110678

For MRP personnel: Please let me know when work will begin for the project. We will need site inspections for the following work:
- Underground piping before being backfilled. The piping will also be required to be pressure tested during our site inspection.
- Underground thrust block as per plans, prior to backfill.
- Underground electrical conduit prior to backfill.
- and at completion of the pond liner prior to filling of the pond.
- Final inspection on completion of project and final inspection on all electrical equipment and wiring.

If possible please schedule the site inspection on a day where multiple of the above noted items can be inspected on the same day. That will help save on inspection costs for the project. Please coordinate all site inspections through me. Thanks!

Please feel free to call or email me if you have any questions.

Sincerely,

Doug Smith

Energy Division Manager
ICC Master Code Professional/CBO

West Coast Code Consultants, Inc. (WC³)
Layton Regional Office
O: 801.547.8133 | **C:** 801.550.7630
E: DougS@WC-3.com | www.WC-3.com

Teaming With Your Community to Make a Difference

Appendix B6

Paleontological Resources Monthly Monitoring Summary Report (PAL-5)

Rincon Consultants, Inc.
4589 North Marty Avenue, Unit 102
Fresno, California 93722
559-228-9925

July 15, 2025
Project No: 24-16970

Anwar Ali, Compliance Project Manager
California Energy Commission
1516 Ninth Street (MS 2000)
Sacramento, CA 95814-5512
Via email: anwar.ali@energy.ca.gov

Subject: Paleontological Resources Summary Report, June 2025, Midway BESS Interconnection Project and Pond Lining and Raw Water Supply Upgrade Project, Unincorporated Fresno County, California (CEC Docket No. 06-AFC-10C)

Dear Dr.Ali:

Rincon Consultants, Inc. (Rincon) was retained by Midway BESS, LLC to provide paleontological services for the Midway BESS Interconnection Project and Pond Lining and Raw Water Supply Upgrade Project (project) located at 43627 West Panoche Road in unincorporated Fresno County, California. The Project must comply with California Energy Commission's Conditions of Certification (CoCs) for the Project.

The following is a summary of the paleontological monitoring program during Project excavations in June 2025:

- **Worker Environmental Awareness Program.** An in-person paleontological Worker Environmental Awareness Training refresher was provided to construction personnel before construction began on June 16, 2025. The CEC-approved WEAP video presentation will be provided to all construction personnel who begin working onsite after June 16, 2025.
- **Monitoring.** Full-time paleontological monitoring was conducted by paleontological monitor Katerina Alexis-Konstantinidis (Bargas Environmental Consulting) in areas where construction activity occurred in previously undisturbed sedimentary geologic units with high paleontological sensitivity. Paleontological monitoring occurred on 3 days in June 2025 (June 16 through 18).
- **Discoveries.** No fossils were observed during monitoring.
- **Compliance.** No non-compliance activities were observed.
- **Look ahead.** Additional excavations within previously undisturbed sediments in July 2025 will require full-time paleontological monitoring.

Please do not hesitate to contact me at 805-427-9690 or amcgrath@rinconconsultants.com if you have any questions regarding this monitoring effort.

Sincerely,
Rincon Consultants, Inc.

Andrew McGrath, PhD
Midway BESS Interconnection Project and Pond Lining and Raw Water Supply Upgrade Project
Paleontological Resource Specialist

Appendix B7

Worker Safety Monthly Summary Report (WORKER SAFETY-3)

Outlook

[EXT] Dust Management at Midway Peaking Evaporation Pond and Water Improvement Project

From: Tyler Haining <THaining@ttsconstruction.com>
Sent: Monday, July 14, 2025 4:09 PM
To: Matthew Tedesche <mjtedesche@patchservices.com>; Jon Boyer <jboyer@mrpgenco.com>; Dan Johnson <djohnson@patchservices.com>; Ramiro Gonzalez <ramiro.gonzalez@mrpgenco.com>
Cc: Ashley Quackenbush <aquackenbush@rinconconsultants.com>; Robert Ray <rray@patchservices.com>; Joe Patch III <cjpatch@patchservices.com>
Subject: RE: [EXT] Fw: Dust Management at Midway Peaking Evaporation Pond and Water Improvement Project

CAUTION: This email originated from outside of Rincon Consultants. Be cautious before clicking on any links, or opening any attachments, until you are confident that the content is safe .

Matthew,
Please see below:

- All diesel fuel was purchased in compliance with the air quality management plan
- All heavy equipment is maintained in accordance with the air quality management plan
- There have been no complaints related to dust
- Safety training has been provided for all personnel on site including WEAP training and there are daily tail board meetings in order to ensure compliance with all safety requirements on site
- As of July 14th 2025 there have been no safety incidents accidents or injuries

Please let us know if you need anything else.

Tyler Haining
TTS Construction
209-333-7788 Office
209-747-0687 Cell

Appendix C

Midway California Energy Commission Compliance Matrix

Midway Project
Environmental Construction and Compliance Matrix

Condition of Certification	Title/Short Summary	Phase	Activity Description	Full CoC Text	Submittal Requirements	Applicable Y/N	Responsibility	Submittal Date	Status	Notes/History
AQ-SC1	Air Quality Construction Mitigation Manager	Pre-construction	Designate AQCMM	Air Quality Construction Mitigation Manager (AQCMM): The project owner shall designate and retain an on-site AQCMM who shall be responsible for directing and documenting compliance with conditions AQ-SC3, AQ-SC4 and AQ-SC5 for the entire project site and linear facility construction. The on-site AQCMM may delegate responsibilities to one or more AQCMM Delegates. The AQCMM and AQCMM Delegates shall have full access to all areas of construction on the project site and linear facilities, and shall have the authority to stop any or all construction activities as warranted by applicable construction mitigation conditions. The AQCMM and AQCMM Delegates may have other responsibilities in addition to those described in this condition. The AQCMM shall not be terminated without written consent of the CPM. Verification: At least 60 days prior to the start of ground disturbance, the project owner shall submit to the CPM for approval, the name, resume, qualifications, and contact information for the on-site AQCMM and all AQCMM Delegates. The AQCMM and all Delegates must be approved by the CPM before the start of ground disturbance.	60 days prior to the start of ground disturbance	Yes	MRP to provide, Rincon to submit	4/11/2025	Complete 4/28/25	4/11/25: Included in Air Quality Construction Mitigation and Dust Control Plan submittal 4/28/25: Approved by CEC
AQ-SC2	Air Quality Construction Mitigation Plan	Pre-Construction	Submit AQCMP	Air Quality Construction Mitigation Plan (AQCMP): The project owner shall provide an AQCMP, for approval, which details the steps that will be taken and the reporting requirements necessary to ensure compliance with conditions AQ-SC3, AQ-SC4 and AQ-SC5. Verification: At least 60 days prior to the start of any ground disturbance, the project owner shall submit the AQCMP to the CPM for approval. The CPM will notify the project owner of any necessary modifications to the plan within 30 days from the date of receipt. The AQCMP must be approved by the CPM before the start of ground disturbance.	60 days prior to the start of ground disturbance	Yes	Rincon	4/11/2025	Complete 4/28/25	4/11/25: Included in Air Quality Construction Mitigation and Dust Control Plan submittal 4/28/25: Approved by CEC
AQ-SC3	Construction Fugitive Dust Control	Construction	Submit compliance with construction fugitive dust control in MCR	Construction Fugitive Dust Control: **The AQCMM shall submit documentation to the CPM in each Monthly Compliance Report (MCR) that demonstrates compliance with the following mitigation measures for the purposes of preventing all fugitive dust plumes from leaving the project site and linear facility routes.** Any deviation from the following mitigation measures shall require prior CPM notification and approval. a. All unpaved roads and disturbed areas in the project and linear construction sites shall be watered as frequently as necessary to comply with the dust mitigation objectives of AQ-SC4. The frequency of watering may be reduced or eliminated during periods of precipitation. b. No vehicle shall exceed 10 miles per hour within the construction site. c. The construction site entrances shall be posted with visible speed limit signs. d. All construction equipment vehicle tires shall be inspected and washed as necessary to be cleaned free of dirt prior to entering paved roadways. e. Gravel ramps of at least 20 feet in length must be provided at the tire washing/cleaning station. f. All unpaved exits from the construction site shall be graveled or treated to prevent track-out to public roadways. g. All construction vehicles shall enter the construction site through the treated entrance roadways, unless an alternative route has been submitted to and approved by the CPM. h. Construction areas adjacent to any paved roadway shall be provided with sandbags or other measures as specified in the Storm Water Pollution Prevention Plan (SWPPP) to prevent run-off to roadways. i. All paved roads within the construction site shall be swept at least twice daily (or less during periods of precipitation) on days when construction activity occurs to prevent the accumulation of dirt and debris. j. At least the first 500 feet of any public roadway exiting from the construction site shall be swept at least twice daily (or less during periods of precipitation) on days when construction activity occurs or on any other day when dirt or runoff from the construction site is visible on the public roadways. k. All soil storage piles and disturbed areas that remain inactive for longer than 10 days shall be covered, or shall be treated with appropriate dust suppressant compounds. l. All vehicles that are used to transport solid bulk material on public roadways and that have the potential to cause visible emissions shall be provided with a cover, or the materials shall be sufficiently wetted and loaded onto the trucks in a manner to provide at least two feet of freeboard. m. Wind erosion control techniques (such as windbreaks, water, chemical dust suppressants, and/or vegetation) shall be used on all construction areas that may be disturbed. Any windbreaks installed to comply with this condition shall remain in place until the soil is stabilized or permanently covered with vegetation. n. The main travel route(s) through the site will be graveled and/or paved prior to the completion of the initial grading/site preparation phase of construction. To the extent feasible onsite traffic will be limited to these graveled/paved travel routes. Verification: **The project owner shall include in the MCR:** 1. a summary of all actions taken to maintain compliance with this condition, 2. copies of any complaints filed with the air district in relation to project construction, and 3. any other documentation deemed necessary by the CPM and AQCMM to verify compliance with this condition. Such information may be provided via electronic format or disk at the project owner's discretion.	N/A	Yes	Rincon	4/11/2025	AQCMM Complete 4/28/25 Monthly reporting provided in MCRs	Will be consistent with air district requirements 4/11/25: Included in Air Quality Construction Mitigation and Dust Control Plan submittal 4/28/25: Approved by CEC Monthly reporting provided in MCRs
AQ-SC4	Dust Plume Response Requirement	Pre-construction	Include requirement in AQCMP	Dust Plume Response Requirement: The AQCMM or an AQCMM Delegate shall monitor all construction activities for visible dust plumes. Observations of visible dust plumes that have the potential to be transported: 1. Off the project site or 2. 200 feet beyond the centerline of the construction of linear facilities or 3. within 100 feet upwind of any regularly occupied structures not owned by the project owner indicate that existing mitigation measures are not resulting in effective mitigation. The AQCMM or Delegate shall implement the following procedures for additional mitigation measures in the event that such visible dust plumes are observed: Step 1: The AQCMM or Delegate shall direct more intensive application of the existing mitigation methods within 15 minutes of making such a determination. Step 2: The AQCMM or Delegate shall direct implementation of additional methods of dust suppression if Step 1 specified above fails to result in adequate mitigation within 30 minutes of the original determination. Step 3: The AQCMM or Delegate shall direct a temporary shutdown of the activity causing the emissions if Step 2 specified above fails to result in effective mitigation within one hour of the original determination. The activity shall not restart until the AQCMM or Delegate is satisfied that appropriate additional mitigation or other site conditions have changed so that visual dust plumes will not result upon restarting the shutdown source. The owner/operator may appeal to the CPM any directive from the AQCMM or Delegate to shut down an activity, provided that the shutdown shall go into effect within one hour of the original determination, unless overruled by the CPM before that time. Verification: The AQCMP shall include a section detailing how the additional mitigation measures will be accomplished within the time limits specified.	N/A	Yes	Rincon	4/11/2025	Complete 4/28/25	4/11/25: Included in Air Quality Construction Mitigation and Dust Control Plan submittal 4/28/25: Approved by CEC
AQ-SC5	Diseel-Fueled Engines Control	Construction	Submit compliance in MCR	Diesel-Fueled Engines Control: **The AQCMM shall submit to the CPM, in the MCR, a construction mitigation report that demonstrates compliance with the following mitigation measures for the purposes of controlling diesel construction-related emissions.** Any deviation from the following mitigation measures shall require prior CPM notification and approval. a. All diesel-fueled engines used in the construction of the facility shall be fueled only with ultra-low sulfur diesel, which contains no more than 15 ppm sulfur. b. All diesel-fueled engines used in the construction of the facility shall have clearly visible tags issued by the on-site AQCMM showing that the engine meets the conditions set forth herein. c. All construction diesel engines, which have a rating of 100 hp or more, shall meet, at a minimum, the Tier 2 California Emission Standards for Off-Road Compression-Ignition Engines as specified in California Code of Regulations, Title 13, section 2423(b)(1) unless certified by the on-site AQCMM that such engine is not available for a particular item of equipment. In the event a Tier 2 engine is not available for any off-road engine larger than 100 hp, that engine shall be equipped with a Tier 1 engine. In the event a Tier 1 engine is not available for any off-road engine larger than 100 hp, that engine shall be equipped with a catalyzed diesel particulate filter (soot filter), unless certified by engine manufacturers or the on-site AQCMM that the use of such devices is not practical for specific engine types. For purposes of this condition, the use of such devices is "not practical" if, among other reasons: 1. There is no available soot filter that has been certified by either the California Air Resources Board or U.S. Environmental Protection Agency for the engine in question; or 2. The construction equipment is intended to be on-site for ten (10) days or less. 3. The CPM may grant relief from this requirement if the AQCMM can demonstrate that they have made a good faith effort to comply with this requirement and that compliance is not possible. d. The use of a soot filter may be terminated immediately if one of the following conditions exists, provided that the CPM is informed within ten (10) working days of the termination: 1. The use of the soot filter is excessively reducing normal availability of the construction equipment due to increased downtime for maintenance, and/or reduced power output due to an excessive increase in backpressure. 2. The soot filter is causing or is reasonably expected to cause significant engine damage. 3. The soot filter is causing or is reasonably expected to cause a significant risk to workers or the public. 4. Any other seriously detrimental cause which has the approval of the CPM prior to the termination being implemented. e. All heavy earthmoving equipment and heavy duty construction related trucks with engines meeting the requirements of (c) above shall be properly maintained and the engines tuned to the engine manufacturer's specifications. f. All diesel heavy construction equipment shall not remain running at idle for more than five minutes, to the extent practical. **Verification: The project owner shall include in the MCR:** 1. a summary of all actions taken to maintain compliance with this condition, 2. copies of all diesel fuel purchase records, 3. a list of all heavy equipment used on site during that month, including the owner of that equipment and a letter from each owner indicating that equipment has been properly maintained, and 4. any other documentation deemed necessary by the CPM and AQCMM to verify compliance with this condition. Such information may be provided via electronic format or disk at the project owner's discretion.	N/A	Yes	Rincon	4/11/2025	AQCMM Complete 4/28/25 Monthly reporting provided in MCRs	4/11/25: Included in Air Quality Construction Mitigation and Dust Control Plan submittal 4/28/25: Approved by CEC Monthly reporting provided in MCRs
AQ1 - AQ86	Air Quality Conditions of Certification	N/A	N/A	All AQ COCs that are not applicable to Project. Compiled into one row for visual appeal.	N/A	No	N/A	N/A	N/A	N/A

Midway Project
Environmental Construction and Compliance Matrix

BIO-1	Designate Biologist Selections	Construction	Submit DB	The project owner shall assign a Designated Biologist to the project. The project owner shall submit the resume of the proposed Designated Biologist, with at least 3 references and contact information, to the Energy Commission compliance project manager (CPM) for approval. The Designated Biologist must have at least the following minimum qualifications: 1. A Bachelor's Degree in biological sciences, zoology, botany, ecology, or a closely related field; and 2. Three years of experience in field biology or current certification of a nationally recognized biological society, such as The Ecological Society of America or The Wildlife Society; and 3. At least one year of field experience with biological resources found in or near the project area. In lieu of the above requirements, the resume shall demonstrate to the satisfaction of the CPM, that the proposed Designated Biologist or alternate Designated Biologist has the appropriate training and background to effectively implement the Conditions of Certification. Verification: The project owner shall submit the specified information at least 90 days prior to the start of any site (or related facilities) mobilization. No site or related facility activities shall commence until an approved Designated Biologist is available to be on site. If a Designated Biologist needs to be replaced, the specified information of the proposed replacement must be submitted to the CPM at least ten working days prior to the termination or release of the preceding Designated Biologist. In an emergency, the project owner shall immediately notify the CPM to discuss the qualifications and approval of a short-term replacement while a permanent Designated Biologist is proposed to the CPM for consideration.	at least 90 days prior to the start of any site (or related facilities) mobilization.	Yes	Rincon	2/12/2025	Complete 3/5/25	02/12/25: Ryan & Melanie resumes emailed to CEC. 03/05/25: CEC approved biological monitor resumes.
BIO-2	DB duties	Construction, Operation	Biological reporting in MCR, and Annual Compliance Report	The project owner shall ensure that the Designated Biologist performs the following during any site (or related facilities) mobilization, ground disturbance, grading, construction, operation, and closure activities. The Designated Biologist may be assisted by the approved biological monitor(s), but remains the contact for the project owner and CPM. The Designated Biologist shall: 1. Advise the project owner's construction and operation managers on the implementation of the biological resources Conditions of Certification; 2. Consult on the preparation of the Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP), to be submitted by the project owner; 3. Be available to supervise, conduct, and coordinate mitigation, monitoring, and other biological resources compliance efforts, particularly in areas requiring avoidance or containing sensitive biological resources, such as special-status species or their habitat; 4. Clearly mark sensitive biological resource areas and inspect these areas at appropriate intervals for compliance with regulatory terms and conditions; 5. Inspect active construction areas where animals may have become trapped prior to construction commencing each day. At the end of the day, inspect for the installation of structures that prevent entrapment or allow escape during periods of construction inactivity. Periodically inspect areas with high vehicle activity (i.e., parking lots) for animals in harm's way; 6. Notify the project owner and the CPM of any noncompliance with any biological resources condition of certification; 7. Respond directly to inquiries of the CPM regarding biological resource issues; 8. Maintain written records of the tasks specified above and those included in the BRMIMP. Summaries of these records shall be submitted in the monthly compliance report and the annual report; and 9. Train the biological monitors as appropriate, and ensure their familiarity with the BRMIMP, worker environmental awareness program (WEAP) training, and all permits. Verification**: The Designated Biologist shall submit in the monthly compliance report to the CPM copies of all written reports and summaries that document biological resources activities.** If actions may affect biological resources during operation, a Designated Biologist shall be available for monitoring and reporting. During project operation, the Designated Biologist shall submit record summaries in the annual compliance report unless their duties are ceased as approved by the CPM.	MCR	Yes	Rincon	Monthly	Ongoing	Provided in MCR
BIO-3	Biological Monitoring Qualifications	Pre-Construction, Construction	Submit Biological Monitor Resumes	The project owner's CPM-approved Designated Biologist shall submit the resume, at least 3 references, and contact information of the proposed biological monitors to the CPM for approval. The resume shall demonstrate to the satisfaction of the CPM, the appropriate education and experience to accomplish the assigned biological resource tasks. Biological monitor(s) training by the Designated Biologist shall include familiarity with the Conditions of Certification and the Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP), Worker Environmental Awareness Program (WEAP), and all permits. Verification: The project owner shall submit the specified information to the CPM for approval at least 30 days prior to the start of any site (or related facilities) mobilization. The Designated Biologist shall submit a written statement to the CPM confirming that individual biological monitor(s) have been trained including the date when training was completed. If additional biological monitors are needed during construction, the specified information shall be submitted to the CPM for approval 10 days prior to their first day of monitoring activities.	30 days prior to the start of any site (or related facilities) mobilization	Yes	Rincon	2/21/2025	Complete 3/5/25	02/21/25: Biological monitor resumes emailed to CEC. 03/05/25: CEC approved biological monitor resumes.
BIO-4	DB and Biological Monitor Authority	Construction	Authority to halt	The project owner's construction and operation manager shall act on the advice of the Designated Biologist and biological monitor(s) to ensure conformance with the biological resources Conditions of Certification. If required by the Designated Biologist and biological monitor(s), the project owner's construction and operation manager shall halt all site mobilization, ground disturbance, grading, construction, and operation activities in areas specified by the Designated Biologist. The Designated Biologist shall: 1. Require a halt to all activities in any area when determined that there would be an unauthorized adverse impact to biological resources if the activities continued; 2. Inform the project owner and the construction and operation manager when to resume activities; and 3. Notify the CPM if there is a halt of any activities, and advise the CPM of any corrective actions that have been taken, or will be instituted, as a result of the work stoppage. If the Designated Biologist is unavailable for direct consultation, the biological monitor shall act on behalf of the Designated Biologist. Verification: The project owner shall ensure that the Designated Biologist or biological monitor notifies the CPM immediately (and no later than the following morning of the incident, or Monday morning in the case of a weekend) of any noncompliance or halt of any site mobilization, ground disturbance, grading, construction, and operation activities. The project owner shall notify the CPM of the circumstances and actions being taken to resolve the problem. Whenever corrective action is taken by the project owner, a determination of success or failure will be made by the CPM within five working days after receipt of notice that corrective action is completed, or the project owner will be notified by the CPM that coordination with other agencies will require additional time before a determination can be made.	within five working days after receipt of notice that corrective action is completed	Yes	Rincon	N/A	As-needed/Ongoing	No verification action needed unless noncompliance occurs; in BRMIMP
BIO-5	WEAP	Pre-Construction, Construction	WEAP Record Keeping	The project owner shall develop and implement a CPM-approved worker environmental awareness program (WEAP) in which each of its employees, as well as employees of contractors and subcontractors who work on the project site or any related facilities during site mobilization, ground disturbance, grading, construction, operation and closure, are informed about sensitive biological resources associated with the project. The WEAP must: • Be developed by or in consultation with the Designated Biologist and consist of an onsite or training center presentation in which supporting written material and electronic media are made available to all participants; • Discuss the locations and types of sensitive biological resources on the project site and adjacent areas; • Present the reasons for protecting these resources; • Present the meaning of various temporary and permanent habitat protection measures; • Identify whom to contact if there are further comments and questions about the material discussed in the program; and • Include a training acknowledgment form to be signed by each worker indicating that they received training and shall abide by the guidelines. The specific program can be administered by a competent individual(s) acceptable to the Designated Biologist. Verification: At least 60 days prior to the start of any site (or related facilities) mobilization, the project owner shall provide to the CPM two (2) copies of the proposed WEAP and all supporting written materials and electronic media prepared or reviewed by the designated biologist and a resume of the person(s) administering the program. **The project owner shall provide in the monthly compliance report the number of persons who have completed the training in the prior month and a running total of all persons who have completed the training to date.** At least 10 days prior to site and related facilities mobilization submit two copies of the CPM approved materials. The signed training acknowledgement forms from construction shall be kept on file by the project owner for a period of at least six months after the start of commercial operation. During project operation, signed statements for active project operational personnel shall be kept on file for six months following the termination of an individual's employment.	At least 10 days prior to site and related facilities mobilization	Yes	Rincon	4/21/2025	WEAP approved 4/29/25 WEAP records provided in MCRs	03/12/25: WEAP material (presentation and brochure) sent to CEC. CEC requested script 4/21/25: submitted WEAP script 4/28/25: Followed-up with agency to confirm completion 04/29/25: CEC approved Bio-5 WEAP records provided in MCRs

