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Data Request Response #3

Corby Battery Energy Storage System Project (24-OPT-05)

September 2025

Prepared for

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Acronyms and Abbreviations

Applicant	North Bay Interconnect, LLC and Corby Energy Storage, LLC
Application	Opt-in Application
BESS	battery energy storage system
BIOS	Biogeographic Information and Observation System
CATL	Contemporary Amperex Technology Co. Limited
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CFC	California Fire Code
CFR	Code of Federal Regulations
CRHR	California Register of Historical Resources
DFPD	Dixon Fire Protection District
EAP	Emergency Action Plan
EIR	Environmental Impact Report
ERP	Emergency Response Plan
ESA	Energy Storage Agreement
FMMP	Department of Conservation Farmland Mapping and Monitoring Program
FRA	Fire Risk Alliance, LLC
gen-tie	generation tie
HDD	horizontal directional drilling
HMA	Hazard Mitigation Analysis
HMBP	Hazardous Materials Business Plan
IIPP	Illness and Injury Prevention Plan
kV	kilovolt
LSAA	Lake and Streambed Alteration Agreement
NFPA	National Fire Protection Association
NRHP	National Register of Historic Places
PG&E	Pacific Gas and Electric
PPE	personal protective equipment
Project	Corby Battery Energy Storage System Project
RMP	Risk Management Plan
SDS	Safety Data Sheet

SID	Solano Irrigation District
SLT	Solano Land Trust
SPCC	Spill Prevention, Control, and Countermeasure
SWPPP	Stormwater Pollution Prevention Plan

1.0 INTRODUCTION

This Data Request Response #3 to North Bay Interconnect, LLC and Corby Energy Storage, LLC's (Applicant)[1] Opt-in Application (Application) for the Corby Battery Energy Storage System Project (Project) (24-OPT-05) responds to comments that California Energy Commission (CEC) Staff have made as a result of their data adequacy review of the Application, as documented in their email requests for additional information dated July 9, July 25, and July 30, 2025, which were also docketed on August 1, 2025. The intention of this supplement is to provide all additional information necessary for Staff to find that the Application contains adequate data to begin an Opt-in Renewables site certification proceeding under California Code of Regulations, Title 20, Section 1877, and Public Resources Code, Section 25545, for the technical areas included in the submittal. Staff requested revised plume modeling analysis in REV DR WS/FP/PH-1 through -4. This level of analysis supplements the previously provided plume modeling analysis and will be filed under separate cover at the end of September 2025. We respectfully request that CEC Staff deem the Application complete as soon as possible. The Applicant has a binding commitment under its Energy Storage Agreements (ESAs) to deliver capacity from this battery energy storage system (BESS) facility to its customers by April 1, 2027, for them to meet the California Public Utilities Commission 2027 electric system reliability procurement directives.

Table 1-1 provides a summary of the technical areas requiring additional information to be deemed complete and indicates which of these are addressed in this Data Request Response #3. For each technical area included, the responses are complete and address all identified deficiencies.

Table 1-1. Completeness Review Status

Technical Area	Addressed in Data Request Response #1	Addressed in Data Request Response #2	Addressed in Data Requested Response #3
Incomplete			
Mandatory Opt-in Requirements	X		
Air Quality		X	
Alternatives		X	X
Biological Resources	X		X
Cultural and Tribal Cultural Resources		X	X
Geologic Hazards	X		
Greenhouse Gas Emissions		X	
Hazardous Materials Handling		X	
Land Use	X		X
Paleontological Resources	X		
Project Description	X		
Reliability		X	
Socioeconomics		X	

[1] North Bay Interconnect, LLC and Corby Energy Storage, LLC are both wholly-owned subsidiaries of NextEra Energy Resources. North Bay Interconnect, LLC will own and operate the interconnection facilities for the Project; and Corby Energy Storage, LLC will own and operate the BESS components of the Project.

Technical Area	Addressed in Data Request Response #1	Addressed in Data Request Response #2	Addressed in Data Requested Response #3
Traffic and Transportation		X	
Transmission System Safety and Nuisance	X		
Transmission System Design	X		
Visual Resources	X		
Waste Management		X	
Water Resources	X		
Wildfire		X	
Worker Safety and Fire Protection		X	X
Complete			
Efficiency, Energy, and Energy Resources	NA		
Executive Summary			
Facility Design			
Noise and Vibration			
Public Health			
Soils			

The format for this supplement follows the order of Staff's data requests and provides additional information and responses to CEC information requests for several disciplines. Only sections for which CEC Staff posed requests or questions related to data adequacy are addressed.

Each data request is followed by the Applicant's response to the information requested. All figures referenced in responses are provided following the set of responses for the technical discipline. If the response requires additional appended material, it is included in numbered appendices at the end of the document.

2.0 LAND USE

2.1 Data Request REV 1 DR LAND-1

California Code of Regulations, title 20, Appendix B (g) (1) requires that the applicant provide a discussion of the measures proposed to mitigate adverse environmental impacts of the project and the effectiveness of the proposed measures. The proposed project's Agricultural Mitigation Plan (TN 259883, Appendix 4.2-A) filed on November 4, 2024 states, "…[t]he County has not yet established a farmland conversion mitigation program and ordinance." The Agricultural Mitigation Plan further references Solano County General Plan policy AG.1-1 as the County's current guidance on farmland conversion mitigation, which recommends a minimum mitigation ratio of 1.5:1. The applicant states that it would mitigate the proposed project's loss of 40.3 acres of agricultural lands by applying the 1.5:1 mitigation ratio, which would require 60.5 acres of agricultural mitigation. However, since that applicant filing, Solano County has adopted Ordinance No. 2024-1858 (November 5, 2024), which now defines the County's agricultural mitigation program requirements in detail. These requirements include a mitigation replacement ratio of 3:1 for projects that convert Prime Farmland, Farmland of

Statewide Importance, Unique Farmland, and Farmland of Local Importance (Solano County Code chapter 2.2, section 330 part (a)(1)). Eligible mitigation lands must be located in unincorporated Solano County and must "…[b]e of substantially equivalent FMMP [Department of Conservation Farmland Mapping and Monitoring Program] farmland classification or better compared to the land being converted" (Solano County Code chapter 2.2, section 340 part (a)(1-5).