BIO-6	Biological Resources Mitigation Implementation and Monitoring Plan	Pre-Construction, Construction	Monthly Compliance Reporting BRMIMP	The project owner shall submit two copies of the proposed biological resources mitigation implementation and monitoring plan (BRMIMP) to the CPM (for review and approval) and to CDFG and USFWS (for review and comment) and shall implement the measures identified in the approved BRMIMP. The BRMIMP shall be prepared in consultation with the designated biologist and shall identify: 1. all biological resource mitigation, monitoring, and compliance measures proposed and agreed to by the project owner; 2. all biological resources Conditions of Certification identified as necessary to avoid or mitigate impacts; 3. all biological resource mitigation, monitoring, and compliance measures required in federal agency terms and conditions, such as those provided in the USFWS Biological Opinion; 4. all biological resources mitigation, monitoring, and compliance measures required in local agency permits, such as site grading and landscaping requirements; 5. all sensitive biological resources to be impacted, avoided, or mitigated by project construction, operation, and closure; 6. all required mitigation measures for each sensitive biological resource; 7. required habitat compensation strategy, including provisions for acquisition, enhancement, and management for any temporary and permanent loss of sensitive biological resources; 8. a detailed description of measures that shall be taken to avoid or mitigate temporary disturbances from construction activities; 9. all locations on a map, at an approved scale, of sensitive biological resource areas subject to disturbance and areas requiring temporary protection and avoidance during construction; 10. aerial photographs, at an approved scale, of all areas to be disturbed during project construction activities — one set prior to any site or related facilities mobilization disturbance and one set subsequent to completion of project construction. Include planned timing of aerial photography and a description of why times were chosen; 11. duration for each type of monitoring and a description of monitoring methods and frequency; 12. performance standards to be used to help decide if and when proposed mitigation is or is not successful; 13. all performance standards and remedial measures to be implemented if performance standards are not met; 14. a preliminary discussion of biological resources-related facility closure measures; 15. a restoration and revegetation plan; 16. a process for proposing plan modifications to the CPM and appropriate agencies for review and approval; and 17. a copy of all biological resources-related permits obtained. Verification: The project owner shall provide the specified document at least 60 days prior to start of any site (or related facilities) mobilization. The CPM, in consultation with the CDFG, the USFWS, and any other appropriate agencies, will determine the BRMIMP's acceptability within 45 days of receipt. If there are any permits that have not yet been received when the BRMIMP is first submitted, these permits shall be submitted to the CPM, the CDFG, and USFWS within five (5) days of their receipt, and the BRMIMP shall be revised or supplemented to reflect the permit condition within 10 days of their receipt by the project owner. Ten days prior to site and related facilities mobilization, the revised BRMIMP shall be resubmitted to the CPM. The project owner shall notify the CPM no less than five working days before implementing any modifications to the approved BRMIMP to obtain CPM approval. Any changes to the approved BRMIMP must also be approved by the CPM in consultation with CDFG, the USFWS, and appropriate agencies to ensure no conflicts exist. Implementation of BRMIMP measures will be reported in the monthly compliance reports by the Designated Biologist (i.e., survey results, construction activities that were monitored, species observed). Within thirty (30) days after completion of project construction, the project owner shall provide to the CPM, for review and approval, a written construction closure report identifying which items of the BRMIMP have been completed, a summary of all modifications to mitigation measures made during the project's site mobilization, ground disturbance, grading, and construction phases, and which mitigation and monitoring items are still outstanding.	At least 60 days prior to start of any site (or related facilities) mobilization Within thirty (30) days after completion of project construction	Yes	Rincon	4/3/2025	Complete	Note this one techcnially is not listed in the Statement of Staff Approval as being needed, but is easy to incoproate into BRMIMP and makes sense to do so 3/13/25: BRMIMP sent to CEC. 04/03/25: Updated BRMIMP sent to CEC. 4/10/25: CEC (Ann Crisp) approved
BIO-7	Closure Plan Measures	N/A	N/A	Deleted (Refer to General Conditions)	N/A	No	N/A	N/A	N/A	N/A
BIO-8	Impact Avoidance Mitigation Features	Construction, Post-Construction	Minimize impacts to bio resources in design	Any time the project owner modifies or finalizes the project design, it shall incorporate all feasible measures that avoid or minimize impacts to the local biological resources. The project owner shall: 1. design, install, and maintain transmission line poles, access roads, pulling sites, and storage and parking areas to avoid identified sensitive resources; 2. design, install, and maintain transmission lines and all electrical components in accordance with the Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 2006 (APLIC 2006) to reduce the likelihood of electrocutions of large birds; 3. eliminate any California exotic pest plants of concern List A species as defined by the California Exotic Pest Plant Council from landscaping plans; 4. prescribe a road sealant that is nontoxic to wildlife and plants; and 5. design, install, and maintain facility lighting to prevent side casting of light toward wildlife habitat. Verification: **All mitigation measures and their implementation methods shall be included in the BRMIMP. Implementation of the measures shall be reported in the monthly compliance reports by the Designated Biologist.** Within thirty (30) days after completion of project construction, the project owner shall provide to the CPM, for review and approval, a written construction termination report identifying how measures have been completed.	Within thirty (30) days after completion of project construction	Yes	Rincon, MRP	Monthly	Ongoing	Provided in MCR

BIO-9	Mitigation Management to Avoid Harassment or Harm	Pre-construction, Construction, Post-Construction	Monthly Compliance Reporting BRMIMP	The project owner shall implement the following measures to manage its construction site, and related facilities, in a manner to avoid or minimize impacts to the local biological resources. To minimize and avoid impacts to San Joaquin kit foxes, the following measures shall be implemented. These were extracted directly from the federal Biological Opinion, issued August 27, 2007 (USFWS 2007b): 1. ~~Impacts to kit fox habitat will be offset through a contribution to a local conservation bank. Pursuant to discussions with Service, total compensation has been determined based on the area permanently impacted (5.6), SPM will purchase 6 conservation credits. This contribution will occur at Kreyenhagen Hills conservation bank. This contribution will occur at Kreyenhagen Hills conservation bank, or by fee title acquisition or purchase of a conservation easement on a service-approved parcel, following all the requirements in Selected Review Criteria for Conservation Banks and Section 7 Offsite Compensation April 11, 2006 (enclosed).~~ 2. Project-related vehicles shall observe a 20-mph speed limit in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. To the extent possible, night-time construction should be minimized. Off-road traffic outside of designated project areas should be prohibited. 3. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2 feet deep shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the procedures under number 13 of this section must be followed. 4. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the Service has been consulted. if necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped. 5. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a week from a construction or project site. 6. No firearms shall be allowed on the project site. 7. To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets will be permitted on project sites. 8. Use of rodenticides and herbicides in project areas will be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the Service, if rodent control must be conducted, zinc phosphide should be used because of proven lower risk to kit fox. 9. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped individual. The representative will be identified during the employee education program. The representative's name and telephone number shall be provided to the Service. 10. An employee education program shall be conducted. The program will consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and agency personnel involved in the project. The program will include the following: a description of the kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the above-mentioned people and anyone else who may enter the project site. The program will be conducted in languages other than English, as appropriate. 11. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. will be re-contoured if necessary, and revegetated to promote restoration of the area to pre-project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but that after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the Service, California Department of Fish and Game (CDFG), and revegetation experts. 12. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for advice. 13. Any contractor, employee, or military or agency personnel who inadvertently kills or injures a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFG and the Service immediately in the case of a dead, injured or entrapped kit fox. The CDFG contact for immediate assistance is State Dispatch at (916) 445-0045. They will contact the local warden or biologist. 14. The Sacramento Fish and Wildlife Office and CDFG will be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The Service contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers given below. The CDFG contact is Mr. Ron Schlorff at Street, Sacramento, California 95814, (916) 654-4262. 15. Limits of grading and construction activities should be clearly delineated so that no vegetation outside the delineated grading limits would be disturbed by construction personnel or equipment. Project personnel will drive only on existing roads outside of construction limits. 16. SPM will implement the Best Management Practices identified in the project specific Storm Water Pollution Prevention Plan (SWPPP). 17. In order to comply with the Migratory Bird Treaty Act and relevant sections of the CDFG Code (e.g., 3503, 3503.4, 3504, 3505, et seq.), any vegetation clearing would take place outside of the typical avian nesting season (i.e., February 1st — August 3 1st), to the maximum extent practical. If this is not possible, prior to ground-disturbing activities, construction, and so forth within the study area, a qualified biologist will conduct and submit a migratory nesting bird and raptor survey report. A qualified biologist is an individual with sufficient education and field experience in local California ecology and biology to adequately identify local plant and wildlife species. The survey shall occur not more than 72 hours prior to initiation of Project activities and any occupied passerines and/or raptor nests occurring within or adjacent to the study area will be delineated. To the maximum extent practicable, a minimum buffer zone from occupied nests will be maintained during physical ground-disturbing activities. Once nesting has been determined to cease, the buffer may be removed. 18. SPM will retain the services of a Biological Monitor who will be responsible for overseeing project environmental protection measures. All encounters with listed species will be reported to the Biological Monitor, who will record the following information: species name; location (narrative and maps) and dates of observations; general condition and health, including injuries and state of healing; diagnostic markings, including identification numbers or markers; and locations moved from and to (if appropriate). Verification: **All mitigation measures and their implementation methods shall be included in the BRMIMP. Implementation of the measures will be reported in the monthly compliance reports by the Designated Biologist.** Within thirty (30) days after completion of project construction, the project owner shall provide to the CPM, for review and approval, a written construction termination report identifying how measures have been completed.	Within thirty (30) days after completion of project construction	Yes	Rincon	4/10/2025	BRMIMP Complete 4/10/25 Ongoing reporting provided in MCRs	Part 1 excluded in staff approval as "no natural habitat would be affected by this project modification" 4/10/25: BRMIMP approved by Ann Crisp
BIO-10	Evaporation Pond Design	Pre-Construction	Technical EvaporationPond Drawings	The project owner shall submit copies of technical drawings for the design of the evaporation pond. The project owner shall design and build the pond with slopes as steep as practicable and of sufficient size to keep water to a depth of less than 2 feet. Verification: No less than thirty (30) days prior to the start of evaporation pond construction, the project owner shall provide copies of the evaporation pond design drawings to the CPM for review and approval, and CDFG for review and comment.	No less than thirty (30) days prior to the start of evaporation pond construction	No	N/A	N/A	N/A	N/A
BIO-11	Evaporation Pond Monitoring	Pre-Operation	Monitoring Reporting Evaporation Pond Monitoring Plan	Following the start of operations, the evaporation pond shall be monitored twice monthly (once every two weeks), for two hours for wildlife usage and water quality by the Designated Biologist or biological monitor. Monitoring is not required if the pond does not contain water. If a substantial number of birds and other wildlife are using the pond and water quality is poor, remedial actions to reduce wildlife use shall be implemented. An evaporation pond monitoring plan shall be developed prior to the start of operations and evaporation pond monitoring reports shall be submitted after the start of operations. Evaporation Pond Monitoring Plan. Prior to the start of operations, the project owner shall develop an evaporation pond monitoring plan that shall include wildlife survey and water quality testing methods and specific remedial actions in the case that wildlife usage thresholds are exceeded. The wildlife usage thresholds shall also be defined in coordination with USFWS and CDFG and included in the plan. Elements to be tested shall include selenium, mercury, uranium, boron, arsenic, and vanadium. All wildlife use and water quality indices, thresholds, and remedial actions to be taken must be approved by the CPM, in consultation with USFWS and CDFG. Evaporation Pond Monitoring Report. The project owner shall submit an evaporation pond monitoring report to the CPM once every three months after the start of operations. Records shall include the date, time, bird species, number of individuals, and behavior. The reports shall contain all records of monitoring dates, data collected, certified lab results, and any corrective actions taken. This monitoring shall occur for the first two years of plant operation, and depending on the results, could be discontinued after consultation with the CPM and USFWS and CDFG or continue as needed. A request to lessen or stop monitoring before the end of the second year of operation must be submitted in writing to the CPM, and to USFWS and CDFG for consideration. Verification: No less than thirty (30) days prior to the start of power plant operations, the project owner shall provide copies of the evaporation pond monitoring plan and all supporting materials to the CPM for approval. The project owner shall submit copies of the evaporation pond monitoring report to the CPM, USFWS, and CDFG four times each year (once every three months).	No less than thirty (30) days prior to the start of power plant operations	No	N/A	N/A	N/A	N/A

BIO-12	Habitat Compensation	Pre-Construction		The project owner shall provide habitat compensation for temporary and permanent impacts to San Joaquin kit fox habitat at a location and amount approved by USFWS. Verification: No less than 30 days prior to the start of any site or related facilities mobilization activities, the project owner shall submit written verification to the CPM and USFWS that the transaction for habitat compensation has occurred.	No less than 30 days prior to the start of any site or related facilities mobilization activities	No	N/A	N/A	N/A	N/A
CUL-1	Cultural Resources Specalist, monitors, resource technical specalists	Pre-Construction	Submit Resumes	Prior to the start of preconstruction site mobilization; construction ground disturbance; construction grading, boring, and trenching; and construction, the project owner shall obtain the services of a Cultural Resources Specialist (CRS), and one or more alternates, if alternates are needed. The CRS shall manage all monitoring, mitigation, curation and reporting activities required in accordance with the Conditions of Certification (Conditions). The CRS may elect to obtain the services of Cultural Resources Monitors (CRMs) and other technical specialists, if needed, to assist in monitoring, mitigation, and curation activities. The project owner shall ensure that the CRS makes recommendations regarding the eligibility for listing in the California Register of Historical Resources (CRHR) of any cultural resources that are newly discovered or that may be affected in an unanticipated manner (Discovery). No preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction shall occur prior to CPM approval of the CRS, unless specifically approved by the CPM. Approval of a CRS may be denied or revoked for non-compliance on this or other projects. CULTURAL RESOURCES SPECIALIST The resumes for the CRS and alternate(s) shall include information demonstrating to the satisfaction of the CPM that their training and backgrounds conform to the U.S. Secretary of Interior's Professional Qualifications Standards, as published in the Code of Federal Regulations, 36 CFR Part 61. In addition, the CRS shall have the following qualifications: 1. The CRS's qualifications shall be appropriate to the needs of the project and shall include a background in anthropology, archaeology, history, architectural history, or a related field; and 2. At least three years of archaeological or historic, as appropriate, resources mitigation and field experience in California. 3. At least one year of experience in a decision-making capacity on cultural resources projects in California and the appropriate training and experience to knowledgably make recommendations regarding the significance of cultural resources. The resumes of the CRS and alternate CRS shall include the names and telephone numbers of contacts familiar with the work of the CRS/alternate CRS on referenced projects and demonstrate to the satisfaction of the CPM that the CRS/alternate CRS has the appropriate training and experience to effectively implement the Conditions of Certification. CULTURAL RESOURCES MONITORS CRMs shall have the following qualifications: 1. a BS or BA degree in anthropology, archaeology, historical archaeology or a related field and one year experience monitoring in California; or 2. an AS or AA degree in anthropology, archaeology, historical archaeology or a related field, and four years experience monitoring in California; or 3. enrollment in upper division classes pursuing a degree in the fields of anthropology, archaeology, historical archaeology or a related field, and two years of monitoring experience in California. CULTURAL RESOURCES TECHNICAL SPECIALISTS The resume(s) of any additional technical specialists, e.g., historical archaeologist, historian, architectural historian, and/or physical anthropologist, shall be submitted to the CPM for approval. Verification: At least 45 days prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, the project owner shall submit the resume for the CRS, and alternate(s) if desired, to the CPM for review and approval. At least 10 days prior to a termination or release of the CRS, or within 10 days after the resignation of a CRS, the project owner shall submit the resume of the proposed new CRS to the CPM for review and approval. At the same time, the project owner shall also provide to the approved new CRS the AFC and all cultural documents, field notes, photographs, and other cultural materials generated by the project. At least 20 days prior to preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, the CRS shall provide a letter naming anticipated CRMs for the project and stating that the identified CRMs meet the minimum qualifications for cultural resources monitoring required by this Condition. If additional CRMs are obtained during the project, the CRS shall provide additional letters to the CPM identifying the CRMs and attesting to the qualifications of the CRMs, at least five days prior to the CRMs beginning on-site duties. At least 10 days prior to beginning tasks, the resume(s) of any additional technical specialists shall be provided to the CPM for review and approval. At least 10 days prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, the project owner shall confirm in writing to the CPM that the approved CRS will be available for onsite work and is prepared to implement the cultural resources Conditions.	At least 45 days prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction At least 20 days prior to preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction At least 10 days prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction	Yes	Rincon	3/20/25 6/4/25	Complete 3/21/25 6/10/25	02/12/25: Bree & Kholood resumes sent to CEC. 02/24/25: CRM resumes sent to CEC. 3/13/25 CEC approved Kholood and Bree for CRS & Catherine Johnson approved as CRM. 03/20/25: Updated CRM resumes sent to CEC. 3/21/25: CEC approved CRMS (Alli Berry and Robert Guardado). 06/04/25: Additional CRM resume (Sabdy Braathen) sent to CEC. 06/10/25: CRM resume (Sabdy Braathen) approved.

CUL-2	Cultural Resources Conditions of Certification	Pre-Construction, Construction	Cultural Project Documentation	Prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, if the CRS has not previously worked on the project, the project owner shall provide the CRS with copies of the AFC, data responses, and confidential cultural resources reports for the project. The project owner shall also provide the CRS and the CPM with maps and drawings showing the footprint of the power plant and all linear facilities. Maps shall include the appropriate USGS quadrangles and a map at an appropriate scale (e.g., 1:2000 or 1" = 200') for plotting cultural features or materials. If the CRS requests enlargements or strip maps for linear facility routes, the project owner shall provide copies to the CRS and CPM. The CPM shall review submittals and, in consultation with the CRS, approve those that are appropriate for use in cultural resources planning activities. No preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction activities shall occur prior to CPM approval of maps and drawings, unless specifically approved by the CPM. If construction of the project would proceed in phases, maps and drawings, not previously provided, shall be submitted prior to the start of each phase. Written notification identifying the proposed schedule of each project phase shall be provided to the CRS and CPM. At a minimum, the CRS shall consult weekly with the project construction manager to confirm area(s) to be worked during the next week, until ground disturbance is completed. The project owner shall notify the CRS and CPM of any changes to the scheduling of the construction phases. Verification: At least 40 days prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, the project owner shall provide the AFC, data responses, and confidential cultural resources documents to the CRS, if needed, and the subject maps and drawings to the CRS and CPM. The CPM will review submittals in consultation with the CRS and approve maps and drawings suitable for cultural resources planning activities. If there are changes to any project-related footprint, revised maps and drawings shall be provided at least 15 days prior to start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction for those changes. If project construction is phased, if not previously provided, the project owner shall submit the subject maps and drawings 15 days prior to each phase. On a weekly basis during preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, a current schedule of anticipated project activity shall be provided to the CRS and CPM by letter, email, or fax. Within five days of identifying changes, the project owner shall provide written notice of any changes to scheduling of construction phase.	40 days prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction	Yes	Rincon, MRP	3/18/2025	Complete 3/18/25	03/18/25: CRS drawing receipt sent to CEC.
CUL-3	Cultural Resources Conditions of Certification	Pre-Construction	CRMMP and verification of fees	Prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, the project owner shall submit the Cultural Resources Monitoring and Mitigation Plan (CRMMP), as prepared by or under the direction of the CRS, to the CPM for review and approval. The CPM shall provide the project owner with a model CRMMP to adapt for project use. The CRMMP shall be provided in the Archaeological Resource Management Report (ARMR) format, and, per ARMR guidelines, the author's name shall appear on the title page of the CRMMP. The CRMMP shall identify general and specific measures to minimize potential impacts to sensitive cultural resources. Implementation of the CRMMP shall be the responsibility of the CRS and the project owner. Copies of the CRMMP shall reside with the CRS, alternate CRS, each monitor, and the project owner's on-site construction manager. No preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, or construction shall occur prior to CPM approval of the CRMMP, unless specifically approved by the CPM. The CRMMP shall include, but not be limited to, the following elements and measures: 1. A proposed general research design that includes a discussion of archaeological research questions and testable hypotheses specifically applicable to the project area, and a discussion of artifact collection, retention/disposal, and curation policies as related to the research questions formulated in the research design. A prescriptive treatment plan may be included in the CRMMP for limited resource types. A refined research design will be prepared for any resource where data recovery is required. 2. The following statement included in the Introduction: "Any discussion, summary, or paraphrasing of the Conditions in this CRMMP is intended as general guidance and as an aid to the user in understanding the Conditions and their implementation. The Conditions, as written in the Commission Decision, shall supersede any summarization, description, or interpretation of the Conditions in the CRMMP. The Cultural Resources Conditions of Certification from the Commission Decision are contained in Appendix A." 3. Specification of the implementation sequence and the estimated time frames needed to accomplish all project-related tasks during ground disturbance, construction, and post-construction analysis phases of the project. 4. Identification of the person(s) expected to perform each of the tasks, their responsibilities, and the reporting relationships between project construction management and the mitigation and monitoring team. 5. A description of the manner in which Native American observers or monitors will be included, the procedures to be used to select them, and their role and responsibilities. 6. A description of all impact-avoidance measures (such as flagging or fencing) to prohibit or otherwise restrict access to sensitive resource areas that are to be avoided during construction and/or operation, and identification of areas where these measures are to be implemented. The description shall address how these measures would be implemented prior to the start of construction and how long they would be needed to protect the resources from project-related effects. 7. A statement that all cultural resources encountered shall be recorded on a DPR form 523 and mapped and photographed. In addition, all archaeological materials retained as a result of the archaeological investigations (survey, testing, data recovery) shall be curated in accordance with the California State Historical Resources Commission's Guidelines for the Curation of Archaeological Collections, into a retrievable storage collection in a public repository or museum. 8. A statement that the project owner will pay all curation fees and a copy of an agreement with, or other written commitment from, a curation facility to accept artifacts from this project. Any agreements concerning curation will be retained and available for audit for the life of the project. 9. A statement that the CRS has access to equipment and supplies necessary for site mapping, photography, and recovery of any cultural resources materials that are encountered during construction and cannot be treated prescriptively. 10. A description of the contents and format of the Cultural Resources Report (CRR), which shall be prepared according to ARMR guidelines. Verification: At least 30 days prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, the project owner shall submit the subject CRMMP to the CPM for review and approval. Preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, or construction may not commence until the CRMMP is approved, unless specifically approved by the CPM. At least 30 days prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, a letter shall be provided to the CPM indicating that the project owner agrees to pay curation fees for any materials collected as a result of the archaeological investigations (survey, testing, data recovery).	30 days prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction	Yes	Rincon	4/10/2025	Complete 4/10/25	04/02/25: CRMMP sent to CEC. 04/10/25: Sent response to comments version to CEC 04/29/25: CEC approved CRMMP (was approved on 4/10/25 through memo, but was not conveyed).
CUL-4	Cultural Resources Conditions of Certification	Post-Construction	CR Resources Report	The project owner shall submit the Cultural Resources Report (CRR) to the CPM for approval. The CRR shall be written by or under the direction of the CRS and shall be provided in the ARMR format. The CRR shall report on all field activities including dates, times and locations, findings, samplings, and analyses. All survey reports, Department of Parks and Recreation (DPR) 523 forms, and additional research reports not previously submitted to the California Historical Resources Information System (CHRIS) and the State Historic Preservation Officer (SHPO) shall be included as an appendix to the CRR. If the project owner requests a suspension of construction activities, then a draft CRR that covers all cultural resources activities associated with the project shall be prepared by the CRS and submitted to the CPM for review and approval on the same day as the suspension/extension request. The draft CRR shall be retained at the project site in a secure facility until construction resumes or the project is withdrawn. If the project is withdrawn, then a final CRR shall be submitted to the CPM for review and approval at the same time as the withdrawal request. Verification: Within 90 days after completion of ground disturbance (including landscaping), the project owner shall submit the CRR to the CPM for review and approval. If any reports have previously been sent to the CHRIS, then receipt letters from the CHRIS or other verification of receipt shall be included in an appendix. Within 10 days after CPM approval, the project owner shall provide documentation to the CPM confirming that copies of the CRR have been provided to the SHPO, the CHRIS, and the curating institution, if archaeological materials were collected. Within 30 days after requesting a suspension of construction activities, the project owner shall submit a draft CRR to the CPM for review and approval.	Within 90 days after completion of ground disturbance (including landscaping) Within 30 days after requesting a suspension of construction activities	Yes	Rincon	TBD	Post-construction	

CUL-5	Cultural Resources Conditions of Certification	Pre-Construction, Construction	WEAP Record Keeping & MCR reporting	Prior to and for the duration of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, the project owner shall provide Worker Environmental Awareness Program (WEAP) training to project managers, construction supervisors, foremen, and general workers who are involved with or operate ground disturbing equipment or tools. The training shall be prepared by the CRS, may be conducted by any member of the archaeological team, and may be presented in the form of a video. The CRS shall be available (by telephone or in person) to answer questions posed by employees. The training shall include: 1. A discussion of applicable laws and penalties under the law; 2. Samples or visuals of artifacts that might be found in the project vicinity; 3. Instruction that the CRS, alternate CRS, and CRMs have the authority to halt construction in the area of a Discovery to an extent sufficient to ensure that the resource is protected from further impacts, as determined by the CRS; 4. Instruction that employees are to halt work on their own in the vicinity of a potential cultural resources Discovery and shall contact their supervisor and the CRS or CRM, and that redirection of work would be determined by the construction supervisor and the CRS; 5. An informational brochure that identifies reporting procedures in the event of a Discovery; 6. An acknowledgement form signed by each worker indicating that he/she has received the training; and 7. A sticker that shall be placed on hard hats indicating that environmental training has been completed. No preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, shall occur prior to implementation of the WEAP program, unless specifically approved by the CPM. Verification: At least 30 days prior to the beginning of pre-construction site mobilization, the CRS shall provide the training program draft text and graphics and the informational brochure to the CPM for review and approval, and the CPM will provide to the project owner a WEAP Training Acknowledgement form for each WEAP-trained worker to sign. **On a monthly basis, the project owner shall provide in the Monthly Compliance Report (MCR) the WEAP Training Acknowledgement forms of persons who have completed the training in the prior month and a running total of all persons who have completed training to date.**	30 days prior to the beginning of pre-construction site mobilization	Yes	Rincon	4/21/2025	WEAP Complete 4/28/25 Ongoing reporting provided in MCR	03/12/25: WEAP material (presentation and brochure) sent to CEC. Rincon developing script per CEC comments 4/21/25: submitted WEAP script 4/28/25: Followed-up with agency to confirm completion Ongoing reporting provided in MCR
CUL-6	Cultural Resources Conditions of Certification	Pre-Construction, Construction	CR reporting	The project owner shall ensure that the CRS, alternate CRS, or CRMs shall monitor preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction full time at the project site and linear facilities, and ground disturbance full time at laydown areas or other ancillary areas, to ensure there are no impacts to undiscovered resources and to ensure that known resources are not impacted in an unanticipated manner (Discovery). Specifically, the CRS, alternate CRS, or CRMs shall monitor: the initial soil stripping and any grading of the plant site; the excavation of structural foundations, of trenches for the natural gas and water pipelines, and of the 25,000 square-foot evaporation pond; and the drilling of the 1,500-foot-deep well, if this alternate water source is necessary. Full-time archaeological monitoring for this project shall be the archaeological monitoring of all native-soil–removing activities on the construction site or along the linear facility routes for as long as the activities are ongoing. Full-time archaeological monitoring shall require at least one monitor per excavation area where machines are actively removing native soils. If an excavation area is too large for one monitor to effectively observe the soil removal, one or more additional monitors shall be retained to observe the area. In the event that the CRS determines that the current level of monitoring is not appropriate in certain locations, a letter or e-mail detailing the justification for changing the level of monitoring shall be provided to the CPM for review and approval prior to any change in the level of monitoring. The research design in the CRMMP shall govern the collection, treatment, retention/disposal, and curation of any archaeological materials encountered. On forms provided by the CPM, CRMs shall keep a daily log of any monitoring and other cultural resources activities and any instances of non-compliance with the Conditions and/or applicable LORS. Copies of the daily logs shall be provided to the CPM by the CRS as directed by the CPM. From these logs, the CRS shall compile a monthly monitoring summary report to be included in the MCR. If there are no monitoring activities, the summary report shall specify why monitoring has been suspended. The CRS or alternate CRS shall report daily to the CPM on the status of cultural resources-related activities at the construction site, unless reducing or ending daily reporting is requested by the CRS and approved by the CPM. The CRS, at his or her discretion, or at the request of the CPM, may informally discuss cultural resources monitoring and mitigation activities with Energy Commission technical staff (Staff). Cultural resources monitoring activities are the responsibility of the CRS. Any interference with monitoring activities, removal of a monitor from duties assigned by the CRS, or direction to a monitor to relocate monitoring activities by anyone other than the CRS shall be considered non compliance with these Conditions . Upon becoming aware of any incidents of non-compliance with the Conditions and/or applicable LORS, the CRS and/or the project owner shall notify the CPM by telephone or e-mail within 24 hours. The CRS shall also recommend corrective action to resolve the problem or achieve compliance with the Conditions. When the issue is resolved, the CRS shall write a report describing the issue, the resolution of the issue, and the effectiveness of the resolution measures. This report shall be provided in the next MCR for the review of the CPM. A Native American monitor shall be obtained to monitor ground disturbance in areas where Native American artifacts are discovered. Informational lists of concerned Native Americans and guidelines for monitoring shall be obtained from the Native American Heritage Commission. Preference in selecting a monitor shall be given to Native Americans with traditional ties to the area that shall be monitored. **Verification: At least 30 days prior to the start of preconstruction site mobilization; construction ground disturbance; construction grading, boring and trenching; and construction, the CPM will provide to the CRS an electronic copy of a form to be used as a daily monitoring log. While monitoring is on-going, the project owner shall include in each MCR a copy of the monthly summary report of cultural resources-related monitoring prepared by the CRS.** Daily, the CRS shall provide a statement that "no cultural resources over 50 years of age were discovered" to the CPM as an e-mail, or in some other form acceptable to the CPM. If the CRS concludes that daily reporting is no longer necessary, a letter or e-mail providing a detailed justification for the decision to reduce or end daily reporting shall be provided to the CPM for review and approval at least 24 hours prior to reducing or ending daily reporting. At least 24 hours prior to implementing a proposed change in monitoring level, documentation justifying the change shall be submitted to the CPM for review and approval.	At least 30 days prior to the start of preconstruction site mobilization; construction ground disturbance; construction grading, boring and trenching; and construction	Yes	Rincon	4/10/2025	CRMMP Complete 4/10/25 Ongoing reporting provided in MCRs	forms submitted in CRMMP, CRMMP approved Ongoing reporting provided in MCRs
CUL-7	Cultural Resources Conditions of Certification	Pre-Construction, Construction	Authority to halt	The project owner shall grant authority to halt construction to the CRS, alternate CRS, and the CRMs in the event of a Discovery. Redirection of ground disturbance shall be accomplished under the direction of the construction supervisor in consultation with the CRS. In the event cultural resources over 50 years of age or considered exceptionally significant are found, or impacts to such resources can be anticipated, construction shall be halted or redirected in the immediate vicinity of the Discovery sufficient to ensure that the resource is protected from further impacts. The halting or redirection of construction shall remain in effect until the CRS has visited the Discovery, and all of the following have occurred: 1. The CRS has notified the project owner, and the CPM has been notified within 24 hours of the Discovery, or by Monday morning if the cultural resources Discovery occurs between 8:00 AM on Friday and 8:00 AM on Sunday morning, including a description of the Discovery (or changes in character or attributes), the action taken (i.e. work stoppage or redirection), a recommendation of eligibility, and recommendations for mitigation of any cultural resources Discoveries, whether or not a determination of significance has been made. 2. The CRS has completed field notes, measurements, and photography for a DPR 523 primary form. The "Description" entry of the 523 form shall include a recommendation on the significance of the find. The project owner shall submit completed forms to the CPM. 3. The CRS, the project owner, and the CPM have conferred, and the CPM has concurred with the recommended eligibility of the Discovery and approved the CRS's proposed data recovery, if any, including the curation of the artifacts, or other appropriate mitigation; and any necessary data recovery and mitigation have been completed. Verification: At least 30 days prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, the project owner shall provide the CPM and CRS with a letter confirming that the CRS, alternate CRS, and CRMs have the authority to halt construction activities in the vicinity of a cultural resources Discovery, and that the project owner shall ensure that the CRS notifies the CPM within 24 hours of a Discovery, or by Monday morning if the cultural resources Discovery occurs between 8:00 AM on Friday and 8:00 AM on Sunday morning. Completed DPR form 523s shall be submitted to the CPM for review and approval no later than 24 hours following the notification of the CPM, or 48 hours following the completion of data recordation/recovery, whichever is more appropriate for the subject cultural resource, as determined by the CRS.	30 days prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction	Yes	Rincon	4/10/2025	Complete 4/10/25	Submitted as part of CRMMP under CUL-3

GEN-1	Facility Desgin Conditions of Certification	Post-Construction		The project owner shall design, construct and inspect the project in accordance with the 2007 California Building Standards Code (CBSC) (also known as Title 24, California Code of Regulations), which encompasses the California Building Code (CBC), California Building Standards Administrative Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, California Fire Code, California Code for Building Conservation, California Reference Standards Code, and all other applicable engineering laws, ordinances, regulations and standards (LORS) in effect at the time initial design plans are submitted to the Chief Building Official (CBO) for review and approval. (The CBSC in effect is that edition that has been adopted by the California Building Standards Commission and published at least 180 days previously.) The project owner shall insure that all the provisions of the above applicable codes be enforced during any construction, addition, alteration, moving, demolition, repair, or maintenance of the completed facility [2001 CBC, Section 101.3, Scope]. All transmission facilities (lines, switchyards, switching stations and substations) are handled in conditions of certification in the Transmission System Engineering section of this document. In the event that the initial engineering designs are submitted to the CBO when a successor to the CBSC is in effect, the 2007 CBSC provisions identified herein shall be replaced with the applicable successor provisions. Where, in any specific case, different sections of the code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. The project owner shall insure that all contracts with contractors, subcontractors and suppliers shall clearly specify that all work performed and materials supplied on this project comply with the codes listed above. Verification: Within 30 days after receipt of the Certificate of Occupancy, the project owner shall submit to the Compliance Project Manager (CPM) a statement of verification, signed by the responsible design engineer, attesting that all designs, construction, installation and inspection requirements of the applicable LORS and the Energy Commission's Decision have been met in the area of facility design. The project owner shall provide the CPM a copy of the Certificate of Occupancy within 30 days of receipt from the CBO [2007 CBC, Section 109 – Certificate of Occupancy]. Once the Certificate of Occupancy has been issued, the project owner shall inform the CPM at least 30 days prior to any construction, addition, alteration, moving, demolition, repair, or maintenance to be performed on any portion(s) of the completed facility which may require CBO approval for the purpose of complying with the above stated codes. The CPM will then determine the necessity of CBO approval on the work to be performed.	30 days prior to any construction, addition, alteration, moving, demolition, repair, or maintenance to be performed on any portion(s) of the completed facility	Yes	MRP	TBD	Post-construction	
GEN-2	Facility Desgin Conditions of Certification	Pre-construction	Design, master drawing and master specs lists submittal	Prior to submittal of the initial engineering designs for CBO review, the project owner shall furnish to the CPM and to the CBO a schedule of facility design submittals, a Master Drawing List and a Master Specifications List. The schedule shall contain a list of proposed submittal packages of designs, calculations and specifications for major structures and equipment. To facilitate audits by Energy Commission staff, the project owner shall provide specific packages to the CPM when requested. Verification: At least 60 days (or project owner and CBO approved alternative timeframe) prior to the start of rough grading, the project owner shall submit to the CBO and to the CPM the schedule, the Master Drawing List and the Master Specifications List of documents to be submitted to the CBO for review and approval. These documents shall be the pertinent design documents for the major structures and equipment listed in Facility Design Table 2 below. Major structures and equipment shall be added to or deleted from the table only with CPM approval. **The project owner shall provide schedule updates in the Monthly Compliance Report.** [Table]	60 days (or project owner and CBO approved alternative timeframe) prior to the start of rough grading	Yes	MRP		Complete for pond lining Schedule provided in MCR	completed for pond lining, will happen with submittal to Fresno Co. for T&S part of project
GEN-3	Facility Desgin Conditions of Certification	Pre-construction	Payment for design review	The project owner shall make payments to the CBO for design review, plan check and construction inspection based upon a reasonable fee schedule to be negotiated between the project owner and the CBO. These fees may be consistent with the fees listed in the 2001 CBC [Chapter 1, Section 107 and Table 1-A, Building Permit Fees; Appendix Chapter 33, Section 3310 and Table A-33-A, Grading Plan Review Fees; and Table A- 33-B, Grading Permit Fees], adjusted for inflation and other appropriate adjustments; may be based on the value of the facilities reviewed; may be based on hourly rates; or may be as otherwise agreed by the project owner and the CBO. Verification: The project owner shall make the required payments to the CBO in accordance with the agreement between the project owner and the CBO. **The project owner shall send a copy of the CBO's receipt of payment to the CPM in the next Monthly Compliance Report indicating that the applicable fees have been paid.**	N/A	Yes	MRP		Complete	None received for pond lining
GEN-4	Facility Desgin Conditions of Certification	Pre-Construction	Registered Engineer resume	Prior to the start of rough grading, the project owner shall assign a California registered architect, structural engineer or civil engineer, as a resident engineer (RE), to be in general responsible charge of the project [Building Standards Administrative Code (Cal. Code Regs., tit. 24, § 4- 209, Designation of Responsibilities)]. All transmission facilities (lines, switchyards, switching stations and substations) are handled in conditions of certification in the Transmission System Engineering section of this document. The RE may delegate responsibility for portions of the project to other registered engineers. Registered mechanical and electrical engineers may be delegated responsibility for mechanical and electrical portions of the project, respectively. A project may be divided into parts, provided each part is clearly defined as a distinct unit. Separate assignment of general responsible charge may be made for each designated part. The RE shall: 1. Monitor construction progress of work requiring CBO design review and inspection to ensure compliance with LORS; 2. Ensure that construction of all the facilities subject to CBO design review and inspection conforms in every material respect to the applicable LORS, these conditions of certification, approved plans, and specifications; 3. Prepare documents to initiate changes in the approved drawings and specifications when directed by the project owner or as required by conditions on the project; 4. Be responsible for providing the project inspectors and testing agency(ies) with complete and up-to-date set(s) of stamped drawings, plans, specifications and any other required documents; 5. Be responsible for the timely submittal of construction progress reports to the CBO from the project inspectors, the contractor, and other engineers who have been delegated responsibility for portions of the project; and 6. Be responsible for notifying the CBO of corrective action or the disposition of items noted on laboratory reports or other tests as not conforming to the approved plans and specifications. The RE shall have the authority to halt construction and to require changes or remedial work, if the work does not conform to applicable requirements. If the RE or the delegated engineers are reassigned or replaced, the project owner shall submit the name, qualifications and registration number of the newly assigned engineer to the CBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer. Verification: At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of rough grading, the project owner shall submit to the CBO for review and approval, the resume and registration number of the RE and any other delegated engineers assigned to the project. The project owner shall notify the CPM of the CBO's approvals of the RE and other delegated engineer(s) within five days of the approval. If the RE or the delegated engineer(s) are subsequently reassigned or replaced, the project owner has five days in which to submit the resume and registration number of the newly assigned engineer to the CBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer within five days of the approval.	30 days (or project owner and CBO approved alternative timeframe) prior to the start of rough grading	Yes	MRP	4/28/2025	Complete for pond lining during submittal through WC-3 website In progress for Gen-tie work	4/28/25: Ashley submitted request to Josh Patria for resumes

GEN-5	Facility Desgin Conditions of Certification	Pre-Construction	Engineer resumes	Prior to the start of rough grading, the project owner shall assign at least one of each of the following California registered engineers to the project: A) a civil engineer; and B) a soils engineer, or a geotechnical engineer or a civil engineer experienced and knowledgeable in the practice of soils engineering. Prior to the start of construction, the project owner shall assign at least one of each of the following California registered engineers to the project: C) a design engineer, who is either a structural engineer or a civil engineer fully competent and proficient in the design of power plant structures and equipment supports; D) a mechanical engineer; and E) an electrical engineer. [California Business and Professions Code section 6704 et seq., and sections 6730, 6731 and 6736 requires state registration to practice as a civil engineer or structural engineer in California.] All transmission facilities (lines, switchyards, switching stations and substations) are handled in conditions of certification in the Transmission System Engineering section of this document. The tasks performed by the civil, mechanical, electrical or design engineers may be divided between two or more engineers, as long as each engineer is responsible for a particular segment of the project (e.g., proposed earthwork, civil structures, power plant structures, equipment support). No segment of the project shall have more than one responsible engineer. The transmission line may be the responsibility of a separate California registered electrical engineer. The project owner shall submit to the CBO for review and approval, the names, qualifications and registration numbers of all responsible engineers assigned to the project [2001 CBC, Section 104.2, Powers and Duties of Building Official]. If any one of the designated responsible engineers is subsequently reassigned or replaced, the project owner shall submit the name, qualifications and registration number of the newly assigned responsible engineer to the CBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer. A. The civil engineer shall: 1. Review the Foundation Investigations Report, Geotechnical Report or Soils Report prepared by the soils engineer, the geotechnical engineer, or by a civil engineer experienced and knowledgeable in the practice of soils engineering; 2. Design, or be responsible for design, stamp, and sign all plans, calculations and specifications for proposed site work, civil works and related facilities requiring design review and inspection by the CBO. At a minimum, these include: grading, site preparation, excavation, compaction, construction of secondary containment, foundations, erosion and sedimentation control structures, drainage facilities, underground utilities, culverts, site access roads and sanitary sewer systems; and 3. Provide consultation to the RE during the construction phase of the project and recommend changes in the design of the civil works facilities and changes in the construction procedures. B. The soils engineer, geotechnical engineer, or civil engineer experienced and knowledgeable in the practice of soils engineering, shall: 1. Review all the engineering geology reports; 2. Prepare the Foundation Investigations Report, Geotechnical Report or Soils Report containing field exploration reports, laboratory tests and engineering analysis detailing the nature and extent of the soils that may be susceptible to liquefaction, rapid settlement or collapse when saturated under load [2001 CBC, Appendix Chapter 33, Section 3309.5, Soils Engineering Report; Section 3309.6, Engineering Geology Report; and Chapter 18, Section 1804, Foundation Investigations]; 3. Be present, as required, during site grading and earthwork to provide consultation and monitor compliance with the requirements set forth in the 2001 CBC, Appendix Chapter 33; Section 3317, Grading Inspections; and 4. Recommend field changes to the civil engineer and RE. This engineer shall be authorized to halt earthwork and to require changes if site conditions are unsafe or do not conform with predicted conditions used as a basis for design of earthwork or foundations [2001 CBC, section 104.2.4, Stop orders]. C. The design engineer shall: 1. Be directly responsible for the design of the proposed structures and equipment supports; 2. Provide consultation to the RE during design and construction of the project; 3. Monitor construction progress to ensure compliance with engineering LORS; 4. Evaluate and recommend necessary changes in design; and 5. Prepare and sign all major building plans, specifications and calculations. D. The mechanical engineer shall be responsible for, and sign and stamp a statement with, each mechanical submittal to the CBO, stating that the proposed final design plans, specifications, and calculations conform with all of the mechanical engineering design requirements set forth in the Energy Commission's Decision. E. The electrical engineer shall: 1. Be responsible for the electrical design of the project; and 2. Sign and stamp electrical design drawings, plans, specifications, and calculations. Verification: At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of rough grading, the project owner shall submit to the CBO for review and approval, resumes and registration numbers of the responsible civil engineer and soils (geotechnical) engineer assigned to the project. At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of construction, the project owner shall submit to the CBO for review and approval, resumes and registration numbers of the responsible design engineer, mechanical engineer and electrical engineer assigned to the project. The project owner shall notify the CPM of the CBO's approvals of the responsible engineers within five days of the approval. If the designated responsible engineer is subsequently reassigned or replaced, the project owner has five days in which to submit the resume and registration number of the newly assigned engineer to the CBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer within five days of the approval.	At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of construction	Yes	MRP	4/28/2025	Complete for pond lining during submittal through WC-3 website In progress for Gen-tie work	4/28/25: Ashley submitted request to Josh Patria for resumes
GEN-6	Facility Desgin Conditions of Certification	Construction	Special Inspection Monitoring	Prior to the start of an activity requiring special inspection, the project owner shall assign to the project, qualified and certified special inspector(s) who shall be responsible for the special inspections required by the 2001 CBC, Chapter 17 [Section 1701, Special Inspections; Section 1701.5, Type of Work (requiring special inspection)]; and Section 106.3.5, Inspection and observation program. All transmission facilities (lines, switchyards, switching stations and substations) are handled in conditions of certification in the Transmission System Engineering section of this document. The special inspector shall: 1. Be a qualified person who shall demonstrate competence, to the satisfaction of the CBO, for inspection of the particular type of construction requiring special or continuous inspection; 2. Observe the work assigned for conformance with the approved design drawings and specifications; 3. Furnish inspection reports to the CBO and RE. All discrepancies shall be brought to the immediate attention of the RE for correction, then, if uncorrected, to the CBO and the CPM for corrective action [2001 CBC, Chapter 17, Section 1701.3, Duties and Responsibilities of the Special Inspector]; and 4. Submit a final signed report to the RE, CBO, and CPM, stating whether the work requiring special inspection was, to the best of the inspector's knowledge, in conformance with the approved plans and specifications and the applicable provisions of the applicable edition of the CBC. A certified weld inspector, certified by the American Welding Society (AWS), and/or American Society of Mechanical Engineers (ASME) as applicable, shall inspect welding performed on-site requiring special inspection (including structural, piping, tanks and pressure vessels). Verification: At least 15 days (or project owner and CBO approved alternative timeframe) prior to the start of an activity requiring special inspection, the project owner shall submit to the CBO for review and approval, with a copy to the CPM, the name(s) and qualifications of the certified weld inspector(s), or other certified special inspector(s) assigned to the project to perform one or more of the duties set forth above. **The project owner shall also submit to the CPM a copy of the CBO's approval of the qualifications of all special inspectors in the next Monthly Compliance Report.** If the special inspector is subsequently reassigned or replaced, the project owner has five days in which to submit the name and qualifications of the newly assigned special inspector to the CBO for approval. The project owner shall notify the CPM of the CBO's approval of the newly assigned inspector within five days of the approval.	15 days (or project owner and CBO approved alternative timeframe) prior to the start of an activity requiring special inspection	Yes	MRP	TBD	Provided in MCRs as needed	Patch & Ravenvolt will report when needed
GEN-7	Facility Desgin Conditions of Certification	Construction	Design discrepancy reporting	If any discrepancy in design and/or construction is discovered in any engineering work that has undergone CBO design review and approval, the project owner shall document the discrepancy and recommend the corrective action required [2001 CBC, Chapter 1, Section 108.4, Approval Required; Chapter 17, Section 1701.3, Duties and Responsibilities of the Special Inspector; Appendix Chapter 33, Section 3317.7, Notification of Noncompliance]. The discrepancy documentation shall be submitted to the CBO for review and approval. The discrepancy documentation shall reference this condition of certification and, if appropriate, the applicable sections of the CBC and/or other LORS. Verification: **The project owner shall transmit a copy of the CBO's approval of any corrective action taken to resolve a discrepancy to the CPM in the next Monthly Compliance Report.** If any corrective action is disapproved, the project owner shall advise the CPM, within five days, of the reason for disapproval and the revised corrective action to obtain CBO's approval.	MCR	Yes	MRP	TBD	Provided in MCRs as needed	Patch & Ravenvolt will report when needed
GEN-8	Facility Desgin Conditions of Certification	Construction, Post-Construction	Final inspections	The project owner shall obtain the CBO's final approval of all completed work that has undergone CBO design review and approval. The project owner shall request the CBO to inspect the completed structure and review the submitted documents. The project owner shall notify the CPM after obtaining the CBO's final approval. The project owner shall retain one set of approved engineering plans, specifications and calculations (including all approved changes) at the project site or at another accessible location during the operating life of the project [2001 CBC, Section 106.4.2, Retention of Plans]. Electronic copies of the approved plans, specifications, calculations and marked-up as-builts shall be provided to the CBO for retention by the CPM. Verification: **Within 15 days of the completion of any work, the project owner shall submit to the CBO, with a copy to the CPM, in the next Monthly Compliance Report, (a) a written notice that the completed work is ready for final inspection, and (b) a signed statement that the work conforms to the final approved plans.** After storing final approved engineering plans, specifications and calculations as described above, the project owner shall submit to the CPM a letter stating that the above documents have been stored and indicate the storage location of such documents. Within 90 days of the completion of construction, the project owner shall provide to the CBO three sets of electronic copies of the above documents at the project owner's expense. These are to be provided in the form of "read only" adobe PDF 6.0 files, with restricted printing privileges (i.e. password protected), on archive quality compact discs.	15 days of the completion of any work,	Yes	MRP	TBD	Post-construction	