The applicant has stated in the project's Agricultural Mitigation Plan (TN 259883, Appendix 4.2- A) that the proposed project would occupy a site containing the following designations: 12.9 acres of Prime Farmland; 9.0 acres of Farmland of Statewide Importance; and 18.4 acres of Unique Farmland, resulting in conversion of 40.3 acres of Important Farmland to a nonagricultural use. The County's 3:1 agricultural mitigation ratio requirement would mean that the project must mitigate the Important Farmlands conversion by ensuring that 120.9 acres of agricultural mitigation lands, that are an equivalent FMMP classification or better, are set aside within unincorporated Solano County.

Staff require additional information from the applicant to ensure the proposed project's Agricultural Mitigation Plan conforms with Solano County's more recently-adopted mitigation requirements.

REV 1 DR LAND-1. Please provide the following:

a) Provide confirmation from Solano Land Trust, or from an alternative qualifying entity as defined by Solano County Code chapter 2.2, section 380, that the proposed project's Important Farmland conversion resulting in a need for 120.9 acres of eligible mitigation lands within Solano County to meet the County's 3:1 mitigation ratio can be secured.

b) Once the applicant has confirmed that it can meet the 3:1 mitigation ratio requirement, please provide a revised project Agricultural Mitigation Plan that is consistent with Solano County's agricultural mitigation program requirements set forth in Ordinance No. 2024-1858.

c) If the applicant determines that Solano Land Trust or an alternative qualifying entity cannot secure a 120.9-acre agricultural easement on eligible lands in unincorporated Solano County, please provide detailed information on the steps for the project to comply with the County's alternative mitigation method via in-lieu fee payments, as specified in Solano County Code chapter 2.2, section 350 part (a)(1) and part (c). This could include any coordination or correspondence with the County and the in-lieu fee amount in dollars.

Response:

a) A letter agreement between Solano Land Trust (SLT) and Corby Energy Storage, LLC, dated July 25, 2025, is provided in Appendix 2-A. As described therein, SLT has agreed to work with Corby Energy Storage, LLC, to secure eligible mitigation lands within Solano County to meet the County's 3:1 mitigation ratio. Additionally, a subsequent letter from SLT dated August 19, 2025, is provided in Appendix 2-B, which provides more detail on the available lands that would qualify for agricultural mitigation for the Project. In accordance with Solano County Ordinance No. 2024-1858, SLT would first look to place this mitigation easement within the Elmira/Maine Prairie Agricultural Region where the Project site is located. Additional desirable locations would include the Pleasants/Vaca/Lagoon Valleys and potentially portions of the Jepson Prairie Region. The County's Agriculture Reserve Overlay will also be considered.

Lastly, in the unlikely event mitigation cannot be secured within these areas, then SLT would seek a mitigation easement elsewhere in the unincorporated area of Solano County.

Between the Elmira/Maine Prairie Agricultural Region and proximate portions of the adjacent Jepson Prairie Agricultural Region, there are approximately 105,674 acres of Prime Farmland, 5,791 acres of Farmland of Statewide Importance, and 8,686 acres of Unique Farmland that would qualify as agricultural mitigations lands for the Project (Appendix 2-B). Additionally, approximately 4,207 acres of Prime Farmland, 719 acres of Farmland of Statewide Importance, and 1,768 acres of Unique Farmland also exist within the Pleasants/Vaca/Lagoon Valleys Agricultural Region that would also qualify as agricultural mitigations lands for the Project (Appendix 2-B). As the Project requires 120.9 acres of agricultural mitigation lands to meet the County's 3:1 mitigation requirement, there is sufficient availability of lands within these Agricultural Regions to support the Project's mitigation requirements. Additionally, there are other Agricultural Regions and unincorporated areas within Solano County that could be investigated for agricultural mitigation lands beyond the qualifying lands listed above in the Elmira/Maine Prairie, Jepson Prairie, and Pleasants/Vaca/Lagoon Valleys Agricultural Regions.

b) A revised Agriculture Mitigation Plan is provided in Appendix 2-C, which has been updated to reflect the requirements of Solano County's agricultural mitigation program set forth in Ordinance No. 2024-1858, including the required 3:1 mitigation ratio.

c) As detailed in the response to REV 1 DR LAND-1(a) above, there is sufficient availability of lands within the Elmira/Maine Prairie, Jepson Prairie, and Pleasants/Vaca/Lagoon Valleys Agricultural Regions to support the Project's mitigation requirements. Additionally, there are other Agricultural Regions and unincorporated areas within Solano County that could be investigated for agricultural mitigation lands. Therefore, payment of in-lieu fees or the establishment of Alternative Mitigation is not anticipated to be necessary.

3.0 ALTERNATIVES

3.1 Data Request REV 1 DR ALT-1

Per California Code of Regulations, title 20, Appendix B (f) (1) and (f) (2), an application must include a discussion of a range of reasonable alternatives to the project, and a comparative evaluation of the engineering, economic, and environmental merits of the alternatives.

CEC staff has reviewed parcel maps of the area surrounding the Vaca-Dixon Substation and identified several parcels that meet the applicant's minimum acreage requirements of 25-acres, per application section 5.2, Site Alternatives. The alternative parcel sites listed below in REV 1 DR ALT-1 would require a shorter gen-tie line than the proposed project site, which may help reduce or avoid some of the project's potential environmental impacts (e.g., aesthetics/visual intrusion from new high voltage, overhead transmission line structures; conversion of prime soils; impacts to special-status species such as Swainson's hawk; etc.). CEC staff requests additional information on whether these parcels were considered by the applicant during the site screening process. If the applicant previously

considered these parcels, please provide the specific reasons for their elimination from further consideration (i.e., justification for screening out).

The project application (section 5.0) provides information for alternative technologies but does not discuss alternative non-lithium ion battery technologies. To evaluate alternative technologies that could meet the objectives of the project while reducing the potential risks associated with the proposed battery technology, CEC staff requests additional information on the feasibility of non-lithium ion battery technologies.

REV 1 DR ALT-1. Staff request the following information to support the EIR alternatives analysis:

1. There are several parcels that surround the Vaca-Dixon Substation and other existing industrial infrastructure that may be good locations to site the proposed project and associated infrastructure. Siting in these areas would reduce the need for a long, high voltage gen-tie line. For each APN listed below, please provide a discussion of the potential feasibility as an alternative site. Consider combination of multiple parcels to meet the siting criteria described in the application. If the parcel or combination of parcels have been considered to be infeasible, provide an explanation of the specific reasons for elimination (e.g., cannot obtain site control, sensitive biological or cultural resources, zoning incompatibility, etc.).
    - APN 0109270010: Approximately 57-acre parcel located 0.3 mile northeast of the Vaca-Dixon Substation, north of I-80. Parcel has a Solano County General Plan designation of Agriculture (AG) and a zoning designation of Exclusive Agriculture A-20.
    - APN 0109270040: Approximately 68-acre parcel located 0.3 mile east of the Vaca-Dixon Substation, south of I-80. Parcel has a Solano County General Plan designation of AG and a zoning designation of A-20.
    - APN 0106250140: Approximately 96-acre parcel located 0.2 mile north of the Vaca-Dixon Substation, north of I-80. Parcel has a Solano County General Plan designation of Public Quasi-Public (PGP) and a zoning designation of A-20.
    - APN 0133110020: Approximately 147-acre parcel located 0.2 mile south of the Vaca-Dixon Substation, south of I-80. Parcel has a Solano County General Plan designation of AG and a zoning designation of Exclusive Agriculture A-40 (A-40).
2. Please provide a discussion of the feasibility of the non-lithium-ion battery technologies listed below. If these technologies are infeasible, please provide justification for their infeasibility.
    - Flow battery
    - Sodium-ion battery
    - Iron-air battery

Response:

1. Below is a discussion of the potential feasibility of each parcel listed above:

    APN 0109270010: During the land acquisition phase of the Project in 2021-2022, the Applicant attempted to contact owners of this parcel via telephone, mail, and by visiting the on-site

residence in person. The Applicant was not successful in making contact and did not receive responses to these communication attempts. Therefore, obtaining site control for Project development was not reasonably feasible.

Additionally, there is an existing residence located on this parcel. Development of the Project on this parcel would require either 1) demolition of this existing residence, outbuildings, associated utilities, and tree removal; or 2) design and construction of the Project to allow the residence to remain. Either approach would add complexity to Project design and construction. Accordingly, the site preparation and potentially construction phase for this parcel would be longer than for the Project site, which would increase the overall Project schedule. This additional site preparation work and/or a more highly constrained Project construction site would have jeopardized the Applicant's ability to meet contractual obligations for energy delivery. Additionally, if the existing residence remained there would be potential for adverse noise impacts from construction and operation of the Project due to being collocated on the parcel.

Additionally, two active Swainson's hawk nests were observed within 0.25 mile of this parcel during the 2023 protocol-level surveys conducted for the Project. Should both nests be active during construction if the Project were to be developed on this parcel, no-disturbance buffers would cover approximately 80 percent of this parcel, which could result in construction delays. Crop types present on this parcel also provide higher quality foraging habitat for Swainson's hawk than the Project parcel. As such, development of the Project on this parcel could also result in greater impacts to biological resources.

In summary, this parcel was not available for acquisition at the time the Project site was secured by the Applicant and there would be potential for increased impacts to biological resources relative to the proposed Project site.

APN 0109270040: As with the parcel above, the Applicant conducted initial outreach to landowners but was not successful in having discussions about potential land acquisition.

One active Swainson's hawk nest was observed within 0.25 mile of this parcel during the 2023 protocol-level surveys conducted for the Project. Should this nest be active during construction if the Project were to be developed on this parcel, a no-disturbance buffer would cover approximately 10 percent of this parcel, which could result in construction delays and greater impacts on biological resources. Additionally, a wetland or drainage is present on the northwestern boundary of this parcel adjacent to Interstate 80. Based on a review of aerial imagery, this aquatic feature appears to drain/flow through the eastern portion of this parcel during some years. This may be a regulated aquatic feature that could require avoidance or resource permitting. As such, impacts to aquatic resources could be greater and this would be a constraint for development of the Project on this parcel.

In summary, this parcel did not appear to be available for acquisition at the time the Project site was secured by the Applicant, and development of this parcel may require impacts to potentially jurisdictional water resources.