CIVIL-1	Facility Desgin Conditions of Certification	Pre-Construction	Submit civil designs	The project owner shall submit to the CBO for review and approval the following: 1. Design of the proposed drainage structures and the grading plan; 2. An erosion and sedimentation control plan; 3. Related calculations and specifications, signed and stamped by the responsible civil engineer; and 4. Soils Report, Geotechnical Report or Foundation Investigations Report required by the 2001 CBC [Appendix Chapter 33, Section 3309.5, Soils Engineering Report; Section 3309.6, Engineering Geology Report; and Chapter 18, Section 1804, Foundation Investigations]. Verification: At least 15 days (or project owner and CBO approved alternative timeframe) prior to the start of site grading the project owner shall submit the documents described above to the CBO for design review and approval. **In the next Monthly Compliance Report following the CBO's approval, the project owner shall submit a written statement certifying that the documents have been approved by the CBO.**	15 days (or project owner and CBO approved alternative timeframe) prior to the start of site grading	Yes	MRP	TBD	Provided in MCRs as needed	
CIVIL-2	Facility Desgin Conditions of Certification	Construction	Monitoring Reporting	The resident engineer shall, if appropriate, stop all earthwork and construction in the affected areas when the responsible soils engineer, geotechnical engineer, or the civil engineer experienced and knowledgeable in the practice of soils engineering identifies unforeseen adverse soil or geologic conditions. The project owner shall submit modified plans, specifications and calculations to the CBO based on these new conditions. The project owner shall obtain approval from the CBO before resuming earthwork and construction in the affected area [2001 CBC, Section 104.2.4, Stop orders]. Verification: The project owner shall notify the CPM within 24 hours, when earthwork and construction is stopped as a result of unforeseen adverse geologic/soil conditions. Within 24 hours of the CBO's approval to resume earthwork and construction in the affected areas, the project owner shall provide to the CPM a copy of the CBO's approval.	Within 24 hours, when earthwork and construction is stopped as a result of unforeseen adverse geologic/soil conditions	Yes	MRP	TBD	As-needed	Patch & Ravenvolt will report when needed
CIVIL-3	Facility Desgin Conditions of Certification	Construction	Non-Conformance Reporting	The project owner shall perform inspections in accordance with the 2001 CBC, Chapter 1, Section 108, Inspections; Chapter 17, Section 1701.6, Continuous and Periodic Special Inspection; and Appendix Chapter 33, Section 3317, Grading Inspection. All plant site-grading operations, for which a grading permit is required, shall be subject to inspection by the CBO. If, in the course of inspection, it is discovered that the work is not being performed in accordance with the approved plans, the discrepancies shall be reported immediately to the resident engineer and the CBO [2001 CBC, Appendix Chapter 33, Section 3317.7, Notification of Noncompliance]. The project owner or resident engineer shall prepare a written report, with copies to the CBO and the CPM, detailing all discrepancies, non-compliance items, and the proposed corrective action. Verification: Within five days of the discovery of any discrepancies, the project owner or resident engineer shall transmit to the CBO and the CPM a Non-Conformance Report (NCR), and the proposed corrective action for review and approval. Within five days of resolution of the NCR, the project owner shall submit the details of the corrective action to the CBO and the CPM. **A list of NCRs, for the reporting month, shall also be included in the following Monthly Compliance Report.**	Within five days of the discovery of any discrepancies	Yes	MRP	TBD	Provided in MCRs as needed	Patch & Ravenvolt will report when needed
CIVIL-4	Facility Desgin Conditions of Certification	Construction	Final grading inspections	After completion of finished grading and erosion and sedimentation control and drainage work, the project owner shall obtain the CBO's approval of the final grading plans (including final changes) for the erosion and sedimentation control work. The civil engineer shall state that the work within his/her area of responsibility was done in accordance with the final approved plans [2001 CBC, Section 3318, Completion of Work]. Verification: Within 30 days (or project owner and CBO approved alternative timeframe) of the completion of the erosion and sediment control mitigation and drainage work, the project owner shall submit to the CBO, for review and approval, the final grading plans (including final changes) and the responsible civil engineer's signed statement that the installation of the facilities and all erosion control measures were completed in accordance with the final approved combined grading plans, and that the facilities are adequate for their intended purposes, with a copy of the transmittal letter to the CPM. **The project owner shall submit a copy of the CBO's approval to the CPM in the next Monthly Compliance Report.**	30 days (or project owner and CBO approved alternative timeframe) of the completion of the erosion and sediment control mitigation and drainage work	Yes	MRP	TBD	Provided in MCRs as needed	

STRUC-1	Facility Desgin Conditions of Certification	Pre-Construction, Construction	Final structural design plans	Prior to the start of any increment of construction of any major structure or component listed in Facility Design Table 2 of Condition of Certification GEN-2, above, the project owner shall submit to the CBO for design review and approval the proposed lateral force procedures for project structures and the applicable designs, plans and drawings for project structures. Proposed lateral force procedures, designs, plans and drawings shall be those for the following items (from Table 2, above): 1. Major project structures; 2. Major foundations, equipment supports and anchorage; and 3. Large field fabricated tanks. Construction of any structure or component shall not commence until the CBO has approved the lateral force procedures to be employed in designing that structure or component. The project owner shall: 1. Obtain approval from the CBO of lateral force procedures proposed for project structures; 2. Obtain approval from the CBO for the final design plans, specifications, calculations, soils reports and applicable quality control procedures. If there are conflicting requirements, the more stringent shall govern (i.e., highest loads, or lowest allowable stresses shall govern). All plans, calculations and specifications for foundations that support structures shall be filed concurrently with the structure plans, calculations and specifications [2001 CBC, Section 108.4, Approval Required]; 3. Submit to the CBO the required number of copies of the structural plans, specifications, calculations and other required documents of the designated major structures prior to the start of on-site fabrication and installation of each structure, equipment support, or foundation [2001 CBC, Section 106.4.2, Retention of plans; and Section 106.3.2, Submittal documents]; 4. Ensure that the final plans, calculations and specifications clearly reflect the inclusion of approved criteria, assumptions and methods used to develop the design. The final designs, plans, calculations and specifications shall be signed and stamped by the responsible design engineer [2001 CBC, Section 106.3.4, Architect or Engineer of Record]; and 5. Submit to the CBO the responsible design engineer's signed statement that the final design plans conform to the applicable LORS [2001 CBC, Section 106.3.4, Architect or Engineer of Record]. Verification: At least 60 days (or project owner and CBO approved alternative timeframe) prior to the start of any increment of construction of any structure or component listed in Facility Design Table 2 of Condition of Certification GEN-2 above, the project owner shall submit to the CBO the above final design plans, specifications and calculations, with a copy of the transmittal letter to the CPM. **The project owner shall submit to the CPM, in the next Monthly Compliance Report a copy of a statement from the CBO that the proposed structural plans, specifications and calculations have been approved and are in compliance with the requirements set forth in the applicable engineering LORS.**	60 days (or project owner and CBO approved alternative timeframe) prior to the start of any increment of construction of any structure or component listed in Facility Design Table 2 of Condition of Certification GEN-2 above	Yes	MRP	TBD	Provided in MCRs as needed	
STRUC-2	Facility Desgin Conditions of Certification	Construction	Non-Conformance Report	The project owner shall submit to the CBO the required number of sets of the following documents related to work that has undergone CBO design review and approval: 1. Concrete cylinder strength test reports (including date of testing, date sample taken, design concrete strength, tested cylinder strength, age of test, type and size of sample, location and quantity of concrete placement from which sample was taken, and mix design designation and parameters); 2. Concrete pour sign-off sheets; 3. Bolt torque inspection reports (including location of test, date, bolt size, and recorded torques); 4. Field weld inspection reports (including type of weld, location of weld, inspection of non-destructive testing (NDT) procedure and results, welder qualifications, certifications, qualified procedure description or number (ref: AWS); and 5. Reports covering other structural activities requiring special inspections shall be in accordance with the 2001 CBC, Chapter 17, Section 1701, Special Inspections; Section 1701.5, Type of Work (requiring special inspection); Section 1702, Structural Observation and Section 1703, Nondestructive Testing. Verification: If a discrepancy is discovered in any of the above data, the project owner shall, within five days, prepare and submit an NCR describing the nature of the discrepancies and the proposed corrective action to the CBO, with a copy of the transmittal letter to the CPM [2001 CBC, Chapter 17, Section 1701.3, Duties and Responsibilities of the Special Inspector]. The NCR shall reference the Condition(s) of Certification and the applicable CBC chapter and section. Within five days of resolution of the NCR, the project owner shall submit a copy of the corrective action to the CBO and the CPM. The project owner shall transmit a copy of the CBO's approval or disapproval of the corrective action to the CPM within 15 days. If disapproved, the project owner shall advise the CPM, within five days, the reason for disapproval, and the revised corrective action to obtain CBO's approval.	within 15 days.	Yes	MRP	TBD	Provided in MCRs as needed	Patch & Ravenvolt will report when needed
STRUC-3	Facility Desgin Conditions of Certification	Construction	Submittal of design changes	The project owner shall submit to the CBO design changes to the final plans required by the 2001 CBC, Chapter 1, Section 106.3.2, Submittal documents and Section 106.3.3, Information on plans and specifications, including the revised drawings, specifications, calculations, and a complete description of, and supporting rationale for, the proposed changes, and shall give to the CBO prior notice of the intended filing. Verification: On a schedule suitable to the CBO, the project owner shall notify the CBO of the intended filing of design changes, and shall submit the required number of sets of revised drawings and the required number of copies of the other above-mentioned documents to the CBO, with a copy of the transmittal letter to the CPM. **The project owner shall notify the CPM, via the Monthly Compliance Report, when the CBO has approved the revised plans.**	N/A	Yes	MRP	Monthly	Provided in MCRs as needed	Patch & Ravenvolt will report when needed
STRUC-4	Facility Desgin Conditions of Certification	Pre-Construction, Construction	Monthly Compliance Reporting	Tanks and vessels containing quantities of toxic or hazardous materials exceeding amounts specified in Chapter 3, Table 3-E of the 2001 CBC shall, at a minimum, be designed to comply with the requirements of that Chapter. Verification: At least 30 days (or project owner and CBO approved alternate timeframe) prior to the start of installation of the tanks or vessels containing the above specified quantities of toxic or hazardous materials, the project owner shall submit to the CBO for design review and approval final design plans, specifications and calculations, including a copy of the signed and stamped engineer's certification. **The project owner shall send copies of the CBO approvals of plan checks to the CPM in the following Monthly Compliance Report. The project owner shall also transmit a copy of the CBO's inspection approvals to the CPM in the Monthly Compliance Report following completion of any inspection.**	30 days (or project owner and CBO approved alternate timeframe) prior to the start of installation of the tanks or vessels containing the above specified quantities of toxic or hazardous materials	Yes	MRP	N/A	Not applicable	No tanks or vessels included in project design
MECH-1	Facility Desgin Conditions of Certification	Pre-Construction, Construction	Mechanical plans and inspection reporting	The project owner shall submit, for CBO design review and approval, the proposed final design, specifications and calculations for each plant major piping and plumbing system listed in Facility Design Table 2, Condition of Certification GEN-2, above. Physical layout drawings and drawings not related to code compliance and life safety need not be submitted. The submittal shall also include the applicable QA/QC procedures. Upon completion of construction of any such major piping or plumbing system, the project owner shall request the CBO's inspection approval of said construction [2001 CBC, Section 106.3.2, Submittal Documents; Section 108.3, Inspection Requests; Section 108.4, Approval Required; 2001 California Plumbing Code, Section 103.5.4, Inspection Request; Section 301.1.1, Approval]. The responsible mechanical engineer shall stamp and sign all plans, drawings and calculations for the major piping and plumbing systems subject to the CBO design review and approval, and submit a signed statement to the CBO when the said proposed piping and plumbing systems have been designed, fabricated and installed in accordance with all of the applicable laws, ordinances, regulations and industry standards [Section 106.3.4, Architect or Engineer of Record], which may include, but are not limited to: • American National Standards Institute (ANSI) B31.1 (Power Piping Code); • ANSI B31.2 (Fuel Gas Piping Code); • ANSI B31.3 (Chemical Plant and Petroleum Refinery Piping Code); • ANSI B31.8 (Gas Transmission and Distribution Piping Code); • Title 24, California Code of Regulations, Part 5 (California Plumbing Code); • Title 24, California Code of Regulations, Part 6 (California Energy Code, for building energy conservation systems and temperature control and ventilation systems); • Title 24, California Code of Regulations, Part 2 (California Building Code); and • Specific City/County code. The CBO may deputize inspectors to carry out the functions of the code enforcement agency [2001 CBC, Section 104.2.2, Deputies]. Verification: **At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of any increment of major piping or plumbing construction listed in Facility Design Table 2, Condition of Certification GEN-2 above, the project owner shall submit to the CBO for design review and approval the final plans, specifications and calculations, including a copy of the signed and stamped statement from the responsible mechanical engineer certifying compliance with the applicable LORS, and shall send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.** **The project owner shall transmit to the CPM, in the Monthly Compliance Report following completion of any inspection, a copy of the transmittal letter conveying the CBO's inspection approvals.**	30 days (or project owner and CBO approved alternative timeframe) prior to the start of any increment of major piping or plumbing construction listed in Facility Design Table 2, Condition of Certification GEN-2 above	Yes	MRP	Monthly	Provided in MCRs as needed	

MECH-2	Facility Desgin Conditions of Certification	Pre-Construction, Construction	Monthly Compliance Reporting	For all pressure vessels installed in the plant, the project owner shall submit to the CBO and California Occupational Safety and Health Administration (Cal-OSHA), prior to operation, the code certification papers and other documents required by the applicable LORS. Upon completion of the installation of any pressure vessel, the project owner shall request the appropriate CBO and/or Cal-OSHA inspection of said installation [2001 CBC, Section 108.3, Inspection Requests]. The project owner shall: 1. Ensure that all boilers and fired and unfired pressure vessels are designed, fabricated and installed in accordance with the appropriate section of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, or other applicable code. Vendor certification, with identification of applicable code, shall be submitted for prefabricated vessels and tanks; and 2. Have the responsible design engineer submit a statement to the CBO that the proposed final design plans, specifications and calculations conform to all of the requirements set forth in the appropriate ASME Boiler and Pressure Vessel Code or other applicable codes. Verification: At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of on-site fabrication or installation of any pressure vessel, the project owner shall submit to the CBO for design review and approval, the above listed documents, including a copy of the signed and stamped engineer's certification, with a copy of the transmittal letter to the CPM. **The project owner shall transmit to the CPM, in the Monthly Compliance Report following completion of any inspection, a copy of the transmittal letter conveying the CBO's and/or Cal-OSHA inspection approvals.**	30 days (or project owner and CBO approved alternative timeframe) prior to the start of on-site fabrication or installation of any pressure vessel	Yes	MRP	N/A	Not applicable	no pressure vessels included in project design
MECH-3	Facility Desgin Conditions of Certification	pre-construction	HVAC requirements	The project owner shall submit to the CBO for design review and approval the design plans, specifications, calculations and quality control procedures for any heating, ventilating, air conditioning (HVAC) or refrigeration system. Packaged HVAC systems, where used, shall be identified with the appropriate manufacturer's data sheets. The project owner shall design and install all HVAC and refrigeration systems within buildings and related structures in accordance with the CBC and other applicable codes. Upon completion of any increment of construction, the project owner shall request the CBO's inspection and approval of said construction. The final plans, specifications and calculations shall include approved criteria, assumptions and methods used to develop the design. In addition, the responsible mechanical engineer shall sign and stamp all plans, drawings and calculations and submit a signed statement to the CBO that the proposed final design plans, specifications and calculations conform with the applicable LORS [2001 CBC, Section 108.7, Other Inspections; Section 106.3.4, Architect or Engineer of Record]. Verification: At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of construction of any HVAC or refrigeration system, the project owner shall submit to the CBO the required HVAC and refrigeration calculations, plans and specifications, including a copy of the signed and stamped statement from the responsible mechanical engineer certifying compliance with the CBC and other applicable codes, with a copy of the transmittal letter to the CPM.	30 days (or project owner and CBO approved alternative timeframe) prior to the start of construction of any HVAC or refrigeration system	Yes	MRP	N/A	Not applicable	No HVAC included in project design
ELEC-1	Facility Desgin Conditions of Certification	Pre-Construction, Construction	Electrical plans	Prior to the start of any increment of electrical construction for electrical equipment and systems 480 volts and higher, listed below, with the exception of underground duct work and any physical layout drawings and drawings not related to code compliance and life safety, the project owner shall submit, for CBO design review and approval, the proposed final design, specifications and calculations [CBC 2001, Section 106.3.2, Submittal documents]. Upon approval, the above listed plans, together with design changes and design change notices, shall remain on the site or at another accessible location for the operating life of the project. The project owner shall request that the CBO inspect the installation to ensure compliance with the requirements of applicable LORS [2001 CBC, Section 108.4, Approval Required, and Section 108.3, Inspection Requests]. All transmission facilities (lines, switchyards, switching stations and substations) are handled in conditions of certification in the Transmission System Engineering section of this document. A. Final plant design plans to include: 1. One-line diagrams for the 13.8 kV, 4.16 kV and 480 V systems; and 2. System grounding drawings. B. Final plant calculations to establish: 1. Short-circuit ratings of plant equipment; 2. Ampacity of feeder cables; 3. Voltage drop in feeder cables; 4. System grounding requirements; 5. Coordination study calculations for fuses, circuit breakers and protective relay settings for the 13.8 kV, 4.16 kV and 480 V systems; 6. System grounding requirements; and 7. Lighting energy calculations. C. The following activities shall be reported to the CPM in the Monthly Compliance Report: 1. Receipt or delay of major electrical equipment; 2. Testing or energization of major electrical equipment; and 3. A signed statement by the registered electrical engineer certifying that the proposed final design plans and specifications conform to requirements set forth in the Energy Commission Decision. Verification: At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of each increment of electrical construction, the project owner shall submit to the CBO for design review and approval the above listed documents. **The project owner shall include in this submittal a copy of the signed and stamped statement from the responsible electrical engineer attesting compliance with the applicable LORS, and shall send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.**	30 days (or project owner and CBO approved alternative timeframe) prior to the start of each increment of electrical construction	Yes	MRP	Monthly	Provided in MCRs as needed	Does not have "major electrical" components.
GEO-1	Geological and Paleontological Resources Conditions of Certification	Pre-construction	Soils Engineering Report	The Soils Engineering Report required by the 2007 CBC Appendix Chapter 33, Section 3309.5 Soils Engineering Report, should specifically include laboratory test data, associated geotechnical engineering analyses, and a thorough discussion of potential dynamic compaction, hydrocompaction, expansion potential, and settlement potential of the site soils; as well as recommendations for ground improvement and/or foundation systems necessary to mitigate these potential geologic hazards. Verification: The project owner shall include in the application for a grading permit a copy of the Soils Engineering Report which addresses the potential for site soils to experience dynamic compaction, hydrocompaction, expansion, and settlement due to structure surcharge, and a summary of how the results of the analyses were incorporated into the project foundation and grading plan design for review and comment by the Chief Building Official (CBO). A copy of the Soils Engineering Report, application for grading permit and any comments by the CBO are to be provided to the CPM at least 30 days prior to grading.	30 days prior to grading.	Yes	MRP	N/A	Not Applicable	no grading permit, will provide geotech as part of civil plans
PAL-1	Geological and Paleontological Resources Conditions of Certification	Pre-Construction, Construction	Sumbit PRS and monitor resumes	The project owner shall provide the Compliance Project Manager (CPM) with the resume and qualifications of its Paleontological Resource Specialist (PRS) for review and approval. If the approved PRS is replaced prior to completion of project mitigation and submittal of the Paleontological Resources Report, the project owner shall obtain CPM approval of the replacement PRS. The project owner shall submit to the CPM to keep on file, resumes of the approved Paleontological Resource Monitors (PRMs). If a PRM is replaced, the resume of the replacement PRM shall also be provided to the CPM. The PRS resume shall include the names and phone numbers of references. The resume shall also demonstrate to the satisfaction of the CPM, the appropriate education and experience to accomplish the required paleontological resource tasks. As determined by the CPM, the PRS shall meet the minimum qualifications for a vertebrate paleontologist as described in the Society of Vertebrate Paleontology (SVP) guidelines of 1995. The experience of the PRS shall include the following: 1. Institutional affiliations, appropriate credentials and college degree, 2. Ability to recognize and collect fossils in the field; 3. Local geological and biostratigraphic expertise; 4. Proficiency in identifying vertebrate and invertebrate fossils and; 5. At least three years of paleontological resource mitigation and field experience in California, and at least one year of experience leading paleontological resource mitigation and field activities. The project owner shall ensure that the PRS obtains qualified paleontological resource monitors to monitor as he or she deems necessary on the project. Paleontologic resource monitors (PRMs) shall have the equivalent of the following qualifications: • BS or BA degree in geology or paleontology and one year experience monitoring in California; or • AS or AA in geology, paleontology or biology and four years experience monitoring in California; or • Enrollment in upper division classes pursuing a degree in the fields of geology or paleontology and two years of monitoring experience in California. Verification: At least 60 days prior to the start of ground disturbance, the project owner shall submit a resume and statement of availability of its designated PRS for on-site work. At least 20 days prior to ground disturbance, the PRS or project owner shall provide a letter with resumes naming anticipated monitors for the project and stating that the identified monitors meet the minimum qualifications for paleontological resource monitoring required by the condition. If additional monitors are obtained during the project, the PRS shall provide additional letters and resumes to the CPM. The letter shall be provided to the CPM no later than one week prior to the monitor beginning on- site duties. Prior to the termination or release of a PRS, the project owner shall submit the resume of the proposed new PRS to the CPM for review and approval.	20 days prior to ground disturbance	Yes	Rincon	2/24/2025	Complete 3/6/25	02/24/25: PRS resumes sent to CEC. 03/06/25: PRM resumes approved by CEC

PAL-2	Geological and Paleontological Resources Conditions of Certification	Pre-Construction, Construction	Reporting	The project owner shall provide to the PRS and the CPM, for approval, maps and drawings showing the footprint of the power plant, construction laydown areas, and all related facilities. Maps shall identify all areas of the project where ground disturbance to greater than 5 feet depth is anticipated. If the PRS requests enlargements or strip maps for linear facility routes, the project owner shall provide copies to the PRS and CPM. The site grading plan and the plan and profile drawings for the utility lines would be acceptable for this purpose. The plan drawings should show the location, depth, and extent of all ground disturbances and can be at a scale of 1 inch = 40 feet to 1 inch = 100 feet range. If the footprint of the power plant or linear facility changes, the project owner shall provide maps and drawings reflecting these changes to the PRS and CPM. If construction of the project will proceed in phases, maps and drawings may be submitted prior to the start of each phase. A letter identifying the proposed schedule of each project phase shall be provided to the PRS and CPM. Prior to work commencing on affected phases, the project owner shall notify the PRS and CPM of any construction phase scheduling changes. At a minimum, the project owner shall ensure that the PRS or PRM consults weekly with the project superintendent or construction field manager to confirm area(s) to be worked during the next week, until ground disturbance is completed. Verification: At least 30 days prior to the start of ground disturbance, the project owner shall provide the maps and drawings to the PRS and CPM. If there are changes to the footprint of the project, revised maps and drawings shall be provided to the PRS and CPM at least 15 days prior to the start of ground disturbance. If there are changes to the scheduling of the construction phases, the project owner shall submit a letter to the CPM within 5 days of identifying the changes.	30 days prior to the start of ground disturbance	Yes	Rincon, MRP	5/6/2025	Complete 5/7/25	04/30/25: PRS drawing sent to CEC. 05/05/25: CEC comments. 05/06/25: Email containing requested material sent to CEC. 05/07/25: Approved by CEC.
PAL-3	Geological and Paleontological Resources Conditions of Certification	Pre-Construction, Construction	PRMMP	The project owner shall ensure the PRS prepares, and the project owner submits to the CPM for review and approval, a Paleontological Resources Monitoring and Mitigation Plan (PRMMP) to identify general and specific measures to minimize potential impacts to significant paleontological resources. Approval of the PRMMP by the CPM shall occur prior to any ground disturbance. The PRMMP shall function as the formal guide for monitoring, collecting and sampling activities and may be modified with CPM approval. This document shall be used as a basis for discussion in the event that on-site decisions or changes are proposed. Copies of the PRMMP shall reside with the PRS, each monitor, the project on-site manager, and the CPM. The PRMMP shall be developed in accordance with the guidelines of the Society of Vertebrate Paleontology (SVP, 1995) and shall include, but not be limited to, the following: 1. Assurance that the performance and sequence of project-related tasks, such as any literature searches, pre-construction surveys, worker environmental training, fieldwork, flagging or staking, construction monitoring, mapping and data recovery, fossil preparation and collection, identification and inventory, preparation of final reports, and transmittal of materials for curation will be performed according to the PRMMP procedures; 2. Identification of the person(s) expected to assist with each of the tasks identified within the PRMMP and the Conditions of Certification; 3. A thorough discussion of the anticipated geologic units expected to be encountered, the location and depth of the units relative to the project when known, and the known sensitivity of those units based on the occurrence of fossils either in that unit or in correlative units; 4. An explanation of why, how, and how much sampling is expected to take place and in what units. Include descriptions of different sampling procedures that shall be used for fine-grained and coarse-grained units; 5. A discussion of the locations of where the monitoring of project construction activities is deemed necessary, and a proposed plan for the monitoring and sampling; 6. A discussion of the procedures to be followed in the event of a significant fossil discovery, halting construction, resuming construction, and how notifications will be performed; 7. A discussion of equipment and supplies necessary for collection of fossil materials and any specialized equipment needed to prepare, remove, load, transport, and analyze large-sized fossils or extensive fossil deposits; 8. Procedures for inventory, preparation, and delivery for curation into a retrievable storage collection in a public repository or museum, which meets the Society of Vertebrate Paleontology standards and requirements for the curation of paleontological resources; 9. Identification of the institution that has agreed to receive any data and fossil materials collected, requirements or specifications for materials delivered for curation and how they will be met, and the name and phone number of the contact person at the institution; and 10. A copy of the paleontological Conditions of Certification. Verification: At least 30 days prior to ground disturbance, the project owner shall provide a copy of the PRMMP to the CPM. The PRMMP shall include an affidavit of authorship by the PRS, and acceptance of the PRMMP by the project owner evidenced by a signature.	30 days prior to ground disturbance	Yes	Rincon	3/17/2025	Complete 3/26/25	3/17/25: PRMMP sent to CEC. 3/26/25: submitted version with incporated comments
PAL-4	Geological and Paleontological Resources Conditions of Certification	Pre-Construction, Construction	WEAP	Prior to ground disturbance and for the duration of construction activities involving ground disturbance, the project owner and the PRS shall prepare and conduct weekly CPM-approved training for the following workers: project managers, construction supervisors, foremen, and general workers who are involved with or operate ground disturbing equipment or tools. Workers shall not excavate in sensitive units prior to receiving CPM- approved worker training. Worker training shall consist of an initial in-person PRS training during the project kick-off for those mentioned above. Following initial training, a CPM-approved video or in-person training may be used for new employees. The training program may be combined with other training programs prepared for cultural and biological resources, hazardous materials, or any other areas of interest or concern. No ground disturbance shall occur prior to CPM approval of the WEAP, unless specifically approved by the CPM. The Worker Environmental Awareness Program (WEAP) shall address the potential to encounter paleontological resources in the field, the sensitivity and importance of these resources, and the legal obligations to preserve and protect such resources. The training shall include: 1. A discussion of applicable laws and penalties for violation of the laws; 2. Depictive photographs or physical examples of vertebrate fossils shall be provided for project sites containing units of high paleontologic sensitivity; 3. Information discussing the authority of the PRS or PRM to halt or redirect construction in the event of a discovery or unanticipated impact to a paleontological resource; 4. Instruction directing employees to halt or redirect work in the vicinity of a find and to contact their supervisor and the PRS or PRM; 5. An informational brochure that identifies reporting procedures in the event of a paleontological discovery; 6. A Certification of Completion of WEAP form signed by each worker indicating that he/she has received the training; and 7. A sticker for employees to place on hard hats indicating that environmental training has been completed. Verification: At least 30 days prior to ground disturbance, the project owner shall submit the proposed WEAP including the brochure with the set of reporting procedures the workers are to follow. At least 30 days prior to ground disturbance, the project owner shall submit the script and final video to the CPM for approval if the project owner is planning on using a video for interim training. If the owner requests an alternate paleontological trainer, the resume and qualifications of the trainer shall be submitted to the CPM for review and approval prior to installation of an alternate trainer. Alternate trainers shall not conduct training prior to CPM authorization. **In the Monthly Compliance Report (MCR) the project owner shall provide copies of the WEAP Certification of Completion forms with the names of those trained and the trainer or type of training (in-person or video) offered that month. The MCR shall also include a running total of all persons who have completed the training to date.**	30 days prior to ground disturbance	Yes	Rincon	4/21/2025	WEAP approved 4/29/25 WEAP records provided in MCRs	3/25/25: Email from CEC approving WEAP material post revision. 3/26/25: Revised WEAP material sent to CEC. 4/21/25: submitted WEAP script 4/28/25: Followed-up with agency to confirm completion
PAL-5	Geological and Paleontological Resources Conditions of Certification	Construction	Monitoring reporting	The project owner shall ensure that the PRS and PRM(s) monitor consistent with the PRMMP all construction-related grading, excavation, trenching, and augering in areas where potentially fossil-bearing materials have been identified, both at the site and along any constructed linear facilities associated with the project. In the event that the PRS determines full time monitoring is not necessary in locations that were identified in the PRMMP as potentially fossil-bearing, the project owner shall notify and seek the concurrence of the CPM. The project owner shall ensure that the PRS and PRM(s) have the authority to halt or redirect construction if paleontological resources are encountered. The project owner shall ensure that there is no interference with monitoring activities unless directed by the PRS. Monitoring activities shall be conducted as follows: 1. Any change of monitoring different from the accepted schedule presented in the PRMMP shall be proposed in a letter or email from the PRS and the project owner to the CPM prior to the change in monitoring. These changes should also be included in the Monthly Compliance Report. The letter or email shall state the justification for the change in monitoring and be submitted to the CPM for review and approval; 2. The project owner shall ensure the PRM(s) keeps a daily log of monitoring of paleontological resource activities. The PRS may informally discuss paleontological resource monitoring and mitigation activities with the CPM at any time; 3. The project owner shall ensure the PRS immediately notifies the CPM within 24 hours of the occurrence of any incidents of non-compliance with any paleontological resources Conditions of Certification. The PRS shall recommend corrective action to resolve the issues or achieve compliance with the Conditions of Certification; 4. For any significant paleontological resources encountered, either the project owner or the PRS shall notify the CPM within 24 hours or Monday morning in the case of a weekend when construction has been halted due to a paleontological find. **The project owner shall ensure the PRS prepares a summary of the monitoring and other paleontological activities which will be placed in the Monthly Compliance Reports (MCR).** The summary will include the name(s) of PRS or PRM(s) active during the month, general descriptions of training and monitored construction activities and general locations of excavations, grading, etc. A section of the report shall include the geologic units or subunits encountered; descriptions of sampling within each unit; and a list of identified fossils. A final section of the report will address any issues or concerns about the project relating to paleontologic monitoring including any incidents of non-compliance and any changes to the monitoring plan approved by the CPM. If no monitoring took place during the month, the report shall include an explanation in the summary as to why monitoring was not conducted. Verification: **The project owner shall ensure the PRS submits the summary of monitoring and paleontological activities in the MCR.** When feasible, the CPM shall be notified 10 days in advance of any proposed changes in monitoring different from the plan identified in the PRMMP. If there is any unforeseen change in monitoring, the notice shall be given as soon as possible prior to implementation of the change.	10 days in advance of any proposed changes in monitoring different from the plan identified in the PRMMP.	Yes	Rincon	Monthly	Provided in MCRs	