APN 0106250140: This parcel is owned by Pacific Gas and Electric (PG&E) and has been reserved for future expansion of the Vaca-Dixon Substation. Therefore, this parcel was not available for acquisition and is not a feasible alternative site for the Project.

APN 0133110020: The potential for site acquisition of this parcel was considered during initial Project development; however, the property owners were considering other property development opportunities at the time. This parcel is bordered to the west and south by approximately 15 rural residential properties, increasing the potential for potential for impacts to local residents related to aesthetics, air quality, and noise, and traffic during construction and operations.

Additionally, there are multiple potential raptor nest trees located along the western boundary of this parcel. If raptors are actively nesting during construction, potential delays may occur due to required buffer restrictions from active nests. There are also small mammal burrows present in the field margins of this parcel that could be suitable habitat for burrowing owl. As such, development of the Project on this parcel could also result in greater impacts to biological resources.

The Vaca-Peabody 230-kilovolt (kV) transmission line also runs through the relative center of this parcel from north to south. As described in the Cultural Resources Inventory Report prepared for the Project (Confidential Appendix 4.5-A), this transmission line is related to the Vaca-Dixon Historic District and was recommended as Significant under National Register of Historic Place (NRHP)/California Register of Historical Resources (CRHR) Criterion A/1 and NRHP/CRHR Criterion C/3 at the state level of significant, with a period of significance of 1926 when the line was constructed. Accordingly, development of the Project on this parcel could result in greater impacts to cultural resources, and potential adverse physical and visual impacts to this resource would need to be further evaluated.

In summary, this parcel was not available for acquisition at the time the Project site was secured by the Applicant and development of this parcel may results in increased impacts to biological and cultural resources relative to the proposed Project site.

2. Additionally, due to the competitive nature and selection process to obtain ESAs, only the most efficient and highest energy density technologies are commercially viable. Specifically, non-lithium-ion battery technologies have certain disadvantages and constraints when compared with lithium-ion, making them uncompetitive in the marketplace, as described below.

   Flow Batteries. While flow batteries have a long life cycle they also have lower energy and power densities and require more space-intensive infrastructure as compared to lithium-ion batteries, which limits their use for large-scale energy storage. Flow batteries require recurring time periods of unavailability in order to rebalance their chemistry, during which the unit will shut down, and the power will be unavailable from hours to days. Flow batteries also tend to have lower round-trip efficiencies compared to lithium-ion batteries and have higher costs due in part to a lack of large-scale manufacturing capacity and the need for pumps, sensors,

and other power and flow management systems.[2] The need for pumps to cycle the electrolyte tanks also increases the chance of mechanical failures. Flow batteries have a much lower voltage range than lithium-ion, which not only limits the capacity but also removes the ability to use standard inverters for utility-scale projects. Flow batteries are also not a proven technology at this scale, and therefore are an infeasible technology alternative.

Sodium-Ion Batteries. Sodium-ion batteries, and specifically sodium-sulfur batteries, have relatively high energy density, low levels of self-discharge (which corresponds to higher efficiencies), and relatively long life cycles. However, sodium-sulfur is still in the initial commercialization phase and has not been deployed at large scales, primarily due to its high operating temperature requirements (300–350 degrees Celsius). High operating temperatures also present certain safety issues, and there have been several notable safety failures of deployed sodium-sulfur battery systems, which caused fires.[3] Sodium-ion batteries also operate at a much lower voltage range than lithium-ion, which limits the capacity and removes the ability to use standard inverters for utility-scale projects. Due to the safety concerns of a high operating temperature and because sodium-sulfur battery systems are not a proven technology at this scale, sodium-sulfur batteries are an infeasible technology alternative.

Lead-Acid Batteries. Lead-acid energy storage is a mature, widely commercialized technology driven by its application in transportation. Lead-acid is marked by low upfront costs relative to newer technologies, including lithium-ion; however, several characteristics, such as its short cycle life and its inability to remain uncharged for long periods or to be deeply discharged without permanent damage, have limited its applications in utility-scale power system applications.[4] Lead-acid batteries are likely better suited in off-grid applications such as in isolated microgrids, particularly where upfront costs can be a barrier. Because lead-acid battery systems are not suitable for large utility-scale energy storage, lead-acid batteries are an infeasible technology alternative.

4.0 BIOLOGICAL RESOURCES

4.1 Data Request REV 1 DR BIO-1

Underground Route Option #1 (TN 262632) includes horizontal directional drilling (HDD) under the Solano Irrigation District (SID) canal within the Kilkenny Road right-of-way. Based on the California Department of Fish and Wildlife (CDFW) Biogeographic Information and Observation System (BIOS) Stream data and Google Earth it appears that the irrigation ditch outfalls to the Gibson Canal off of Lewis Road. Staff asked the applicant if it was possible to turn off the flow during HDD activities. The applicant stated the canal is used to convey water to irrigation users seasonally and did not believe it would be feasible to isolate this portion of the canal during the irrigation season. In the absence of

[2] https://docs.nrel.gov/docs/fy21osti/76097.pdf
[3] https://docs.nrel.gov/docs/fy21osti/76097.pdf
[4] https://docs.nrel.gov/docs/fy21osti/76097.pdf

shutting off flow, staff and CDFW recommend the applicant submit a Lake and Streambed Alteration Agreement (LSAA) notification as part of the Opt-In application.

REV 1 DR BIO-1. Please submit the information that would be included in an LSAA notification for activities related to Underground Route Option #1. Please include all information as required in Fish and Game Code, section 1602(a)(1)(A)-(F) in a standalone document.

Response: CDFW requires an LSAA for activities that may: (1) divert or obstruct the natural flow of any river, stream, or lake; (2) change the bed, channel, or bank of any river, stream, or lake; (3) use material from any river, stream, or lake; or (4) deposit or dispose of material into any river, stream, or lake.

The Applicant proposes to cross beneath the SID canal using HDD and jack and bore techniques. HDD and jack and bore are trenchless techniques to install conduits and wiring beneath infrastructure or areas with high groundwater by maintaining sufficient vertical clearance to avoid impacts to these features. The Project proposes to directionally drill fiber optic cables, encased in conduit piping, with a vertical clearance of approximately 11 feet from the SID canal and jack and bore the gen-tie line with 10 feet of vertical clearance from the SID canal.

Given these clearances, no impacts to the SID canal are anticipated, and an LSAA should not be required. Regardless, the Applicant is submitting a standalone LSAA document containing all information required under Fish and Game Code section 1602(a)(1)(A)-(F) as Appendix 4-A, per CEC Staff's request.

4.2 Data Request REV 1 DR BIO-2

The Data Request Response to DR BIO-1d and DR BIO-5 included the resumes for biologists who conducted biological resources surveys in support of the opt-in application; however, CDFW has requested to verify references for biologists who conducted the surveys. In addition, staff is unable to locate the resume for Arin Phillips.

REV 1 DR BIO-2. Please provide references with contact information for CDFW to verify the listed species experience for biologists who conducted biological resources surveys. Please provide the resume for Arin Phillips.

Response: Reference information for the biologists who conducted biological resources surveys and the resume for Arin Phillips are provided in Appendix 4-B.

4.3 Data Request REV 1 DR BIO-3

The Data Request Response to DR BIO-14 states the applicant is proposing to coordinate with Solano Land Trust to mitigate for the conversion of farmland with crop types compatible with Swainson's hawk foraging to support the regional Swainson's hawk population. The mitigation land plan needs to ensure that the right type of foraging habitat is conserved (i.e. alfalfa, tomato, etc.). Agricultural mitigation lands that do not restrict crop types may not be suitable, as some crops (e.g. orchards) do not provide adequate foraging habitat for Swainson's hawks.

In addition, the response did not indicate if mitigation lands would be protected in perpetuity under a conservation easement with a long-term endowment to ensure management of the proposed

mitigation lands to mitigate for the permanent and temporary impacts to Swainson's hawk foraging habitat.

The applicant states that the 5.7 acres of additional Swainson's hawk foraging habitat would be created in an orchard where trees would be removed. This area should not be considered as mitigation for foraging habitat as it is directly under the path of the proposed transmission line and would lack a conservation easement.

REV 1 DR BIO-3. Please confirm that the mitigation lands would be protected in perpetuity under a conservation easement with sufficient funding in place to ensure long-term management of the mitigation site. The mitigation land must provide high quality nesting and/or foraging habitat for Swainson's hawk. Please provide a mitigation proposal to compensate for permanent and temporary impacts to Swainson's hawk foraging habitat. Please provide a discussion of any coordination with Solano Land Trust and proposed next steps.

Response: As described in Data Request Response #1, the Project will result in the permanent loss of approximately 15.9 acres and temporary loss of approximately 24.4 acres of Swainson's hawk foraging habitat within the 40.3-acre Project site, plus an additional temporary loss of approximately 3.8 acres near the PG&E Vaca-Dixon Substation.

It should be noted that the CDFW[5] and the Vacaville Municipal Code Agricultural and Avian Foraging Habitat Impact Mitigation Program (Chapter 14.28.001)[6] include language that mitigation for losses of foraging habitat should not be required at a ratio greater than 1:1 habitat lost to habitat protected. As described previously, the Project would only result in the permanent loss of 15.9 acres of foraging habitat. Therefore, only 15.9 acres of mitigation for loss of foraging habitat would be required for the Project and mitigation for temporary impacts would not be required. The temporary impacts will be restored following construction activities and will remain available for use by foraging individuals. However, the Applicant will provide mitigation via the SLT In Lieu Fee Program at a larger acreage (e.g., 40 acres), as determined necessary by CEC to mitigate for impacts to Swainson's hawk foraging habitat.

To compensate for these impacts, the Applicant has been coordinating with SLT to provide mitigation through an In Lieu Fee program covering up to 40 acres of Swainson's hawk foraging habitat. The mitigation lands will be protected in perpetuity through conservation easements held and managed by the SLT. The acreage designated for Swainson's hawk mitigation would not be combined or stacked with the required agricultural mitigation for the conversion of cropland because the acreage requirements are significantly different and it would be difficult to manage different types of restrictions on one parcel. SLT prefers to use an In Lieu Fee approach to allow creation of a larger, more impactful avian mitigation project funded through multiple local avian mitigation needs (refer to Appendix 2-B).

[5] CDFW (California Department of Fish and Wildlife). 2016. Status Review: Swainson's Hawk (*Buteo swainsoni*) in California. Available online at: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=133622&inline

[6] City of Vacaville Municipal Code. 2025. Chapter 14.28.001 Agricultural and Avian Foraging Habitat Impact Mitigation Program. Available online at: https://www.codepublishing.com/CA/Vacaville/#!/Vacaville14/Vacaville1428001.html#14.28.001.050 (accessed August 2025).