PAL-6	Geological and Paleontological Resources Conditions of Certification	Construction	Record keeping	The project owner, in collaboration with the designated PRS, shall ensure all components of the PRMMP are adequately performed including collection of fossil materials, preparation of fossil materials for analysis, analysis of fossils, identification and inventory of fossils, the preparation of fossils for curation, and the delivery for curation of all significant paleontological resource materials encountered and collected during the project construction. Verification: The project owner shall maintain in their compliance file copies of signed contracts or agreements with the designated PRS and other qualified research specialists. The project owner shall maintain these files for a period of three years after completion and approval of the CPM-approved Paleontological Resource Report (See PAL-7). The project owner shall be responsible to pay any curation fees charged by the museum for fossils collected and curated as a result of paleontological mitigation. A copy of the letter of transmittal submitting the fossils to the curating institution shall be provided to the CPM.	N/A	Yes	Rincon, MRP	TBD	Ongoing	
PAL-7	Geological and Paleontological Resources Conditions of Certification	Post-Construction	PRR	The project owner shall ensure preparation of a Paleontological Resources Report (PRR) by the designated PRS. The PRR shall be prepared following completion of the ground disturbing activities. The PRR shall include an analysis of the collected fossil materials and related information and submitted to the CPM for review and approval. The report shall include, but is not limited to, a description and inventory of recovered fossil materials; a map showing the location of paleontological resources encountered; determinations of sensitivity and significance; and a statement by the PRS that project impacts to paleontological resources have been mitigated below the level of significance. Verification: **Within 90 days after completion of ground disturbing activities, including landscaping, the project owner shall submit the Paleontological Resources Report under confidential cover to the CPM.**	90 days after completion of ground disturbing activities, including landscaping	Yes	Rincon	TBD	Post-construction	
HAZ-1	Hazardous Materials Management Conditions of Certification	Pre-Construction, Construction	Annual Compliance Reporting	The project owner shall not use any hazardous materials not listed in the Application for Certification, or in greater quantities than those set forth in the AFC, unless approved in advance by the Compliance Project Manager (CPM). Verification: The project owner shall provide to the CPM, in the Annual Compliance Report, a list of hazardous materials and storage quantities contained at the facility.	N/A	No	N/A	N/A	N/A	N/A
HAZ-2	Hazardous Materials Management Conditions of Certification	Pre-Construction, Construction	RMP	The project owner shall concurrently provide a Business Plan and a Risk Management Plan (RMP) to the Certified Unified Program Authority (CUPA) – Fresno County Environmental Health Division and the CPM for review at the time the RMP is first submitted to the U.S. Environmental Protection Agency (EPA). After receiving comments from the CUPA, the EPA, and the CPM, the project owner shall reflect all recommendations in the final documents. Copies of the final Business Plan and RMP shall then be provided to the CUPA and EPA for information and to the CPM for approval. Verification: At least 60 days prior to receiving any hazardous material on the site for commissioning or operations, the project owner shall provide a copy of a final Business Plan to the CPM for approval. At least sixty (60) days prior to delivery of aqueous ammonia to the site, the project owner shall provide the final RMP to the CUPA for information and to the CPM for approval.	60 days prior to receiving any hazardous material on the site for commissioning or operations	No	N/A	N/A	N/A	N/A
HAZ-3	Hazardous Materials Management Conditions of Certification	Construction, Decommission, Operation	SMP ERP	The project owner shall develop and implement a Safety Management Plan (SMP) for delivery of aqueous ammonia and other liquid hazardous materials and an Emergency Response Plan (ERP) that addresses actions to take in the event of a spill of hazardous materials. These plans shall be submitted to the CPM for review and approval. The SMP shall include procedures, protective equipment requirements, training and a checklist. It shall also include a section describing all measures to be implemented to prevent mixing of incompatible hazardous materials including provisions to maintain lockout control by a power plant employee not involved in the delivery or transfer operation. The ERP shall include emergency response procedures, spill containment and prevention systems, personnel training, spill notification, and cleanup procedures. These plans shall be applicable during construction, commissioning, and operation of the power plant. Verification: At least sixty (60) days prior to the first delivery of any liquid hazardous material to the facility, the project owner shall provide a SMP and an ERP as described above to the CPM for review and approval.	sixty (60) days prior to the first delivery of any liquid hazardous material to the facility	No	N/A	N/A	N/A	N/A
HAZ-4	Hazardous Materials Management Conditions of Certification			The aqueous ammonia storage facility shall be designed to either the ASME Pressure Vessel Code and ANSI K61.6 or to API 620. In either case, the storage tank shall be protected by a secondary containment basin capable of holding 125 percent of the storage volume or the storage volume plus the volume associated with 24 hours of rain assuming the 25- year storm. The final design drawings and specifications for the ammonia storage tank and secondary containment basins shall be submitted to the CPM for review and approval. Verification: At least sixty (60) days prior to delivery of aqueous ammonia to the facility, the project owner shall submit final design drawings and specifications for the ammonia storage tank and secondary containment basin to the CPM for review and approval.	sixty (60) days prior to delivery of aqueous ammonia to the facility	No	N/A	N/A	N/A	N/A
HAZ-5	Hazardous Materials Management Conditions of Certification			The project owner shall direct, in writing, all vendors delivering aqueous ammonia to the site to use only tanker truck transport vehicles that meet or exceed the specifications of U.S. DOT Code MC-307. Verification: At least sixty (60) days prior to the first receipt of aqueous ammonia on site, the project owner shall submit copies of the notification letter to supply vendors indicating the transport vehicle specifications to the CPM for review and approval.	sixty (60) days prior to the first receipt of aqueous ammonia on site	No	N/A	N/A	N/A	N/A
HAZ-6	Hazardous Materials Management Conditions of Certification			The project owner shall direct, in writing, all vendors delivering any hazardous material to the site to use only the route approved by the CPM (from Interstate 5, to West Panoche Road, to the project site). The project owner shall submit any desired change to the approved delivery route to the CPM for review and approval. Verification: At least sixty (60) days prior to receipt of any hazardous materials on site, the project owner shall submit copies of the required transportation route limitation direction to the CPM for review and approval.	sixty (60) days prior to receipt of any hazardous materials on site	No	N/A	N/A	N/A	N/A
HAZ-7	Hazardous Materials Management Conditions of Certification	Pre-Construction, Construction	Construction Site Security Plan	At least 30 days prior to commencing construction, a site-specific Construction Site Security Plan for the construction phase shall be prepared and made available to the CPM for review and approval. The Construction Security Plan shall include the following: 1. Perimeter security consisting of fencing enclosing the construction area; 2. Security guards; 3. Site access control consisting of a check-in procedure or tag system for construction personnel and visitors; 4. Written standard procedures for employees, contractors and vendors when encountering suspicious objects or packages on-site or off-site; 5. Protocol for contacting law enforcement and the CPM in the event of suspicious activity or emergency; and 6. Evacuation procedures. Verification: At least thirty (30) days prior to commencing construction, the project owner shall notify the CPM that a site-specific Construction Security Plan is available for review and approval.	thirty (30) days prior to commencing construction	No	N/A	N/A	N/A	N/A

HAZ-8	Hazardous Materials Management Conditions of Certification	Pre-Construction, Construction, Operation	Operations Security Plan Annual Compliance Reporting	The project owner shall also prepare a site-specific Security Plan for the operational phase and shall be made available to the CPM for review and approval. The project owner shall implement site security measures addressing physical site security and hazardous materials storage. The level of security to be implemented will be determined by the results of the Vulnerability Assessment but in no case shall the level of security be less than that described as below (as per NERC 2002). The Operation Security Plan shall include the following: 1. Permanent full perimeter fence or wall, at least 8 feet high; 2. Main entrance security gate, either hand operable or motorized; 3. Evacuation procedures; 4. Protocol for contacting law enforcement and the CPM in the event of suspicious activity or emergency; 5. Written standard procedures for employees, contractors and vendors when encountering suspicious objects or packages on- site or off-site; 6. a. A statement (refer to sample, attachment "A") signed by the project owner certifying that background investigations have been conducted on all project personnel. Background investigations shall be restricted to ascertain the accuracy of employee identity and employment history, and shall be conducted in accordance with state and federal law regarding security and privacy; b. A statement(s) (refer to sample, attachment "B") signed by the contractor or authorized representative(s) for any permanent contractors or other technical contractors (as determined by the CPM after consultation with the project owner) that are present at any time on the site to repair, maintain, investigate, or conduct any other technical duties involving critical components (as determined by the CPM after consultation with the project owner) certifying that background investigations have been conducted on contractor personnel that visit the project site. 7. Site access controls for employees, contractors, vendors, and visitors; 8. A statement(s) (refer to sample, attachment "C") signed by the owners or authorized representative of hazardous materials transport vendors certifying that they have prepared and implemented security plans in conformity with 49 CFR 172.880, and that they have conducted employee background investigations in accordance with 49 CFR Part 1572, subparts A and B; 9. Closed Circuit TV (CCTV) monitoring system, recordable, and viewable in the power plant control room and security station (if separate from the control room) capable of viewing, at a minimum, the main entrance gate and the ammonia storage tank; and 10. Additional measures to ensure adequate perimeter security consisting of either: A. Security guard present 24 hours per day, 7 days per week. or B. Surveillance and warning devices able to be viewed in the control room and from a remote location that include: 1. The CCTV monitoring system required in number 9 above shall include cameras that are able to pan, tilt, and zoom (PTZ), have low-light capability, are recordable, and are able to view 100 percent of the perimeter fence, the ammonia storage tank, the outside entrance to the control room, and the front gate, and 2. Perimeter breach detectors or on-site motion detectors. The project owner shall fully implement the security plans and obtain CPM approval of any substantive modifications to the security plans. The CPM may authorize modifications to these measures, or may require additional measures, such as protective barriers for critical power pant components (e.g., transformers, gas lines, compressors, etc.) depending on circumstances unique to the facility or in response to industry-related standards, security concerns, or additional guidance provided by the U.S. Department of Homeland Security, the U.S. Department of Energy, or the North American Electrical Reliability Council, after consultation with appropriate law enforcement agencies and the applicant. Verification: At least 30 days prior to the initial receipt of hazardous materials onsite, the project owner shall notify the CPM that a site-specific Vulnerability Assessment and Operations Site Security Plan are available for review and approval. In the Annual Compliance Report, the project owner shall include a statement that all current project employee and appropriate contractor background investigations have been performed, and updated certification statements are appended to the Operations Security Plan. In the Annual Compliance Report, the project owner shall include a statement that the Operations Security Plan includes all current hazardous materials transport vendor certifications for security plans and employee background investigations.	30 days prior to the initial receipt of hazardous materials onsite	No	N/A	N/A	N/A	N/A
LAND-1	Land Use Conditions of Certification	Pre-Construction	Mitigation	The project owner shall mitigate for the permanent loss of 6.16 acres of prime farmland at a one-to-one ratio. Verification: The project owner shall provide a mitigation fee payment to a Fresno County agricultural land trust or a statewide agricultural land trust at least 30 days prior to the start of construction. The fee payment will be determined by Fresno County and the project owner and set forth in a prepared Farmlands Mitigation Agreement (FMA), also determined between the project owner and Fresno County. The project owner shall provide a copy of the FMA to the Compliance Project Manager (CPM) for approval at the time of fee payment submittal. The FMA will require that 6.16 acres of prime farmland and/or easements shall be purchased within five years of start of construction as compensation for the 6.16 acres of prime farmland to be converted by the SPP. The FMA shall guarantee that the land managed by the trust will be located in Fresno County and will be farmed in perpetuity. The project owner shall provide to the CPM updates in the Annual Compliance Report on the status of farmland/easement purchase(s).	30 days prior to the start of construction	No	N/A	N/A	N/A	N/A
LAND-2	Land Use Conditions of Certification	Pre-Construction	Fresno County	The project owner shall design and construct the project to the applicable development standards in Sections 816.5 and 874 of the Fresno County Ordinance Code. 1. Any access gate shall be setback a minimum of 20 feet (or the length of the longest vehicle to initially enter the site from the edge of the ultimate road right-of-way. 2. The number of parking spaces required as part of this project shall be one space for every permanent employee, one space for each sales person, and one space for each company vehicle for a total of 2 spaces. 3. Each lot shall have a front yard of not less than 35 feet extending across the full width of the lot; each lot shall have a side yard on each side of not less than 20 feet. Verification: At least sixty (60) days prior to the start of construction the project owner shall submit to the Compliance Project Manager (CPM) written documentation including evidence of review by Fresno County that the project conforms to the standards in Sections 816.5 and 843 of the Fresno County Ordinance Code.	sixty (60) days prior to the start of construction	No	N/A	N/A	N/A	N/A
LAND-3	Land Use Conditions of Certification	Pre-Construction	Fresno County	The project owner shall provide a copy of Fresno County's Final Certificate of Cancellation of Contract from Agriculture Preserve No. 367. Verification: At least 60 days prior to construction, the project owner shall submit to the CPM a copy of Fresno County's Final Certificate of Cancellation of Contract from Agriculture Preserve No. 367.	60 days prior to construction	No	N/A	N/A	N/A	N/A
NOISE-1	Neighborhood Notification	Pre-Construction, Construction, Operation	Residence noticing	At least 15 days prior to the start of ground disturbance, the project owner shall notify all residents within one mile of the site and one-half mile of the linear facilities, by mail or other effective means, of the commencement of project construction. At the same time, the project owner shall establish a telephone number for use by the public to report any undesirable noise conditions associated with the construction and operation of the project. If the telephone is not staffed 24 hours per day, the project owner shall include an automatic answering feature, with date and time stamp recording, to answer calls when the phone is unattended. This telephone number shall be posted at the project site during construction in a manner visible to passersby. This telephone number shall be maintained until the project has been operational for at least one year. Verification: Prior to ground disturbance, the project owner shall transmit to the compliance project manager (CPM) a statement, signed by the project owner's project manager, stating that the above notification has been performed, and describing the method of that notification, verifying that the telephone number has been established and posted at the site, and giving that telephone number.	Prior to ground disturbance	Yes	Rincon	5/1/2025	Complete 5/14/25	Will be included in noise memo 05/01/25: Noise memo sent to CEC. 05/14/25: Approved by CEC.
NOISE-2	Noise Complaint Process	Construction, Operation	Noise Compliance	Throughout the construction and operation of the SPP, the project owner shall document, investigate, evaluate, and attempt to resolve all project- related noise complaints. The project owner or authorized agent shall: • Use the noise complaint resolution form below, or a functionally equivalent procedure acceptable to the CPM, to document and respond to each noise complaint; • Attempt to contact the person(s) making the noise complaint within 24 hours; • Conduct an investigation to determine the source of noise related to the complaint; • If the noise is project related, take all feasible measures to reduce the noise at its source; and • Submit a report documenting the complaint and the actions taken. The report shall include: a complaint summary, including final results of noise reduction efforts, and if obtainable, a signed statement by the complainant, stating that the noise problem is resolved to the complainant's satisfaction. Verification: Within five days of receiving a noise complaint, the project owner shall file a copy of the noise complaint resolution form with the local jurisdiction and the CPM, documenting the resolution of the complaint. If mitigation is required to resolve a complaint, and the complaint is not resolved within a three-day period, the project owner shall submit an updated noise complaint resolution form when the mitigation is implemented.	five days of receiving a noise complaint	Yes	MRP	5/1/2025	As-needed	Will be included in noise memo 05/01/25: Noise memo sent to CEC. 05/14/25: Approved by CEC.
NOISE-3	Noise Complaint Process	Pre-Construction	Noise Control Program	The project owner shall submit to the CPM for review and approval a noise control program. The noise control program shall be used to reduce employee exposure to high noise levels during construction and also to comply with applicable OSHA and Cal-OSHA standards. Verification: At least 30 days prior to the start of ground disturbance, the project owner shall submit to the CPM the noise control program. The project owner shall make the program available to Cal-OSHA upon request.	30 days prior to the start of ground disturbance,	Yes	MRP	N/A	Complete	Utilizing original plan