The Applicant in coordination with SLT proposes to conserve up to 40 acres of Swainson's hawk foraging habitat within key agricultural regions in Solano County including the Elmira/Maine Prairie (east of the City of Vacaville), Pleasants/Vaca/Lagoons Valley (west of the City of Vacaville), and/or Jepson Prairie (south/southeast of the City of Vacaville). These areas are in proximity to the Project, support foraging and nesting Swainson's hawk, and provide high-quality habitat for this species.

5.0 CULTURAL AND TRIBAL CULTURAL RESOURCES

5.1 Data Request REV 1 DR CUL/TRI-1

The Data Request Response to DR CUL/TRI-3 included copies of the site records pulled during the record search; however, copies of the reports listed during the record search was not provided.

REV 1 DR CUL/TRI-1. The record search results are provided in Subsection 4.5.3.1 of the application and in Confidential Appendix 4.5-A, and copies of the site records were provided as part of the Data Request Response to DR CUL/TRI-3. However, copies of the reports were not included in the confidential cultural resource filings. Please provide copies of all reports, in accordance with Appendix B (g) (2) (B).

In addition, the site record forms for P-48-000177 appear to be missing page 11 of 13. Please provide a complete form set for P-48-000177.

Response: Copies of the reports listed in the records search are provided in Confidential Appendix 5-A which will be submitted pursuant to a Repeated Request For Confidentiality. A complete form set for site record P-48-000177 is provided in Confidential Appendix 5-B, which will also be submitted pursuant to a Repeated Request For Confidentiality.

6.0 WORKER SAFETY AND FIRE PROTECTION

6.1 Data Request REV 1 DR WS-01

Safety training is an essential component of an occupational safety and health program for workers at any site. Staff need clarification with respect to Data Request Response Set#2 Part 1, Table 12-1 (TN 263281) that presents inconsistencies regarding the implementation and audience of the proposed training measures. For example, the Respiratory Protection training requirements are unclear. While LORS 8 CCR 5194 (p. 70) indicates that all employees will receive this training, other sections of the submittal suggest it will apply only to those required to wear respiratory protection. A similar inconsistency appears with training for Flammable and Combustible Liquid Storage and Handling. Table 12-1 specifies that only employees responsible for handling and storage will receive this training, while DRR HAZ-06 states that all construction workers will be trained in this area. These conflicting statements make it difficult to assess the adequacy and scope of the training program.

REV 1 DR WS-01. Please clarify the intended audience for each training category listed in Table 12-1 coupled with other relevant sections. Specifically, confirm whether the training is intended for all employees, construction workers, or only those in specific roles.

Response: A brief description of each training course is provided in Revised Table 12-1 with clarification on the intended audience for each training course. Revisions to Table 12-1 are denoted in

bold. For all construction-related health and safety programs, the construction contractor will develop the required plans, programs, and training courses once they are selected and under contract. All health and safety plans and programs will be provided to the CEC for review and approval prior to construction and/or operation, as required by CEC's standard Conditions of Certification.

Table 12-1 (Revised). Construction and Operation Safety Training Programs

Training Course	Target Employees	Training Description
Injury and Illness Prevention Plan	**All construction workers and operations employees.**	Training for the Injury and Illness Prevention Plan will include topics such as hazard recognition, safe work practices, emergency response procedures, accident reporting, specific job hazards tailored to job functions or tasks, ongoing refresher training to keep safety knowledge current, and open communication regarding safety concerns. Employees will be trained on the topics of the Project's Injury and Illness Prevention Plan during onboarding.
Fire Protection and Prevention Plan	**All construction workers and operations employees.**	Training for the Fire Protection and Prevention Plan involves basic fire safety awareness, identification of fire hazards, equipment specifications such as fire extinguishers, emergency evacuation protocol, and reporting fires and emergencies. Employees will be trained on the topics of the Project's Fire Protection and Prevention Plan during onboarding.
Personal Protective Equipment Program	**All construction workers and operations employees.**	Training for the Personal Protective Equipment Program involves the proper use and care of personal protective equipment (PPE), when PPE is necessary, what type of PPE is required, and limitations of PPE. Employees will be trained on the topics of the Personal Protective Equipment Program during onboarding.
Emergency Action Plan	**All construction workers and operations employees.**	Training for the Emergency Action Plan involves understanding the procedures of various emergencies such as fire, severe weather, pandemic, etc., roles and responsibilities employees undertake during an emergency, evacuation routes and meeting locations, communication protocols, and use of emergency equipment such as first aid kits and emergency alarms. Employees will be trained on the topics of the Project's Emergency Action Plan during onboarding.
Heavy Equipment Safety Program	**All construction workers and operations employees working on, near, or with heavy equipment.**	Training for the Heavy Equipment Safety Program involves understanding the safety protocols for operating heavy equipment such as vehicle/fleet safety visual inspections, the PPE required for operating heavy equipment, and the specific vehicle and equipment requirements. Employees working on, near, or with heavy equipment will be trained on the topics of the Project's Heavy Equipment Safety Program during onboarding.
Forklift Operator Training	**Construction workers working on, near, or with forklifts. Operators must be certified.**	The Forklift Operator Training involves learning the procedures for pre-operation inspections, safe operating techniques, understanding load limits and proper load placement, and the PPE required for operating a forklift. Forklift operators will be trained on the topics of the Project's Forklift Operator Training during onboarding.
Trenching and Excavation Safety Program (Use of Excavation Permits per Cal-OSHA)	**Construction workers involved with trenching and/or excavation.**	The Trenching and Excavation Safety Program training will cover topics such as trench inspection protocols, PPE requirements, safe work practices, hazard identification and assessment, and emergency response protocols. Employees involved with trenching or excavation will be trained on topics of the Project's Trenching and Excavation Safety Program during onboarding.
100% Fall Protection Program	**Construction workers and operations employees required**	The 100% Fall Protection Program training will cover topics such as identifying fall hazards, the proper use of fall protection systems and equipment, safe work practices and emergency procedures in case a fall will occur on site. Employees required to use fall protection will be