NOISE-4	Noise Restrictions	Operation	Operational Noise Survey	The project design and implementation shall include appropriate noise mitigation measures adequate to ensure that operation of the project will not cause noise levels due to plant operation plus ambient, during the four quietest consecutive hours of the nighttime, to exceed an average of 45 dBA L50 as measured near monitoring locations ML2 (approximately 1,600 feet west of the center of the project site) and as measured near a location 400 feet from the project site (as shown in Noise Figure 1). No new pure-tone components may be caused by the project. No single piece of equipment shall be allowed to stand out as a source of noise that draws legitimate complaints. When the project first achieves a sustained output of 90 percent or greater of rated capacity, the project owner shall conduct a 4-hour community noise survey at monitoring location ML2 or at a closer location acceptable to the CPM. This survey during power plant operation shall also include measurement of one-third octave band sound pressure levels to ensure that no new pure-tone noise components have been caused by the project. • During this survey, the project owner shall also conduct a 4-hour noise survey at a location 400 feet from the project site (as shown in Noise figure 1). • The above noise measurements shall be conducted during four consecutive hours within the nighttime period, from 10 p.m. to 7 a.m. • The measurement of power plant noise for the purposes of demonstrating compliance with this condition of certification may alternatively be made at a location, acceptable to the CPM, closer to the plant (e.g., 400 feet from the plant boundary) and this measured level then mathematically extrapolated to determine the plant noise contribution at the affected residence. The character of the plant noise shall be evaluated at the affected receptor locations to determine the presence of pure tones or other dominant sources of plant noise. • If the results from the above noise survey indicate that the power plant noise level plus ambient (L50) at the affected receptor sites exceeds the above value during the above specified time periods, mitigation measures shall be implemented to reduce noise to a level of compliance with this limit. • If the results from the noise survey indicate that pure tones are present, mitigation measures shall be implemented to eliminate the pure tones. Verification: The survey shall take place within 60 days of the project first achieving a sustained output of 90 percent or greater of rated capacity. Within 15 days after completing the survey, the project owner shall submit a summary report of the survey to the CPM. Included in the survey report shall be a description of any additional mitigation measures necessary to achieve compliance with the above- listed noise limit, and a schedule, subject to CPM approval, for implementing these measures. When these measures are in place, the project owner shall repeat the noise survey. Within 15 days of completion of the new survey, the project owner shall submit to the CPM a summary report of this new noise survey, performed as described above and showing compliance with this condition.	15 days after completing the survey	Yes	RIncon	TBD	Post-construction	
NOISE-5	Noise Restrictions	Pre-Construction	Noise Compliance	Prior to ground disturbance, the project owner shall fully execute its agreement with the landowner of the property at ML1 to relocate its residents to a location not near the project site. The project design and implementation shall include appropriate noise mitigation measures adequate to ensure that operation of the project will not cause noise levels due to plant operation plus ambient, during the four quietest consecutive hours of the nighttime, to exceed an average of 45 dBA L50 as measured near this new location. No new pure-tone components may be caused by the project. No single piece of equipment shall be allowed to stand out as a source of noise that draws legitimate complaints. • If the new location is within 3,000 feet of the project site, when the project first achieves a sustained output of 90 percent or greater of rated capacity, the project owner shall conduct a short-term survey of noise at this new location or at a closer location acceptable to the CPM. The short-term noise measurements shall be conducted during every hour of the nighttime hours, from 10 p.m. to 7 a.m., during the period of the survey. • If during the operating life of the project, the project owner plans to convert the five-unit multiplex at ML1 back to a residential use, the project owner shall repeat this survey at ML1 or at a closer location acceptable to the CPM, prior to any resident(s) occupying the multiplex. • The measurement of power plant noise for the purposes of demonstrating compliance with this condition of certification may alternatively be made at a location, acceptable to the CPM, closer to the plant (e.g., 400 feet from the plant boundary) and this measured level then mathematically extrapolated to determine the plant noise contribution at the affected residence. The character of the plant noise shall be evaluated at the affected receptor locations to determine the presence of pure tones or other dominant sources of plant noise. • If the results from any of the above noise surveys indicate that the power plant noise level plus ambient (L50) at the affected receptor sites exceeds the above value during the above specified time period, mitigation measures shall be implemented to reduce noise to a level of compliance with this limit. ML1 shall not be reoccupied (as explained above), unless the SPP can demonstrate compliance with this requirement at this location. • If the results from the noise surveys indicate that pure tones are present, mitigation measures shall be implemented to eliminate the pure tones. Verification: Prior to ground disturbance, the project owner shall transmit to the CPM a statement, signed by the project owner's project manager, stating that the residents in the property at ML1 have been relocated, and describing the new location and its distance to the project site. The first noise survey shall take place within 30 days of the project first achieving a sustained output of 90 percent or greater of rated capacity. If the second survey is needed (as described above) it shall take place prior to the property at ML1 being reoccupied. Within 15 days after completing each of the surveys, the project owner shall submit a summary report of the survey to the CPM. Included in the survey report shall be a description of any additional mitigation measures necessary to achieve compliance with the above-listed noise limit, and a schedule, subject to CPM approval, for implementing these measures. When these measures are in place, the project owner shall repeat the noise survey. Within 15 days of completion of the new survey (conducted after implementation of the above mitigation measures), the project owner shall submit to the CPM a summary report of this new noise survey, performed as described above and showing compliance with this condition.	Prior to ground disturbance 30 days of the project first achieving a sustained output of 90 percent or greater of rated capacity. 15 days after completing each of the surveys	Yes	Rincon, MRP	5/1/2025	Complete 5/14/25	Completed during construction of MPP 05/01/25: Noise memo sent to CEC. 05/14/25: Approved by CEC.
NOISE-6	Noise Restrictions	Operation	Noise Survey	Following the project first achieving a sustained output of 90 percent or greater of rated capacity, the project owner shall conduct an occupational noise survey to identify the noise hazardous areas in the facility. The survey shall be conducted by a qualified person in accordance with the provisions of Title 8, California Code of Regulations, sections 5095- 5099 (Article 105) and Title 29, Code of Federal Regulations, section 1910.95. The survey results shall be used to determine the magnitude of employee noise exposure. The project owner shall prepare a report of the survey results and, if necessary, identify proposed mitigation measures that will be employed to comply with the applicable California and federal regulations. Verification: Within 30 days after completing the survey, the project owner shall submit the noise survey report to the CPM. The project owner shall make the report available to OSHA and Cal-OSHA upon request.	30 days after completing the survey	Yes	Rincon, MRP	TBD	Operation	
NOISE-7	Construction Time Restrictions	Pre-Construction	Heavy equipment noise	Heavy equipment operation and noisy construction work relating to any project features (including pile driving work) shall be restricted to the times delineated below, unless a special permit has been issued by the County of Fresno: Any day except Saturdays and Sundays: 8 a.m. to 9 p.m. Saturdays and Sundays: 7 a.m. to 5 p.m. Haul trucks and other engine-powered equipment shall be equipped with adequate mufflers. Haul trucks shall be operated in accordance with posted speed limits. Truck engine exhaust brake use shall be limited to emergencies. Verification: Prior to ground disturbance, the project owner shall transmit to the CPM a statement acknowledging that the above restrictions will be observed throughout the construction of the project.	Prior to ground disturbance	Yes	Rincon	5/1/2025	Complete 5/14/25	Will be included in noise compliance memo 05/01/25: Noise memo sent to CEC. 05/14/25: Approved by CEC.
NOISE-8	Pile Driving Management	Construction	Pile Driving	The project owner shall perform pile driving using a quieter process than the traditional pile driving techniques to ensure that noise from these operations does not cause annoyance at monitoring locations ML2 and ML3. Verification: At least 15 days prior to first pile driving, the project owner shall submit to the CPM a description of the pile driving technique to be employed, including calculations showing its projected noise impacts at monitoring locations ML2 and ML3.	15 days prior to first pile driving	Yes	MRP	5/1/2025	Complete 5/14/25	05/01/25: Noise memo sent to CEC. 05/14/25: Approved by CEC.
SOCIO-1	Socioeconomics Conditions of Certification	Pre-Construction	One-time Statutory School Development Fee	The project owner shall pay the one-time statutory school development fee to the Mendota Unified School District as required by Education Code Section 17620. Verification: At least 30 days prior to start of project construction, the project owner shall provide the CPM proof of payment of the statutory development fee.	30 days prior to start of project construction	No	N/A	N/A	N/A	N/A

TRANS-1	Traffic and Transportation Conditions of Certification	Pre-Construction, Construction	Road Mitigation	Prior to site mobilization activities, the project owner shall prepare a mitigation plan for West Panoche Road should it be damaged by project construction. The intent of this plan is to ensure that if West Panoche Road is damaged by project construction it will be repaired and reconstructed to original or as near original condition as possible. This plan shall include: •Documentation of the pre-construction condition of West Panoche Road from I-5 to the access road to the site. Prior to the start of site mobilization, the project owner shall provide to the CPM photographs or videotape of West Panoche Road. •Documentation of any portions of West Panoche Road that may be inadequate to accommodate oversize or large construction vehicles, and identify necessary remediation measures; •Provide for appropriate bonding or other assurances to ensure that any damage to West Panoche Road due to construction activity will be remedied by the project owner; and •Reconstruction of portions of West Panoche Road that are damaged by project construction. Verification: At least 90 days prior to the start of site mobilization, the project owner shall submit a mitigation plan focused on restoring West Panoche Road to their pre- project condition to the Fresno County Planning Department for review and comment, and to the CPM for review and approval. Within 90 days following the completion of construction, the project owner shall provide photo/videotape documentation to the Fresno County Planning Department, and the CPM that the damaged sections of West Panoche Road have been restored to their pre-project condition.	90 days following the completion of construction	Yes	MRP	TBD	Post-construction	Completed preconstruction pavement survey, will complete condition when construction complete
TRANS-2	Traffic and Transportation Conditions of Certification	Pre-Construction, Construction	TCP	The Project owner shall consult with Fresno County and the City of Mendota and prepare and submit to the CPM for approval, a construction traffic control plan (TCP) and implementation program. The TCP should address the following issues: •Timing of heavy equipment and building materials deliveries •Signing, lighting and traffic control device placement, if required •Need for construction work hours and arrival/departure times outside of peak traffic periods, local school bus travel times on Panoche Road, and the intervals that children would be walking to and from bus stops. •Installation of road signs along Panoche Road to inform drivers of school bus zones. •Signs directing construction workers and deliveries off of Panoche Road. •Ensure access for emergency vehicles to the project site. •Temporary travel lane closure. •Installation of barriers to protect school children waiting for the school bus. Verification: At least 45 days prior to site mobilization, the project owner shall submit the plan to the appropriate jurisdictions for review and comment, and to the CPM for review and approval.	45 days prior to site mobilization	Yes	MRP	5/5/2025	Complete 5/15/25	05/05/25: Email to Fresno County and City of Mendota. 05/07/25: Response from County. 05/07/25: City of Mendota response. 05/08/25: Communication to confirm if TRANS-2 requirements are met in the eyes of the CEC. 05/15/25: CEC approved TCP.
TRANS-3	Traffic and Transportation Conditions of Certification	Construction	Complaint Resolution Form	Throughout construction of the project, the project owner shall document, Investigate, evaluate and attempt to resolve all complaints related to construction traffic affecting school bus safety or children walking to and from school bus stops. The project owner or authorized agent shall: •Use a CPM-approved Complaint Resolution Form, or functionally equivalent procedure acceptable to the CPM, to document and respond to each traffic safety complaint; •Attempt to contact the person(s) making the traffic safety complaint within 24 hours; •Conduct an investigation to determine the source of the traffic safety problem related to the complaint; •If the traffic safety issue is project related, take all feasible measures to reduce the safety problem at its source; and •Submit a report documenting the complaint and the actions taken. The report shall include: a complaint summary, including final results of traffic safety improvement efforts; and if obtainable, a signed statement by the complainant stating that the traffic safety problems resolved to the complainant's satisfaction. •The project owner shall establish a telephone number for use by the public to report any project-related traffic safety issues. If the telephone is not staffed 24 hours per day, the project owner shall include an automatic answering feature, with date and time stamp recording, to answer calls when the phone is unattended. The telephone number shall be posted at the project site during construction in a manner visible to passerby. This telephone number shall be maintained until project construction is complete. Verification: Prior to site mobilization, the project owner shall transmit to the CPM a statement, signed by the project manager, stating that a telephone number has been established and posted at the site, and provide the telephone number. Within 5 days after receiving a traffic safety complaint, the project owner shall file a Complaint Resolution Form with the CPM documenting the resolution of the complaint. If mitigation is required to resolve a complaint and the complaint is not resolved within a 3-day period, the project owner shall submit an updated Complaint Resolution Form when the mitigation is implemented.	5 days after receiving a traffic safety complaint	Yes	Rincon	5/1/2025	Complete 5/14/25 As-needed	traffic/noise combo 05/01/25: Noise memo sent to CEC. 05/14/25: Noise approved by CEC (same email as TRANS-3) but TRANS-3 was not specifically called out as approved.
TRANS-4	Traffic and Transportation Conditions of Certification	Construction	WTSP	Prior to site mobilization, the project owner shall develop and Implement a Worker Traffic Safety Program (WTSP) focusing on awareness of school buses and school children in the vicinity of the project. The plan shall include, as a minimum, the following: •A discussion of all applicable motor vehicle laws and penalties under the law; safe driving practices, potential road conditions (e.g., school bus stops, children who are walking to or from a bus stop, children boarding or exiting buses, ground fog, horses/livestock, slow vehicles, etc.) along the expected travel corridor (i.e., Panoche Road), •Required commute work travel times, •Expected school bus travel times, and •A discussion of consequences in the event a worker is found driving in an unsafe manner. The training shall be provided on a weekly basis to all new employees (including all contractors and subcontractors) at the start of ground disturbance, and continue for the duration of construction. The training may be presented in the form of a video. Verification: The project owner shall provide a copy of the WTSP to the CPM for review and approval 30 days prior to site mobilization. The training may be presented in the form of a video, if the video has been approved by the CPM. The video shall be provided to the CPM for review and approved 30 days prior to site mobilization. **The project owner shall provide the WTSP certification of completion for persons who have completed the training in the prior month, and a running total of all persons who have completed training to date in the monthly compliance report.**	30 days prior to site mobilization	Yes	MRP	Monthly	WEAP approved 4/29/25 WEAP records provided in MCRs	Included in the WEAP
TLSN-1	Transmission Line Safety and Nuisance Conditions of Certification	Pre-Construction	Construct transmission lines	The project owner shall construct the proposed transmission lines according to the requirements of California Public Utility Commission's GO-95, GO-52, GO-131-D, Title 8, and Group 2. High Voltage Electrical Safety Orders, Sections 2700 through 2974 of the California Code of Regulations, and Southern California Edison's EMF-reduction guidelines. Verification: At least thirty days before starting construction of the transmission line or related structures and facilities, the project owner shall submit to the Compliance Project Manager (CPM) a letter signed by a California registered electrical engineer affirming that the lines will be constructed according to the requirements stated in the condition.	thirty days before starting construction of the transmission line or related structures and facilities	Yes	MRP	N/A	Not applicable	Only low voltage lines associated with project design
TLSN-2	Transmission Line Safety and Nuisance Conditions of Certification	Operation	Annual Compliance Reporting	The project owner shall ensure that every reasonable effort will be made to identify and correct, on a case-specific basis, any complaints of interference with radio or television signals from operation of the project- related lines and associated switchyards. The project owner shall maintain written records for a period of five years, of all complaints of radio or television interference attributable to plant operation together with the corrective action taken in response to each complaint. All complaints shall be recorded to include notations on the corrective action taken. Complaints not leading to a specific action or for which there was no resolution should be noted and explained. The record shall be signed by the project owner and also the complainant, if possible, to indicate concurrence with the corrective action or agreement with the justification for a lack of action. Verification: All reports of line-related complaints shall be summarized for the project- related lines and included during the first five years of plant operation in the Annual Compliance Report.	during the first five years of plant operation	Yes	MRP	TBD	Operation	
TLSN-3	Transmission Line Safety and Nuisance Conditions of Certification	post-construction	Energization measurements	The project owner shall hire a qualified consultant to measure the strengths of the electric and magnetic fields from the line before and after it is energized. The measurements shall be made according to the American National Standard Institute/Institute of Electrical and Electronic Engineers (ANSI/IEEE) standard procedures at the locations of maximum field strengths along the proposed route. These measurements shall be completed not later than six months after the start of operations. Verification: The project owner shall file copies of the pre-and post-energization measurements and measurements with the CPM within 60 days after completion of the measurements.	60 days after completion of the measurements	Yes	MRP	N/A	Not applicable	Completed as part of construction of the MPP
TLSN-4	Transmission Line Safety and Nuisance Conditions of Certification	Operation	Annual Compliance Reporting	The project owner shall ensure that the rights-of-way of the proposed transmission line are kept free of combustible material, as required under the provisions of Section 4292 of the Public Resources Code and Section 1250 of Title 14 of the California Code of Regulations. Verification: During the first five years of plant operation, the project owner shall provide a summary of inspection results and any fire prevention activities carried out along the right-of-way and provide such summaries in the Annual Compliance Report.	During the first five years of plant operation	Yes	MRP	TBD	Operation	
TLSN-5	Transmission Line Safety and Nuisance Conditions of Certification	Construction	Transmission line safety	The project owner shall ensure that all permanent metallic objects within the right-of-way of the project-related lines are grounded according to industry standards regardless of ownership. In the event of a refusal by any property owner to permit such grounding, the project owner shall so notify the CPM. Such notification shall include, when possible, the owner's written objection. Upon receipt of such notice, the CPM may waive the requirement for grounding the object involved. Verification: At least 30 days before the lines are energized, the project owner shall transmit to the CPM a letter confirming compliance with this Condition.	30 days before the lines are energized	Yes	MRP	N/A	Not applicable	
TSE-1	Transmission System Engineering Conditions of Certification	Pre-Construction	Monthly Compliance Reporting	The project owner shall furnish to the Compliance Project Manager (CPM) and to the Chief Building Official (CBO) a schedule of transmission facility design submittals, a Master Drawing List, a Master Specifications List, and a Major Equipment and Structure List. The schedule shall contain a description and list of proposed submittal packages for design, calculations, and specifications for major structures and equipment. To facilitate audits by Energy Commission staff, the project owner shall provide designated packages to the CPM when requested. Verification: At least 60 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of construction, the project owner shall submit the schedule, a Master Drawing List, and a Master Specifications List to the CBO and to the CPM. The schedule shall contain a description and list of proposed submittal packages for design, calculations, and specifications for major structures and equipment (see a list of major equipment in Table 1: Major Equipment List below). Additions and deletions shall be made to the table only with CPM and CBO approval. The project owner shall provide schedule updates in the Monthly Compliance Report.	60 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of construction	No	N/A	N/A	N/A	N/A

TSE-2	Transmission System Engineering Conditions of Certification	Pre-Construction, Construction	Special Inspection Monitoring	Prior to the start of construction the project owner shall assign an electrical engineer and at least one of each of the following to the project: A) a civil engineer; B) a geotechnical engineer or a civil engineer experienced and knowledgeable in the practice of soils engineering; C) a design engineer, who is either a structural engineer or a civil engineer fully competent and proficient in the design of power plant structures and equipment supports; or D) a mechanical engineer. (Business and Professions Code Sections 6704 et seq. require state registration to practice as a civil engineer or structural engineer in California.) The tasks performed by the civil, mechanical, electrical or design engineers may be divided between two or more engineers, as long as each engineer is responsible for a particular segment of the project (e.g., proposed earthwork, civil structures, power plant structures, equipment support). No segment of the project shall have more than one responsible engineer. The transmission line may be the responsibility of a separate California registered electrical engineer. The civil, geotechnical or civil and design engineer assigned in conformance with Facility Design condition GEN-5, may be responsible for design and review of the TSE facilities. The project owner shall submit to the CBO for review and approval, the names, qualifications and registration numbers of all engineers assigned to the project. If any one of the designated engineers is subsequently reassigned or replaced, the project owner shall submit the name, qualifications and registration number of the newly assigned engineer to the CBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer. This engineer shall be authorized to halt earthwork and to require changes; if site conditions are unsafe or do not conform with predicted conditions used as a basis for design of earthwork or foundations. The electrical engineer shall: 1. Be responsible for the electrical design of the power plant switchyard, outlet and termination facilities; and 2. Sign and stamp electrical design drawings, plans, specifications, and calculations. Verification: At least 30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of rough grading, the project owner shall submit to the CBO for review and approval, the names, qualifications and registration numbers of all the responsible engineers assigned to the project. The project owner shall notify the CPM of the CBO's approvals of the engineers within five days of the approval. If the designated responsible engineer is subsequently reassigned or replaced, the project owner has five days in which to submit the name, qualifications, and registration number of the newly assigned engineer to the CBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer within five days of the approval.	30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of rough grading	No	N/A	N/A	N/A	N/A
TSE-3	Transmission System Engineering Conditions of Certification	Construction	Special Inspection Monitoring	If any discrepancy in design and/or construction is discovered in any engineering work that has undergone CBO design review and approval, the project owner shall document the discrepancy and recommend corrective action. (2001 California Building Code, Chapter 1, Section 108.4, Approval Required; Chapter 17, Section 1701.3, Duties and Responsibilities of the Special Inspector; Appendix Chapter 33, Section 3317.7, Notification of Noncompliance). The discrepancy documentation shall become a controlled document and shall be submitted to the CBO for review and approval and shall reference this condition of certification. Verification: The project owner shall submit a copy of the CBO's approval or disapproval of any corrective action taken to resolve a discrepancy to the CPM within 15 days of receipt. If disapproved, the project owner shall advise the CPM, within five days, the reason for disapproval, and the revised corrective action required to obtain the CBO's approval.	within 15 days of receipt	No	N/A	N/A	N/A	N/A
TSE-4	Transmission System Engineering Conditions of Certification	Pre-Construction, Construction	Monthly Compliance Reporting	For the power plant switchyard, outlet line and termination, the project owner shall not begin any increment of construction until plans for that increment have been approved by the CBO. These plans, together with design changes and design change notices, shall remain on the site for one year after completion of construction. The project owner shall request that the CBO inspect the installation to ensure compliance with the requirements of applicable LORS. The following activities shall be reported in the Monthly Compliance Report: a. Receipt or delay of major electrical equipment; b. Testing or energization of major electrical equipment; and c. The number of electrical drawings approved, submitted for approval, and still to be submitted. Verification: At least 30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of each increment of construction, the project owner shall submit to the CBO for review and approval the final design plans, specifications and calculations for equipment and systems of the power plant switchyard, outlet line and termination, including a copy of the signed and stamped statement from the responsible electrical engineer attesting to compliance with the applicable LORS, and send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.	30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of each increment of construction	No	N/A	N/A	N/A	N/A
TSE-5	Transmission System Engineering Conditions of Certification	Pre-Construction, Construction, Operation	Transmission facilities will conform to all applicable LORS	The project owner shall ensure that the design, construction, and operation of the proposed transmission facilities will conform to all applicable LORS, including the requirements listed below. The project owner shall submit the required number of copies of the design drawings and calculations as determined by the CBO. 1. The existing Panoche Substation will require upgrades and rearrangement to accommodate the addition of the SPP. a. Install a tap interconnection at the CalPeak Panoche generator tie-line. b. Reconductor the CalPeak Panoche generator tie-line between CB 142 at CalPeak Panoche and CB 162 at Panoche Substation with 954 kcmil aluminum conductor or conductor with a higher rating. c. Rearrange or rebuild the Panoche-Shindler 115 kV Number 1 and Number 2 lines to accommodate crossing of the new tap line. d. Protection requirements will consist of a fully redundant, three-terminal, double-pilot current differential scheme. 2. The SPP will be interconnected to the Panoche Substation via a single 115 kV transmission line approximately 1000 feet long with 954 kcmil aluminum conductor or conductor with a higher rating. 3. The power plant outlet line shall meet or exceed the electrical, mechanical, civil, and structural requirements of California Public Utilities Commission General Order 95 or National Electric Safety Code (NESC); Title 8 of the California Code of Regulations; articles 35, 36 and 37 of the High-Voltage Electric Safety Orders; California ISO Standards; National Electric Code (NEC); and related industry standards. 4. Breakers and busses in the power plant switchyard and other switchyards, where applicable, shall be sized to comply with a short-circuit analysis. 5. Outlet line crossings and line parallels with transmission and distribution facilities shall be coordinated with the transmission line owner and comply with the owner's standards. 6. The project conductors shall be sized to accommodate the full output from the project. 7. Termination facilities shall comply with applicable PG&E interconnection standards. 8. The project owner shall provide to the CPM: a. The final Detailed Facility Study including a description of facility upgrades, operational mitigation measures, and/or special protection system sequencing and timing, if applicable. b. Executed project owner and California ISO facility interconnection agreement. 9. A request for minor changes to the facilities described in this condition may be allowed if the project owner informs the CBO and CPM and receives approval for the proposed change. A detailed description of the proposed change and complete engineering, environmental, and economic rationale for the change shall accompany the request. Construction involving changed equipment or substation configurations shall not begin without prior written approval of the changes by the CBO and the CPM. Verification: At least 60 days prior to the start of construction of transmission facilities (or a lesser number of days mutually agreed to by the project owner and CBO), the project owner shall submit the following to the CBO for approval. The project owner shall submit a letter from PG&E confirming that PG&E will build the facilities identified in TSE-5 starting with the point of interconnection, the conductor tie into the "A" frame takeoff on Midway property, through the PG&E substation in accordance with PG&E standards. The project owner shall submit design drawings, specifications and calculations conforming with California Public Utilities Commission General Order 95 or National Electric Safety Code; Title 8 of the California Code of Regulations; articles 35, 36, and 37 of the High Voltage Electric Safety Orders; California ISO standards; National Electric Code; and related industry standards, for the poles/towers, foundations, anchor bolts, conductors, grounding systems, and major switchyard equipment for facilities installed by the owner and not PG&E. For each element of the transmission facilities identified above and installed by the owner and not PG&E, the submittal package to the CBO shall contain the design criteria, a discussion of the calculation method(s), a sample calculation based on worst- case conditions, and a statement signed and sealed by the registered engineer in charge, or other acceptable alternative verification, that the transmission element(s) will conform with California Public Utilities Commission General Order 95 or National Electric Safety Code; Title 8 of the California Code of Regulations, articles 35, 36, and 37 of the High-Voltage Electric Safety Orders; California ISO standards; National Electric Code and related industry standards. The project owner shall submit electrical one-line diagrams signed and sealed by the registered professional electrical engineer in charge, a route map, an engineering description of equipment, and the configurations covered by requirements 1 through 9 in Condition Of Certification TSE-5 above and installed by the owner and not PG&E. The final Detailed Facility Study, including a description of facility upgrades, operational mitigation measures, and/or special protective system sequencing and timing, if applicable, shall be provided concurrently to the CPM. At least 60 days prior to the construction of transmission facilities, the project owner shall inform the CBO and the CPM of any impending changes that may not conform to the facilities described in this condition, and shall request approval to implement such changes.	60 days prior to the construction of transmission facilities	Yes	MRP	N/A	Not applicable	