Training Course	Target Employees	Training Description
	to use fall protection.	trained on topics of the Project's 100% Fall Protection Program during onboarding.
Scaffolding Safety Program	**Construction workers required to erect or use scaffolding.**	The Scaffolding Safety Program training will cover topics such as proper use of the scaffold, safety protocols while handling of materials on the scaffold, and hazard identification and minimization with various types of scaffolds. Employees required to erect or use scaffolding will be trained on topics of the Project's Scaffolding Safety Program during onboarding.
Hoisting and Rigging Safety Program	**Construction workers responsible for the oversight or conduct of hoisting and rigging.**	The Hoisting and Rigging Safety Program training will cover topics such as hazard identification associated with hoisting and rigging, familiarization with various hoisting and rigging equipment, proper rigging practices, signal person responsibilities, PPE required for hoisting and rigging, and emergency protocols. Employees responsible for the oversight or conduct hoisting and rigging will be trained on topics of the Project's Hoisting and Rigging Safety Program during onboarding.
Crane Safety Program	**Construction workers supervising or performing crane operations.**	The Crane Safety Program training will cover topics such as familiarization of different crane types and components, hazard identification association with crane operations, load handling, signal person responsibilities, safe operating procedures, PPE required for crane operations, and emergency protocols. Employees supervising or performing crane operations will be trained on topics of the Project's Crane Safety Program during onboarding.
Flammable and Combustible Liquid Storage and Handling	**Construction workers and operations employees responsible for the handling and storage of flammable or combustible liquids or gases.**	The Flammable and Combustible Liquid Storage and Handling training will cover topics such as types of flammable and combustible liquid, hazard identification associated with storing and handling flammable and combustible liquid, safe storage and handling practices and procedures, emergency protocols, and spill prevention and response procedures. Employees responsible for handling and storing flammable or combustible liquids or gases will be trained on topics of the Project's Flammable and Combustible Liquid Storage and Handling during onboarding.
Hot Work Permits	**Construction workers performing hot work.**	Hot Work Permit training will cover topics such as hazard identification associated with hot work, how to get a hot work permit, fire prevention measures, PPE required for hot work, emergency protocols, and safe work practices. Employees performing hot work will be trained on topics of the Project's Hot Work Permits during onboarding.
Hazardous Energy Control (Lockout/Tagout)	**Construction workers and operations employees performing lockout/tagout.**	Hazardous Energy Control (Lockout/Tagout) training will cover topics such as lockout/tagout procedures, energy control procedures for specific equipment, emergency protocol. Employees performing lockout/tagout will be trained on topics of the Project's hazardous energy control protocols during onboarding.
Electrical Safety	**Construction workers and operations employees required to work on electrical systems and equipment.**	Electrical Safety training will cover topics such as hazard identification, safe work practices, PPE required while working with electrical systems, equipment safety while using electrical tools, and emergency protocols. Employees working on electrical systems and equipment will be trained on the Project's electrical safety procedures during onboarding.
Permit Required Confined Space Entry	**Construction workers and operations employees required to supervise or perform confined space entry.**	Confined Space Entry training will cover topics such as hazard identification, the confined space entry permit process, pre-entry and entry procedures, PPE required when entering confined spaces, rescue plans and procedures, and roles and responsibilities of entrants, attendants and supervisors. Employees supervising or performing confined space entry will be trained on the Project's confined space entry protocols during onboarding.

Training Course	Target Employees	Training Description
Hand and Portable Power Tool Safety	**All construction workers and operations employees.**	Hand and Portable Power Tool safety will cover topics such as hazard identification, safe work practices, PPE required while operating certain hand and power tools, and first aid and emergency protocols. All employees will be trained on the Project's hand and portable power tool safety procedures during onboarding.
Housekeeping Policy and Program	**All construction workers and operations employees.**	Housekeeping Policy and Program training will cover topics such as roles and responsibilities of employees in maintaining good housekeeping on the Project site, daily and specialized cleaning tasks, hazard identification associated with poor housekeeping, safe cleaning procedures and first aid and emergency protocols. All employees will be trained on the Project's Housekeeping Policy and Program during onboarding.
Hearing Conservation	**All construction workers and operations employees.**	Hearing Conservation training will cover topics such as understanding Noise-Induced Hearing Loss (NIHL), permissible noise level exposure, noise monitoring and audiometric testing procedures, PPE to prevent NIHL, safe work practices such as noise reduction strategies, and first aid and emergency procedures. All employees will be trained on the Project's hearing conservation protocols during onboarding.
Safe Lifting Program	**All construction workers and operations employees.**	Safe Lifting Program training will cover topics such as understanding hazard identification, risks associated with manual lifting, safe lifting techniques, proper use of lifting equipment, ergonomic adjustments to minimize strain, and emergency protocols. All employees will be trained on the Project's Safe Lifting Program during onboarding.
Safe Driving Program	**All construction workers and operations employees.**	Safe Driving Program training will cover topics such as hazard identification while driving, defensive driving techniques and situational awareness, handling adverse conditions while driving, and emergency procedures. All employees will be trained on the Project's Safe Driving Program during onboarding.
Hazardous Substance Program (Hazard Communication)	**All construction workers and operations employees.**	Hazardous Substance Program (Hazard Communication) training will cover topics such as hazard identification, how to read and interpret Safety Data Sheets (SDS), safe handling and storage practices, PPE required for certain hazardous substances, and emergency protocols. All employees will be trained on the Project's Hazardous Substance Program during onboarding.
Respiratory Protection Program	**Construction workers and operations employees required to wear respiratory protection.**	Respiratory Protection Program training will cover topics such as hazard identification (such as airborne hazards), types and proper uses of respirators, and emergency protocols in case of respiratory protection failure or exposure to hazardous substances. Employees required to wear respiratory protection will be trained on the Project's Respiratory Protection Program during onboarding.
HAZWOPER/First Responder	**Construction workers and operations employees working around hazardous waste or hazardous materials.**	HAZWOPER/First Responder training will cover topics such as hazard identification, fall protection, site safety planning, first aid and emergency protocols, and PPE requirements. Employees who will work around hazardous waste or hazardous materials release cleanup will be trained on the Project's HAZWOPER/First Responder protocols during onboarding.