TSE-6	Transmission System Engineering Conditions of Certification	Construction, Pre-Operation	CALISO Notice	The project owner shall provide the following Notice to the California Independent System Operator prior to synchronizing the facility with the California transmission system: 1. At least one week prior to synchronizing the facility with the grid for testing, provide the CAL ISO with a letter stating the proposed date of synchronization; and 2. At least one business day prior to synchronizing the facility with the grid for testing, provide telephone notification to the ISO Outage Coordination Department. Verification: The project owner shall provide copies of the CAL ISO letter to the CPM when it is sent to the CAL ISO one week prior to initial synchronization with the grid. The project owner shall contact the CAL ISO Outage Coordination Department, Monday through Friday, between the hours of 0700 and 1530 at (916) 351-2300 at least one business day prior to synchronizing the facility with the grid for testing. A report of conversation with the CAL ISO shall be provided electronically to the CPM one day before synchronizing the facility with the California transmission system for the first time.	N/A	No	N/A	N/A	N/A	N/A
TSE-7	Transmission System Engineering Conditions of Certification	Construction, Operation	Compliance Monitoring Plan	The project owner shall be responsible for the inspection of the transmission facilities during and after project construction, and any subsequent CPM and CBO approved changes thereto, to ensure conformance with CPUC General Order 95 or National Electric Safety Code (NESC); Title 8 of the California Code and Regulations (Title 8); Articles 35, 36 and 37 of the "High Voltage Electric Safety Orders", CAL ISO standards, National Electric Code (NEC) and related industry standards. In case of non-conformance, the project owner shall inform the CPM and CBO in writing, within 10 days of discovering such non- conformance and describe the corrective actions to be taken. Verification: Within 60 days after first synchronization of the project, the project owner shall transmit to the CPM and CBO: a. "As built" engineering description(s) and one-line drawings of the electrical portion of the facilities signed and sealed by the registered electrical engineer in responsible charge. A statement attesting to conformance with CPUC General Order 95 or National Electric Safety Code (NESC); Title 8 of the California Code and Regulations (Title 8); Articles 35, 36 and 37 of the "High Voltage Electric Safety Orders", CAL ISO standards, National Electric Code (NEC) and related industry standards. b. An "as built" engineering description of the mechanical, structural, and civil portion of the transmission facilities signed and sealed by the registered engineer in responsible charge or acceptable alternative verification. "As built" drawings of the electrical, mechanical, structural, and civil portion of the transmission facilities shall be maintained at the power plant and made available, if requested, for CPM audit as set forth in the "Compliance Monitoring Plan". c. A summary of inspections of the completed transmission facilities, and identification of any nonconforming work and corrective actions taken, signed and sealed by the registered engineer in charge.	60 days after first synchronization of the project	No	N/A	N/A	N/A	N/A
VIS-1	Visual Resources Conditions of Certification	Pre-Construction, Construction	Surface Treatment of Project Structures and Buildings, Annual Compliance Reporting	The project owner shall color and finish the surfaces of all project structures and buildings visible to the public to ensure that they: 1. Minimize visual intrusion and contrast by blending with the landscape; 2. Minimize glare; and 3. Comply with local design policies and ordinances. The transmission line conductors shall be non-specular and non-reflective, and the insulators shall be non-reflective and non-refractive. The project owner shall submit a surface treatment plan to the Compliance Project Manager (CPM) for review and approval. The treatment plan shall include: A. A description of the overall rationale for the proposed surface treatment, including the selection of the proposed color(s) and finishes; B. A list of each major project structure, building, tank, pipe, and wall; transmission line towers and/or poles; and fencing, specifying the color(s) and finish proposed for each. Colors must be identified by vendor, name, and number; or according to a universal designation system; C. One set of color brochures or color chips showing each proposed color and finish; D. One set of 11" x 17" color photo simulations at life size scale of the proposed treatment for project structures, including structures treated during manufacture, from the Key Observation Points; E. A specific schedule for completing the treatment; and F. A procedure to ensure proper treatment maintenance for the life of the project. The project owner shall not request vendor treatment of any buildings or structures during their manufacture, or perform final field treatment on any buildings or structures, until the project owner has received treatment plan approval by the CPM. Verification: At least 90 days prior to specifying vendor color(s) and finish (es) for structures or buildings to be surface treated during manufacture, the project owner shall submit the proposed treatment plan to the CPM for review and approval and simultaneously to the County of Fresno Department of Public Works and Planning, Development Services Division for review and comment. The project owner shall provide the CPM with the County's comments at least 30 days prior to the estimated date of providing paint specification to vendors. If the CPM determines that the plan requires revision, the project owner shall provide to the CPM a plan with the specified revision(s) for review and approval by the CPM before any treatment is applied. Any modifications to the treatment plan must be submitted to the CPM for review and approval. Within ninety (90) days after the start of commercial operation, the project owner shall notify the CPM that surface treatment of all listed structures and buildings has been completed and is ready for inspection; and shall submit one set of electronic color photographs from the Key Observation Points. The project owner shall provide a status report regarding surface treatment maintenance in the Annual Compliance Report. The report shall specify: 1. The condition of the surfaces of all structures and buildings at the end of the reporting year; 2. Maintenance activities that occurred during the reporting year; and 3. The schedule of maintenance activities for the next year.	ninety (90) days after the start of commercial operation	Yes	MRP	N/A	Not applicable	No painted above ground components associated with interconnection
VIS-2	Visual Resources Conditions of Certification	Construction	Construction Lighting, Monthly Compliance Reporting	The project owner shall ensure that lighting for construction of the power plant is used in a manner that minimizes potential night lighting impacts, as follows: A. All lighting shall be of minimum necessary brightness consistent with worker safety and security; B. All fixed position lighting shall be shielded/hooded, and directed downward and toward the area to be illuminated to prevent direct illumination of the night sky and obtrusive spill light beyond the boundaries of the power plant site or the site of construction of ancillary facilities, including any security related boundaries; C. Wherever feasible and safe and not needed for security, lighting shall be kept off when not in use; and D. Complaints concerning adverse lighting impacts will be promptly addressed and mitigated. Verification: Within seven days after the first use of construction lighting, the project owner shall notify the CPM that the lighting is ready for inspection. If the CPM requires modifications to the lighting, the project owner shall implement the necessary modifications within 15 days of the CPM's request and notify the CPM that the modifications have been completed. Within 10 days of receiving a lighting complaint, the project owner shall provide the CPM with a complaint resolution form report as specified in the compliance General Conditions including a proposal to resolve the complaint, and a schedule for implementation. The project owner shall notify the CPM within 10 days after completing implementation of the proposal. A copy of the complaint resolution form report shall be included in the subsequent Monthly Compliance Report following complaint resolution.	seven days after the first use of construction lighting 10 days of receiving a lighting complaint	No	N/A	N/A	N/A	N/A
VIS-3	Visual Resources Conditions of Certification	Construction, Operation	Permanent Exterior Lighting	To the extent feasible, consistent with safety and security considerations and commercial availability, the project owner shall design and install all permanent exterior lighting such that: a. Light fixtures do not cause obtrusive spill light beyond the project site; b. Lighting does not cause excessive reflected glare; c. Direct lighting does not illuminate the nighttime sky; d. Illumination of the project and its immediate vicinity is minimized, and e. Lighting complies with local policies and ordinances. The project owner shall submit to the CPM for review and approval and simultaneously to the County of Fresno Department of Public Works and Planning, Development Services Division for review and comment a lighting mitigation plan that includes the following: A. A process for addressing and mitigating complaints received about potential lighting impacts; B. Lighting shall incorporate commercially available fixture hoods/shielding, with light directed downward or toward the area to be illuminated; C. Light fixtures shall not cause obtrusive spill light beyond the project boundary; D. All lighting shall be of minimum necessary brightness consistent with operational safety and security; and E. Lights in high illumination areas not occupied on a continuous basis (such as maintenance platforms) shall have (in addition to hoods) switches, timer switches, or motion detectors so that the lights operate only when the area is occupied. Verification: At least 90 days prior to ordering any permanent exterior lighting, the project owner shall contact the CPM to determine the required documentation for the lighting mitigation plan. At least 60 days prior to ordering any permanent exterior lighting, the project owner shall submit to the CPM for review and approval and simultaneously to the County of Fresno Department of Public Works and Planning, Development Services Division for review and comment a lighting mitigation plan. The project owner shall provide the County's comments to the CPM at least 10 days prior to the date lighting materials are ordered. If the CPM determines that the plan requires revision, the project owner shall provide to the CPM a revised plan for review and approval by the CPM. The project owner shall not order any exterior lighting until receiving CPM approval of the lighting mitigation plan. Prior to commercial operation, the project owner shall notify the CPM that the lighting has been installed and is ready for inspection. If after inspection the CPM notifies the project owner that modifications to the lighting are needed, within 30 days of receiving that notification the project owner shall implement the modifications and notify the CPM that the modifications have been completed and are ready for inspection. Within 10 days of receiving a lighting complaint, the project owner shall provide the CPM with a complaint resolution form report as specified in the Compliance General Conditions including a proposal to resolve the complaint, and a schedule for implementation. A copy of the complaint resolution form report shall be submitted to the CPM within 30 days of complaint resolution.	90 days prior to ordering any permanent exterior lighting 60 days prior to ordering any permanent exterior lighting 10 days of receiving a lighting complaint	No	N/A	N/A	N/A	N/A

Midway Project
Environmental Construction and Compliance Matrix

WASTE-1	Waste Management Conditions of Certification	Pre-Construction, Construction	Registered Geologist Resume	The project owner shall provide the resume of a Registered Professional Engineer or Geologist, who shall be available for consultation during soil excavation and grading activities, to the Compliance Project Manager (CPM) for review and approval. The resume shall show experience in remedial investigation and feasibility studies. The Registered Professional Engineer or Geologist shall be given full authority by the project owner to oversee any earth moving activities that have the potential to disturb contaminated soil. Verification: At least 30 days prior to the start of site mobilization, the project owner shall submit the resume to the CPM for review and approval.	30 days prior to the start of site mobilization	Yes	Rincon	3/26/2025	Complete 3/28/25	3/20/25: Email from Jon states Rincon is responsible. 3/26/25: Client approves of Professional Geologist Resume. 3/28/25: Professional Geologist resume email sent to CEC.
WASTE-2	Waste Management Conditions of Certification	Construction	Contaminated soils reporting	If potentially contaminated soil is unearthed during excavation at either the proposed site or linear facilities as evidenced by discoloration, odor, detection by handheld instruments, or other signs, the Registered Professional Engineer or Geologist shall inspect the site, determine the need for sampling to confirm the nature and extent of contamination, and file a written report to the project owner representatives of Department of Toxic Substances Control, and CPM stating the recommended course of action and obtain approvals from the Department of Toxic Substances Control. Depending on the nature and extent of contamination, the Registered Professional Engineer or Geologist shall have the authority to temporarily suspend construction activity at that location for the protection of workers or the public. If, in the opinion of the Registered Professional Engineer or Geologist, significant remediation may be required, the project owner shall contact representatives of the Department of Toxic Substances Control for guidance and possible oversight. Verification: The project owner shall submit any final reports filed by the Registered Professional Engineer or Geologist to the CPM within 5 days of their receipt. The project owner shall notify the CPM within 24 hours of any orders issued to halt construction.	5 days of their receipt	Yes	MRP	TBD	As-needed	Patch & Ravenvolt will report as needed
WASTE-3	Waste Management Conditions of Certification	Construction, Operation	Hazardous waste generator identification number	The project owner shall obtain a hazardous waste generator identification number from the Department of Toxic Substances Control prior to generating any hazardous waste during construction and operations. Verification: **The project owner shall keep its copy of the identification number on file at the project site and notify the CPM via the relevant Monthly Compliance Report of its receipt.**	MCR	Yes	MRP	Monthly	Not applicable	Peaker plant already has ID
WASTE-4	Waste Management Conditions of Certification	Construction, Operation	Waste-management enforcement action reporting	Upon becoming aware of any impending waste management-related enforcement action by any local, state, or federal authority, the project owner shall notify the CPM of any such action taken or proposed to be taken against the project itself, or against any waste hauler or disposal facility or treatment operator with which the owner contracts. Verification: The project owner shall notify the CPM in writing within 10 days of becoming aware of an impending enforcement action. The CPM shall notify the project owner of any changes that will be required in the manner in which project-related wastes are managed.	10 days of becoming aware of an impending enforcement action	Yes	MRP	TBD	As-needed	Patch & Ravenvolt will report as needed
WASTE-5	Waste Management Conditions of Certification	Construction, Operation	Construction Waste Management Plan, Operation Waste Management Plan, Annual Compliance Reporting	The project owner shall prepare a Construction Waste Management Plan and an Operation Waste Management Plan for all wastes generated during construction and operation of the facility, respectively, and shall submit both plans to the CPM for review and approval. The plans shall contain, at a minimum, the following: •A description of all waste streams, including projections of frequency, amounts generated and hazard classifications; and •Methods of managing each waste, including temporary onsite storage, treatment methods and companies contracted with for treatment services, waste testing methods to assure correct classification, methods of transportation, disposal requirements and sites, and recycling and waste minimization/reduction plans. In addition, the Operation Waste Management Plan shall include a separate section detailing how wastewaters proposed for discharge into the onsite evaporation pond will be managed and disposed of in the event that discharge to the pond is prohibited or otherwise interrupted. The Operation Waste Management Plan shall be revised as necessary to reflect any changes to plant operations and/or waste management procedures. A copy of the approved Operation Waste Management Plan shall be made available for inspection at the project site. Verification: No less than 30 days prior to the start of site mobilization, the project owner shall submit the Construction Waste Management Plan to the CPM for approval. The project owner shall submit any required revisions within 20 days of notification by the CPM. No less than 30 days prior to the start of project operation, the project owner shall submit the Operation Waste Management Plan to the CPM for approval. The project owner shall submit any required revisions within 20 days of notification by the CPM and as necessary to reflect changes in plant operations and/or waste management procedures. The project owner shall maintain an up-to-date copy of the approved Operation Waste Management Plan at the project site for use by staff and for inspection by appropriate federal, state, or local waste management personnel. In the Annual Compliance Reports, the project owner shall document the actual waste management methods used during the year and provide a comparison of the actual methods used to those management methods proposed in the original Operation Waste Management Plan.	30 days prior to the start of project operation	Yes	MRP	5/19/2025	Complete 5/19/25	05/19/25: Waste management plan material (folder) emailed from Tony/Jon (MRP).
WASTE-6	Waste Management Conditions of Certification	Pre-Construction, Construction	Sampling and Analyses	Prior to the construction of a water pipeline from Baker Farm's backwash water pond to the Starwood site, the project owner shall provide a protocol and soil sampling plan to the CPM for review and approval. The plan should include a figure showing the proposed alignment for the water pipeline and indicate the location and depth where two samples would be collected. Identify the contaminants that will be analyzed in each discrete sample and the laboratory proposed to do the analysis. Verification: No less than 30 days prior to the start of site mobilization, after the soil sampling plan is approved, the project owner shall complete the sampling and analyses and submit the certified laboratory report of the findings to the CPM.	30 days prior to the start of site mobilization	Yes	MRP	N/A	Not applicable	Completed as part of MPP project, no construction with water piepline associated with Interconnection project
SOIL&WATER-1	Water Quality and Soils Conditions of Certification	Pre-Construction, Construction	SWPPP	The project owner shall comply with the requirements of the General National Pollutant Discharge Elimination System (NPDES) permit for discharges of storm water associated with construction activity. The project owner shall develop and implement a storm water pollution prevention plan for the construction of the entire Starwood Power Project (SPP). Verification: The project owner shall submit copies to the compliance project manager (CPM) of all correspondence between the project owner and the Central Valley Regional Water Quality Control Board (RWQCB) regarding the General NPDES permit for the discharge of storm water associated with construction activities within 10 days of its receipt (when the project owner receives correspondence from the RWQCB) or within 10 days of its mailing (when the project owner sends correspondence to the RWQCB). This information shall include copies of the notice of intent sent to the State Water Resources Control Board, and the notice of termination for the project.	10 days of its mailing (when the project owner sends correspondence to the RWQCB)	No	N/A	N/A	N/A	N/A

SOIL&WATER-2	Water Quality and Soils Conditions of Certification	Pre-Construction, Construction	SWPPP	Prior to site mobilization, the project owner shall obtain CPM approval for a site-specific drainage, erosion, and sedimentation control plan (DESCP) that ensures protection of water quality and soil resources of the project site and all linear facilities for both the construction and operation phases of the project. This plan shall address appropriate methods and actions, both temporary and permanent, for the protection of water quality and soil resources, demonstrate no increase in off-site flooding potential, meet local requirements, and identify all monitoring and maintenance activities. Monitoring activities shall include routine measurement of the volume of accumulated sediment in the stormwater retention basin. Maintenance activities must include removal of accumulated sediment from the retention basin when an average depth of 0.5 feet of sediment has accumulated in the retention basin. The plan shall be consistent with the grading and drainage plan as required by Condition of Certification CIVIL-1 and may incorporate by reference any storm water pollution prevention plan developed in conjunction with any NPDES permit. The DESCP shall contain the following elements: •Vicinity Map – A map shall be provided indicating the location of all project elements with depictions of all significant geographic features to include watercourses, washes, irrigation and drainage canals, and sensitive areas. •Site Delineation – The site and all project elements shall be delineated showing boundary lines of all construction areas and the location of all existing and proposed structures, pipelines, roads, and drainage facilities. •Watercourses and Critical Areas – The DESCP shall show the location of all nearby watercourses including washes, irrigation and drainage canals, and drainage ditches, and shall indicate the proximity of those features to the construction site. •Drainage – The DESCP shall provide a topographic site map showing all existing, interim, and proposed drainage systems. drainage area boundaries and watershed sizes in acres, and the hydraulic analysis to support the selection of best management practices (BMPs) to divert off-site drainage around or through the site and laydown areas. Spot elevations shall be required where relatively flat conditions exist. The spot elevations and contours shall be extended off site for a minimum distance of 100 feet in flat terrain. •Clearing and Grading – The plan shall provide a delineation of all areas to be cleared of vegetation and areas to be preserved. The plan shall provide elevations, slopes, locations, and extent of all proposed grading as shown by contours, cross sections, or other means. The locations of any disposal areas, fills, or other special features shall also be shown. Existing and proposed topography tying in proposed contours with existing topography shall be illustrated. The DESCP shall include a statement of the quantities of material excavated or filled for each element of the project (for example, project site, transmission corridors, and pipeline corridors), whether such excavations or fill is temporary or permanent, and the amount of such material to be imported or exported or a statement explaining that there will be no clearing and/or grading conducted for each element of the project. •Project Schedule – The DESCP shall identify on the topographic site map the location of the site-specific BMPs to be employed during each phase of construction (initial grading, project element excavation and construction, and final grading/stabilization). Separate BMP implementation schedules shall be provided for each project element for each phase of construction. •Best Management Practices – The DESCP shall show the location, timing, and maintenance schedule of all erosion- and sediment- control BMPs to be used prior to initial grading, during project element excavation and construction, during final grading/stabilization, and after construction. BMPs shall include measures designed to control dust and stabilize construction access roads and entrances. The maintenance schedule shall include post-construction maintenance of treatment-control BMPs applied to disturbed areas following construction. •Erosion Control Drawings – The erosion-control drawings and narrative shall be designed and sealed by a professional engineer or erosion-control specialist. Verification: No later than 90 days prior to start of site mobilization, the project owner shall submit a copy of the plan to Fresno County for review and comment. A copy shall be submitted to the CPM no later than 60 days prior to the start of site mobilization for review and approval. The CPM shall consider comments received from Fresno County. **During construction, the project owner shall provide an analysis in the monthly compliance report on the effectiveness of the drainage-, erosion- and sediment-control measures and the results of monitoring and maintenance activities.** Once operational, the project owner shall provide in the annual compliance report information on the results of monitoring and maintenance activities.	90 days prior to start of site mobilization	Yes	EPC	N/A	Not applicable	Will be included in civil plan submittal
SOIL&WATER-3	Water Quality and Soils Conditions of Certification	Construction, Pre-Operation	SWPPP	The project owner shall comply with the requirements of the general NPDES permit for discharges of storm water associated with industrial activity. The project owner shall develop and implement a storm water pollution prevention plan for the operation of the site. Verification: At least 30 days prior to commercial operation, the project owner shall submit copies to the CPM of the operational storm water pollution prevention plan for the entire SPP site. Within 10 days of its mailing or receipt, the project owner shall submit to the CPM any correspondence between the project owner and the RWQCB about the general NPDES permit for discharge of storm water associated with industrial activity. This information shall include a copy of the notice of intent sent by the project owner to the State Water Resources Control Board and the notice of termination. A letter from the RWQCB indicating that there is no requirement for a general NPDES permit for discharges of storm water associated with industrial activity will satisfy this condition.	30 days prior to commercial operation	No	N/A	N/A	N/A	N/A
SOIL&WATER-4	Water Quality and Soils Conditions of Certification	Construction	Compliance Monitoring Reporting	Prior to operation, the project owner shall comply with the waste discharge requirements issued by the Central Valley Regional Water Quality Control Board regarding the evaporation pond facility. The project owner shall report to the CPM any notice of violation, cease and desist order, clean-up and abatement order, or other enforcement action taken by the RWQCB related to the waste-discharge requirements. The project owner shall describe all actions taken to correct violations and operate the project in compliance with waste-discharge requirement permit conditions. The project owner shall provide confirmation from the RWCQB that any violations have been resolved to the satisfaction of the RWQCB. Verification: The project owner shall submit copies to the CPM of all correspondence between the project owner and the RWQCB regarding the waste discharge requirements within 10 days of its receipt (when the project owner receives correspondence from the RWQCB) or within 10 days of its mailing (when the project owner sends correspondence to the RWQCB). This information shall include copies of the report of waste discharge sent to the State Water Resources Control Board and copies of the waste discharge requirements and final approval of the evaporation pond design. Final RWQCB waste-discharge requirements and evidence of an approved constructed evaporation pond must be received by the CPM prior to start of commercial operation and/or discharge of waste to the ponds. The project owner shall report violations and the final resolution of the violation within 10 days of notice by the RWQCB. A letter from the RWQCB in which it is stated that waste discharge requirements are not needed will satisfy this condition.	10 days of its receipt (when the project owner receives correspondence from the RWQCB) or within 10 days of its mailing (when the project owner sends correspondence to the RWQCB).	No	N/A	N/A	N/A	N/A
SOIL&WATER-5	Water Quality and Soils Conditions of Certification	Construction, Operation	Annual Compliance Reporting	The project owner shall shut down the reverse osmosis system and cease discharge into the wastewater evaporation pond if: 1. the evaporation pond reaches maximum capacity (to avoid any evaporation pond overflow); or 2. the pond cannot be used due to project use of groundwater or other pond use restrictions established by Waste Discharge Requirements (WDRs) issued by the Central Valley Regional Water Quality Control Board (RWQCB) in accordance with Condition of Certification SOIL & WATER-4. In the event that the project uses groundwater in any amount or volume of the total water volume necessary for plant industrial use, discharge into the evaporation pond shall be prohibited unless and until the project owner: a. submits a new or revised Report of Waste Discharge (ROWD) to the Central Valley RWQCB; b. receives new or revised WDRs for use of the evaporation pond; and c. retrofits or reconstructs the evaporation pond to meet any conditions or pond design parameters established in the new or revised WDRs. Verification: The project owner, in the annual compliance report, shall provide a wastewater-accounting summary that states the amount of wastewater in acre-feet discharged into the evaporation pond and, as appropriate, the quantity of residue in pounds or tons removed from the pond and/or the volume of wastewater disposed of offsite for each year. In addition, the project owner shall provide a written description within 30 days of any incident where the evaporation pond reached maximum capacity, or discharge to the pond was prohibited, and the reverse osmosis system had to be shut down. In the event that the project uses groundwater in any amount or volume, the project owner will immediately cease all discharges into the evaporation pond and notify the CPM. Prior to reinstating wastewater discharge to the onsite evaporation pond, the project owner shall provide to the CPM documentation that the proposed discharge and pond operation complies with all provisions of Condition of Certification SOIL & WATER-4.	30 days of any incident where the evaporation pond reached maximum capacity, or discharge to the pond was prohibited, and the reverse osmosis system had to be shut down.	No	N/A	N/A	N/A	N/A

SOIL&WATER-6	Water Quality and Soils Conditions of Certification	Pre-Construction, Construction, Operation	Annual Compliance Reporting	The project owner shall construct and operate an onsite groundwater well that produces water exclusively from the upper semi- confined aquifer. The project owner shall ensure that the well is properly completed in the semi-confined aquifer in accordance with all applicable state and local water well construction permits and requirements. Prior to initiation of well construction activities, the project owner shall submit a well construction packet to the County of Fresno containing all documentation, plans, and fees normally required to satisfy the county's well permit program requirements for County review and comment, and submit the same packet to the CPM for review and approval. The project owner shall not construct the well or extract and use any groundwater until the County of Fresno issues written concurrence that the proposed well construction and operation activities comply with all county well requirements and meet the requirements established by the county's water well permit program, and the CPM provides approval to construct the well. The project owner shall provide documentation to the CPM that the well has been properly completed in and producing groundwater exclusively from the semi-confined aquifer. The project owner shall ensure compliance with all county water well standards and requirements for the life of the well and shall provide the CPM with two (2) copies of all monitoring or other reports required for compliance with the County of Fresno water well standards and operation requirements, as well as any changes made to the operation of the well. Verification: a. No later than sixty (60) days prior to the start of construction of the onsite water supply well, the project owner shall submit one copy of the water well construction packet to the County of Fresno for review and comment, and two (2) copies of the packet to the CPM for review and approval. b. No later than fifteen (15) days prior to the construction of the onsite water supply well, the project owner shall submit two (2) copies of the written concurrence document from the County of Fresno indicating that the proposed well construction activities comply with all county well requirements and meet the requirements established by the county's water well permit program. c. Prior to water production from the onsite well for plant operational use, the project owner shall provide to the CPM documentation (in the form of well drilling logs, water quality analyses, and any inspection reports that may be available) that the well is properly completed in and producing groundwater exclusively from the semi-confined aquifer. d. During well construction and for the operational life of the well, the project owner shall: i. Submit copies to the CPM and the County of Fresno of any proposed well construction or operation changes. ii. Submit copies of any water well monitoring reports required by the County of Fresno well standards to the CPM in the annual compliance report.	sixty (60) days prior to the start of construction of the onsite water supply well fifteen (15) days prior to the construction of the onsite water supply well	No	N/A	N/A	N/A	N/A
SOIL&WATER-7	Water Quality and Soils Conditions of Certification	Construction	Well Drilling Activities	The project owner shall ensure that all onsite water well drilling activities are conducted in compliance with applicable Title 23, California Code of Regulations, Chapter 15, Discharges of Hazardous Wastes to Land, (23 CCR, sections 2510 et seq.) requirements. Verification: No later than thirty (30) days after completion of the onsite water supply well, the project owner shall submit documentation to the CPM and the Central Valley Regional Water Quality Control Board (RWQCB) that well drilling activities were conducted in compliance with Title 23, California Code of Regulations, Chapter 15, Discharges of Hazardous Wastes to Land (23 CCR, sections 2510 et seq.) requirements and that any onsite drilling sumps used for project drilling activities were removed in compliance with 23 CCR section 2511(c).	thirty (30) days after completion of the onsite water supply well	No	N/A	N/A	N/A	N/A
SOIL&WATER-8	Water Quality and Soils Conditions of Certification	Post-Operation	Water Compliance	Upon permanent closure of the facility, the project owner shall ensure that the onsite water supply well is properly plugged and destroyed according to all applicable County of Fresno and state requirements. Verification: No later than sixty (60) days after permanent closure of the facility, the project owner shall provide documentation to the CPM that the water supply well was properly plugged and destroyed according to all applicable County of Fresno and state requirements (including County of Fresno well destruction permit requirements).	sixty (60) days after permanent closure of the facility	No	N/A	N/A	N/A	N/A
SOIL&WATER-9	Water Quality and Soils Conditions of Certification	Construction, Operation	Annual Compliance Reporting	Prior to use of groundwater from the onsite well, the project owner shall install and maintain metering devices as part of the groundwater supply and distribution system to monitor and record in gallons per day the total volume of water supplied to the project from the onsite well. The metering devices shall be operational for the life of the project. In accordance with Condition of Certification WATER RESOUCES-1, the project's annual groundwater use shall not exceed 136 acre-feet per year without prior approval by the CPM. The project owner shall include in the project's annual water use summary required by WATER RESOURCES-1 the monthly range and monthly average of daily groundwater use in gallons per day, and total volume of groundwater used by the project on a monthly and annual basis in acre- feet. Verification: At least sixty (60) days prior to use of onsite well water for commercial operation, the project owner shall submit to the CPM evidence that metering devices have been installed and are operational on the groundwater supply and distribution system. The project owner shall also provide documentation in the annual compliance report of the continued operation of the groundwater metering devices, including documentation of any servicing, testing, or calibration of the metering devices necessary to maintain operation. In addition, as part of the annual water use summary required by WATER RESOURCES-1, the project owner shall provide to the CPM the monthly range and monthly average of daily groundwater use in gallons per day, as well as the total volume of groundwater used by the project on a monthly and annual basis in acre-feet.	sixty (60) days prior to use of onsite well water for commercial operation	No	N/A	N/A	N/A	N/A
WATER RESOURCES-1	Water Resources Conditions of Certifications	Operation	Water Usage	Water used for project operation for process, sanitary and landscape irrigation purposes shall be groundwater from the upper semiconfined aquifer obtained from the onsite well and/or Baker Farms irrigation water filter backwash (backwash water). Water use shall not exceed the annual water-use limit of 136 acre- feet without prior approval by the CPM. The project owner shall monitor and record the total water used on a monthly basis. If the amount of water to be used will exceed 136 acre-feet per year during any annual reporting period, the project owner shall provide a written request and explanation for the anticipated water-use increase to the CPM sixty (60) days prior to the date when the water-use limit is expected to be exceeded. If the project owner can demonstrate that the requested increase is necessary and is not caused by wasteful practices or malfunctions in the water processing systems, the CPM shall approve an up to one-year increase in the water-use limit for the period requested. Verification: The project owner, in the annual compliance report, shall provide a water- accounting summary that states the source and quantity of water used on a monthly basis in units of gallons and on an annual basis in units of acre-feet.	sixty (60) days prior to the date when the water-use limit is expected to be exceeded	No	N/A	N/A	N/A	N/A
WATER RESOURCES-2	Water Resources Conditions of Certifications	Pre-Construction, Construction	Water Usage	Prior to construction of a water pipeline from Baker Farms' backwash water pond to the Starwood site, the project owner will provide a letter for Westlands Water District, signed by an authorized officer of Westlands Water District, that states that it is permissible for Baker Farms to provide backwash water for use at Starwood (an industrial power plant). If such a letter cannot be provided to the CPM, the project owner is not permitted to use backwash water and shall use semi-confined aquifer water. Verification: Prior to construction activities associated with the backwash water pipeline from Baker Farms to the project site, the project owner will submit to the CPM a signed letter from Westlands Water District stating that it is permissible for Baker Farms to provide backwash water to the project.	Prior to construction activities associated with the backwash water pipeline from Baker Farms to the project site	No	N/A	N/A	N/A	N/A
WATER RESOURCES-3	Water Resources Conditions of Certifications	Pre-Construction, Construction	Monthly Compliance Reporting Annual Compliance Reporting	In the event Applicant determines that its source of water is Baker Farms backwash water, Applicant shall: a. Provide the CPM with a copy of the agreement between Baker Farms and the Applicant which demonstrates the payments to be made to Baker Farms and the obligation of Baker Farms to construct and operate the pipe and pump system used to gather the backwash water at a central holding pond, b. Provide the CPM with evidence that the pipe and pumping infrastructure will be operational for the Summer 2008 period, c. Ensure that under no circumstances Applicant uses an amount of backwash water greater than 50% (on a rolling 3-year average) of the water collected. The remaining 50% or more will be made available for agricultural purposes, d. Provide the CPM with a schematic of the collection system and pond system demonstrating collection and ponding capacity of 30 AF or more, e. Install three meters: 1. To measure the Applicant's usage of backwash filter water usage (pond to plant), 2. To measure the amount of water usage for irrigation (pond to irrigation supply system), and 3. To measure backwash filter water into the pond. Verification: Applicant will provide CPM copy of the contract between Applicant and Baker Farms and plans for pump and piping infrastructure prior to ground disturbance. If contract is amended, Applicant will provide CPM a copy within 90 days. CPM will inspect installation of all meters. Applicant will collect data from the meters and submit to the CPM a monthly summary to be compiled in the annual compliance report.	90 days	No	N/A	N/A	N/A	N/A
WATER RESOURCES-4	Water Resources Conditions of Certifications		Notice of Termination	The 7-year existing backwash filter water contract between Baker Farms and Applicant requires a 2-year notice before termination. In the event this contract is not renewed or is terminated pursuant to notice, Applicant will proceed to modify project to accept the upper aquifer water. This includes the installation of a double-lined wastewater retention pond. Verification: Applicant will provide notice to CPM and appropriate modification plans within 90 days upon receiving notice of termination of the contract with Baker Farms.	90 days upon receiving notice of termination of the contract with Baker Farms.	No	N/A	N/A	N/A	N/A

Midway Project
Environmental Construction and Compliance Matrix

WORKER SAFETY-1	Worker Safety and Fire Protection Conditions of Certification	Pre-Construction, Construction	Construction Fire Prevention Plan Emergency Action Plan	The project owner shall submit to the Compliance Project Manager (CPM) a copy of the Project Construction Safety and Health Program containing the following: •A Construction Personal Protective Equipment Program; •A Construction Exposure Monitoring Program; •A Construction Injury and Illness Prevention Program; •A Construction Emergency Action Plan; and •A Construction Fire Prevention Plan. The Personal Protective Equipment Program, the Exposure Monitoring Program, and the Injury and Illness Prevention Program shall be submitted to the CPM for review and approval concerning compliance of the program with all applicable Safety Orders. The Construction Emergency Action Plan and the Fire Prevention Plan shall be submitted to the FCFPD for review and comment prior to submittal to the CPM for approval. Verification: At least 30 days prior to the start of construction, the project owner shall submit to the CPM for review and approval a copy of the Project Construction Safety and Health Program. The project owner shall provide the CPM with a copy of a letter from the FCFPD containing the FCFPD's comments on the Construction Fire Prevention Plan and Emergency Action Plan.	30 days prior to the start of construction	Yes	MRP	N/A	Complete	Using peaker plant plan
WORKER SAFETY-2	Worker Safety and Fire Protection Conditions of Certification	Decommissioning	Construction Fire Prevention Plan Emergency Action Plan	The project owner shall submit to the CPM a copy of the Project Operations and Maintenance Safety and Health Program containing the following: •An Operation Injury and Illness Prevention Plan, •An Emergency Action Plan, •Hazardous Materials Management Program, •Fire Prevention Program (8 CCR §3221), and •Personal Protective Equipment Program (8 CCR §§ 3401-3411). The Operation Injury and Illness Prevention Plan, Emergency Action Plan, and Personal Protective Equipment Program shall be submitted to the CPM for review and comment concerning compliance of the program with all applicable Safety Orders. The Operation Fire Prevention Plan and the Emergency Action Plan shall also be submitted to the FCFPD for review and comment. Verification: At least 30 days prior to the start of commissioning, the project owner shall submit to the CPM for approval a copy of the Project Operations and Maintenance Safety and Health Program. The project owner shall provide a copy to the CPM of a letter from the FCFPD containing the FCFPD's comments on the Operations Fire Prevention Plan and Emergency Action Plan.	30 days prior to the start of commissioning	No	N/A	N/A	N/A	N/A
WORKER SAFETY-3	Worker Safety and Fire Protection Conditions of Certification	Pre-Construction, Construction	Construction safety supervisor	The project owner shall provide a site Construction Safety Supervisor (CSS) who, by way of training and/or experience, is knowledgeable of power plant construction activities and relevant LORS, is capable of identifying workplace hazards relating to the construction activities, and has authority to take appropriate action to assure compliance and mitigate hazards. The CSS shall: •Have over-all authority for coordination and implementation of all occupational safety and health practices, policies, and programs; •Assure that the safety program for the project complies with Cal/OSHA and federal regulations related to power plant projects; •Assure that all construction and commissioning workers and supervisors receive adequate safety training; •Complete accident and safety-related incident investigations, emergency response reports for injuries, and inform the CPM of safety-related incidents; and •Assure that all the plans identified in conditions of certification WORKER SAFETY-1 and -2 are implemented. Verification: At least 30 days prior to the start of site mobilization, the project owner shall submit to the CPM the name and contact information for the Construction Safety Supervisor (CSS). The contact information of any replacement (CSS) shall be submitted to the CPM within one business day of starting in the position. **The CSS shall submit in the Monthly Compliance Report a monthly safety inspection report to include:** •Record of all employees trained for that month (all records shall be kept on site for the duration of the project); •Summary report of safety management actions and safety-related incidents that occurred during the month; •Report of any continuing or unresolved situations and incidents that may pose danger to life or health; and •Report of accidents and injuries that occurred during the month.	30 days prior to the start of site mobilization	Yes	MRP	6/4/2025	Complete for Pond Lining 6/4/25 In progress for Gen-tie	Ashley requested from RavenVolt 6/4/2025: For pond lining sent compliance email naming Tyler Haining TTS Construction Corp. thaining@ttsconstruction.com 209-747-0687 Cell 06/04/25: Name and contact information for CSS sent to CEC. 06/04/25: CSS resume rent to CEC.
WORKER SAFETY-4	Worker Safety and Fire Protection Conditions of Certification	Construction	Monitoring Reporting	The project owner shall make payments to the Chief Building Official (CBO) for the services of a Safety Monitor based upon a reasonable fee schedule to be negotiated between the project owner and the CBO. Those services shall be in addition to other work performed by the CBO. The Safety Monitor shall be selected by and report directly to the CBO, and will be responsible for verifying that the Construction Safety Supervisor, as required in condition of certification WORKER SAFETY-3, implements all appropriate Cal/OSHA and Energy Commission safety requirements. The Safety Monitor shall conduct on-site (including linear facilities) safety inspections at intervals necessary to fulfill those responsibilities. Verification: Prior to the start of construction, the project owner shall provide to the CPM for review and approval, proof of its agreement to fund the Safety Monitor services.	Prior to the start of construction	No	N/A	N/A	N/A	N/A
WORKER SAFETY-5	Worker Safety and Fire Protection Conditions of Certification	Construction, Operation	Automatic Cardiac Defibrillator	The project owner shall ensure that a portable automatic cardiac defibrillator is located on site during construction and operations and shall implement a program to ensure that the equipment is properly maintained and functioning at all times and that for each shift on-site personnel shall be trained in the American Heart Association's Heartsaver Automatic External Defibrillator (AED) Course, or equivalent, as follows: •Construction: minimum 4 personnel per shift, including one security guard, •Operation: minimum 2 personnel per shift, including one security guard. Verification: At least 30 days prior to the start of site mobilization the project owner shall submit to the CPM proof that a portable automatic cardiac defibrillator exists on site and a copy of the training and maintenance program for review and approval.	30 days prior to the start of site mobilization	No	N/A	N/A	N/A	N/A
WORKER SAFETY-6	Worker Safety and Fire Protection Conditions of Certification	Pre-Construction, Construction	Emergency Action Plan	The project owner shall provide proof to the CPM that the surface gradient is such that spilled diesel fuel could not migrate from the tank farm onto the power plant site or shall construct a berm on the northwest fenceline adjacent to the diesel tank farm that will be adequate to prevent spilled diesel fuel at the tank farm from entering the project site. The project owner shall also provide for a secondary access gate and road a suitable safe distance from the tank farm and include in the Emergency Action Plan measures and procedures for workers to follow if a leak, a fire, or an explosion occurs at the tank farm. The project owner shall provide the proof, design drawings, and a description of the safety measures to the CPM for review and approval. Verification: At least 30 days prior to the start of site mobilization the project owner shall submit to the CPM for review and approval proof showing that the gradient prevents spilled diesel fuel from migrating from the tank farm to the site, or design drawings of the berm at the northwest fenceline adjacent to the tank farm, plus design drawings of a second access road or walkway with a gate, and the Emergency Action Plan that gives instructions on worker procedures if there is a spill, fire, or explosion at the tank farm.	30 days prior to the start of site mobilization	No	N/A	N/A	N/A	N/A
COMPLIANCE-1	General Compliance Conditions of Certification	Construction	Unrestricted Access	The CPM, responsible Energy Commission staff, and delegate agencies or consultants shall be guaranteed and granted unrestricted access to the power plant site, related facilities, project-related staff, and the records maintained on site, for the purpose of conducting audits, surveys, inspections, or general site visits. Although the CPM will normally schedule site visits on dates and times agreeable to the project owner, the CPM reserves the right to make unannounced visits at any time.	N/A	Yes	MRP	N/A	As-needed	
COMPLIANCE-2	General Compliance Conditions of Certification	Construction	Compliance Record	The project owner shall maintain project files onsite or at an alternative site approved by the CPM, for the life of the project unless a lesser period of time is specified by the conditions of certification. The files shall contain copies of all "as-built" drawings, all documents submitted as verification for conditions, and all other project-related documents. Energy Commission staff and delegate agencies shall, upon request to the project owner, be given unrestricted access to the files.	N/A	Yes	MRP	N/A	Ongoing	
COMPLIANCE-3	General Compliance Conditions of Certification	Construction	Compliance Verification Submittals	Each condition of certification is followed by a means of verification. The verification describes the Energy Commission's procedure(s) to ensure post-certification compliance with adopted conditions. The verification procedures, unlike the conditions, may be modified as necessary by the CPM, and in most cases without full Energy Commission approval. Verification of compliance with the conditions of certification can be accomplished by: 1. Reporting on the work done and providing the pertinent documentation in monthly and/or annual compliance reports filed by the project owner or authorized agent as required by the specific conditions of certification; 2. Providing appropriate letters from delegate agencies verifying compliance; 3. Energy Commission staff audits of project records; and/or 4. Energy Commission staff inspections of work or other evidence that the requirements are satisfied. Verification lead times (e.g., 90, 60 and 30-days) associated with start of construction may require the project owner to file submittals during the certification process, particularly if construction is planned to commence shortly after certification. A cover letter from the project owner or authorized agent is required for all compliance submittals and correspondence pertaining to compliance matters. The cover letter subject line shall identify the involved condition(s) of certification by condition number and include a brief description of the subject of the submittal. The project owner shall also identify those submittals not required by a condition of certification with a statement such as: "This submittal is for information only and is not required by a specific condition of certification." When submitting supplementary or corrected information, the project owner shall reference the date of the previous submittal. The project owner is responsible for the delivery and content of all verification submittals to the CPM, whether such condition was satisfied by work performed by the project owner or an agent of the project owner. All submittals shall be addressed as follows: Compliance Project Manager California Energy Commission 1516 Ninth Street (MS-2000) Sacramento, CA 95814 If the project owner desires Energy Commission staff action by a specific date, it shall so request in its submittal cover letter and include a detailed explanation of the effects on the project if this date is not met.	N/A	Yes	Rincon	N/A	In Progress	

COMPLIANCE-4	General Compliance Conditions of Certification	Pre-Construction	Pre-constructions Matrix and Tasks Prior to Start of Construction	Prior to commencing construction, a compliance matrix addressing only those conditions that must be fulfilled before the start of construction shall be submitted by the project owner to the CPM. This matrix will be included with the project owner's first compliance submittal or prior to the first pre-construction meeting, whichever comes first. It will be in the same format as the compliance matrix described below. Construction shall not commence until the pre-construction matrix is submitted, all pre- construction conditions have been complied with, and the CPM has issued a letter to the project owner authorizing construction. Various lead times (e.g., 30, 60, 90 days) for submittal of compliance verification documents to the CPM for conditions of certification are established to allow sufficient staff time to review and comment and, if necessary, allow the project owner to revise the submittal in a timely manner. This will ensure that project construction may proceed according to schedule. Failure to submit compliance documents within the specified lead-time may result in delays in authorization to commence various stages of project development. If the project owner anticipates starting project construction as soon as the project is certified, it may be necessary for the project owner to file compliance submittals prior to project certification. This is important if the required lead-time for a required compliance event extends beyond the date anticipated for start of construction. It is also important that the project owner understand that the submittal of compliance documents prior to project certification is at the owner's own risk. Any approval by Energy Commission staff is subject to change based upon the Commission Decision. Compliance Reporting There are two different compliance reports that the project owner must submit to assist the CPM in tracking activities and monitoring compliance with the terms and conditions of the Energy Commission Decision. During construction, the project owner or authorized agent will submit Monthly Compliance Reports. During operation, an Annual Compliance Report must be submitted. These reports, and the requirement for an accompanying compliance matrix, are described below. The majority of the conditions of certification require that compliance submittals be submitted to the CPM in the monthly or annual compliance reports.	N/A	Yes	Rincon	N/A	Complete	Provided in first MCR
COMPLIANCE-5	General Compliance Conditions of Certification	Construction	Compliance Matrix	A compliance matrix shall be submitted by the project owner to the CPM along with each monthly and annual compliance report. The compliance matrix is intended to provide the CPM with the current status of all conditions of certification in a spreadsheet format. The compliance matrix must identify: 1. the technical area; 2. the condition number; 3. a brief description of the verification action or submittal required by the condition; 4. the date the submittal is required (e.g., 60 days prior to construction, after final inspection, etc.); 5. the expected or actual submittal date; 6. the date a submittal or action was approved by the Chief Building Official (CBO), CPM, or delegate agency, if applicable; and 7. the compliance status of each condition, e.g., "not started," "in progress" or "completed" (include the date). Satisfied conditions do not need to be included in the compliance matrix after they have been identified as satisfied in at least one monthly or annual compliance report.	N/A	Yes	Rincon	Monthly	Ongoing, provided monthly in MCR	
COMPLIANCE-6	General Compliance Conditions of Certification	Pre-Construction, Construction	Monthly Compliance Report	The first Monthly Compliance Report is due one month following the Energy Commission business meeting date upon which the project was approved, unless otherwise agreed to by the CPM. The first Monthly Compliance Report shall include an initial list of dates for each of the events identified on the Key Events List. The Key Events List Form is found at the end of this section. During pre-construction and construction of the project, the project owner or authorized agent shall submit an original and eight copies of the Monthly Compliance Report within 10 working days after the end of each reporting month. Monthly Compliance Reports shall be clearly identified for the month being reported. The reports shall contain, at a minimum: 1. a summary of the current project construction status, a revised/updated schedule if there are significant delays, and an explanation of any significant changes to the schedule; 2. documents required by specific conditions to be submitted along with the Monthly Compliance Report. Each of these items must be identified in the transmittal letter, and submitted as attachments to the Monthly Compliance Report; 3. an initial, and thereafter updated, compliance matrix showing the status of all conditions of certification (fully satisfied conditions do not need to be included in the matrix after they have been reported as completed); 4. a list of conditions that have been satisfied during the reporting period, and a description or reference to the actions that satisfied the condition; 5. a list of any submittal deadlines that were missed, accompanied by an explanation and an estimate of when the information will be provided; 6. a cumulative listing of any approved changes to conditions of certification; 7. a listing of any filings submitted to, or permits issued by, other governmental agencies during the month; 8. a projection of project compliance activities scheduled during the next two months. The project owner shall notify the CPM as soon as any changes are made to the project construction schedule that would affect compliance with conditions of certification; 9. a listing of the month's additions to the on-site compliance file; and 10. a listing of complaints, notices of violation, official warnings, and citations received during the month, a description of the resolution of the resolved actions, and the status of any unresolved actions.	N/A	Yes	Rincon	Monthly	Ongoing, provided monthly in MCR	
COMPLIANCE-7	General Compliance Conditions of Certification	Post-Construction	Annual Compliance Report	After construction is complete, the project owner shall submit Annual Compliance Reports instead of Monthly Compliance Reports. The reports are for each year of commercial operation and are due to the CPM each year at a date agreed to by the CPM. Annual Compliance Reports shall be submitted over the life of the project unless otherwise specified by the CPM. Each Annual Compliance Report shall identify the reporting period and shall contain the following: 1. an updated compliance matrix showing the status of all conditions of certification (fully satisfied conditions do not need to be included in the matrix after they have been reported as completed); 2. a summary of the current project operating status and an explanation of any significant changes to facility operations during the year; 3. documents required by specific conditions to be submitted along with the Annual Compliance Report. Each of these items must be identified in the transmittal letter, and submitted as attachments to the Annual Compliance Report; 4. a cumulative listing of all post-certification changes approved by the Energy Commission or cleared by the CPM; 5. an explanation for any submittal deadlines that were missed, accompanied by an estimate of when the information will be provided; 6. a listing of filings submitted to, or permits issued by, other governmental agencies during the year; 7. a projection of project compliance activities scheduled during the next year; 8. a listing of the year's additions to the on-site compliance file; 9. an evaluation of the on-site contingency plan for unplanned facility closure, including any suggestions necessary for bringing the plan up to date [see Compliance Conditions for Facility Closure addressed later in this section]; and 10. a listing of complaints, notices of violation, official warnings, and citations received during the year, a description of the resolution of any resolved matters, and the status of any unresolved matters.	N/A	Yes	MRP, Rincon	TBD	Post-construction	
COMPLIANCE-8	General Compliance Conditions of Certification	Pre-Construction, Construction	Confidential Information	Any information that the project owner deems confidential shall be submitted to the Energy Commission's Dockets Unit with an application for confidentiality pursuant to Title 20, California Code of Regulations, section 2505(a). Any information that is determined to be confidential shall be kept confidential as provided for in Title 20, California Code of Regulations, section 2501 et. seq.	N/A	Yes	MRP, Rincon	N/A	As-needed	
COMPLIANCE-9	General Compliance Conditions of Certification	Post-Construction	Annual Energy Facility Compliance Fee	Pursuant to the provisions of Section 25806(b) of the Public Resources Code, the project owner is required to pay an annual fee of seventeen thousand six hundred seventy-six dollars ($17,676), which will be adjusted annually on July 1. The initial payment is due on the date the Energy Commission adopts the final decision. All subsequent payments are due by July 1 of each year in which the facility retains its certification. The payment instrument shall be made payable to the California Energy Commission and mailed to: Accounting Office MS-02, California Energy Commission, 1516 9th St., Sacramento, CA 95814.	N/A	Yes	MRP, Rincon	N/A	Post-construction	
COMPLIANCE-10	General Compliance Conditions of Certification	Pre-Construction	Reporting of Complaints, Notices, and Citations	Prior to the start of construction, the project owner must send a letter to property owners living within one mile of the project notifying them of a telephone number to contact project representatives with questions, complaints or concerns. If the telephone is not staffed 24 hours per day, it shall include automatic answering with date and time stamp recording. All recorded complaints shall be responded to within 24 hours. The telephone number shall be posted at the project site and made easily visible to passersby during construction and operation. The telephone number shall be provided to the CPM who will post it on the Energy Commission's web page at: http://www.energy.ca.gov/sitingcases/power_plants_contacts.html Any changes to the telephone number shall be submitted immediately to the CPM, who will update the web page. In addition to the monthly and annual compliance reporting requirements described above, the project owner shall report and provide copies to the CPM of all complaint forms, including noise and lighting complaints, notices of violation, notices of fines, official warnings, and citations, within 10 days of receipt. Complaints shall be logged and numbered. Noise complaints shall be recorded on the form provided in the NOISE conditions of certification. All other complaints shall be recorded on the complaint form (Attachment A).	N/A	Yes	MRP	N/A	Complete	