Cal-OSHA – California Occupational Safety and Health Administration; HAZWOPER – Hazardous Waste Operation Emergency Response

6.2 Data Request REV 1 DR WS-02

Data Request Response Set 2 Part 1, section 12.6, pgs. 52 and 53 includes a description of fuel storage and handling activities during project construction; however, it does not provide sufficient detail on the specific fire prevention measures that will be implemented to reduce ignition risk during fueling

operations. This information is necessary to confirm that fueling activities will be conducted in a manner that minimizes fire risk to workers, equipment, and the surrounding environment.

REV 1 DR WS-02. Please provide a description of the fire prevention measures that will be implemented for fuel storage, handling, and distribution.

Response: Fire prevention measures that will be implemented for fuel storage, handling, and distribution will include, but not be limited to, the following:

- Fuel storage and fueling activities will only occur in designated areas.
- No smoking, open flames, electrical equipment that could spark, or other potential ignition sources will be allowed within 50 feet of designated fueling areas.
- Fuel storage and fueling areas will be kept free of debris, dry vegetation, and other combustible materials.
- All fuel storage containers will be labeled with their contents and hazard warnings (e.g., “Flammable – Keep Fire Away”).
- A 20-pound fire extinguisher and spill kit will be located near the fueling areas.
- All equipment will be turned off and key removed from vehicle/equipment ignition prior to beginning fueling.
- When transferring fuel from one container to another, containers will be electrically interconnected (bonded) to prevent static electricity discharge.
- Portable containers will be placed on the ground when filling to prevent static discharge.

6.3 Data Request REV 1 DR WS-03

Staff would like additional information regarding compliance with CFC §503 as proposed in Conditions of Certification Worker Safety-7(b), most particularly 503.2.3-Surface. DR Wildfire-02 response states that access roads will be surfaced with crushed rock. However, staff notes that Dixon Fire Department Fire Code Section 16.02 amends the definition of “all-weather surface” under CFC §503.2.3 to require a finished surface composed of hard-packed road base (AB), asphalt, concrete, or pavers all capable of supporting a 75,000-lb vehicle load. Crushed rock, as proposed, may not meet this requirement without further detail.

REV 1 DR WS-03. Please provide details regarding compliance with CFC 503 and in conformance with Dixon Fire Code. If crushed rock is still proposed, please provide documentation or engineering justification demonstrating it meets the required performance criteria.

Response: The Applicant will comply with Dixon Fire Department Fire Code Section 16.02 by finishing access roads with hard-packed aggregate road base or 6 inches of crushed rock with a Terragrid stabilizing material capable of supporting a 75,000-pound vehicle load.

6.4 Data Request REV 1 DR WS-04

Data Request Response Set#2 Part 1, Tables 12-4 and 12-5 (TN 263281), which summarize applicable LORS, do not currently provide adequate detail regarding project-specific applicability and the means by which conformance will be achieved. To support staff's evaluation of LORS compliance, each listed

requirement should be clearly evaluated in the context of the proposed project, with the method of conformance explained and cross-referenced to relevant sections of the application. As currently presented, some citations within the tables are not properly aligned with the LORS they reference. For example, 8 CCR 5160, which addresses the use, handling, and storage of hazardous substances, is linked to a discussion of hot work permits. Additionally, while many LORS are marked as being satisfied through training programs, several others such as NFPA 69 which pertains to explosion prevention via system design are primarily addressed through project engineering and design, not training.

REV 1 DR WS-04. Please revise Tables 12-4 and 12-5 to clearly identify how each LORS is applicable to the proposed project; Describe the method of conformance for each LORS (e.g., training, operational procedure, design feature, or monitoring plan); Provide accurate references to the sections of the application or supporting documents that substantiate conformance; Ensure that each LORS is appropriately matched with a relevant discussion. Also please include and evaluate NFPA 850 as a LORS per the Proposed Conditions of Certification.

Response: Revised versions of Tables 12-4 and 12-5 are provided below. Revisions are denoted in **bold**. For all LORS where the method of compliance is achieved through training courses on certain health and safety plans/programs, such plans/programs will be provided to the CEC for review and approval prior to construction and/or operation, as applicable to the Project phase and required by standard Conditions of Certification. Additionally, for all construction-related health and safety programs, the construction contractor will develop the required plans, programs, and training courses once they are selected and under contract.

Table 12-4 (Revised). Laws, Ordinances, Regulations, and Standards for Hazards and Hazardous Materials (Replaces Table 4.9-7 in Application)

LORS[1/]	Requirements/Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
Federal					
Section 302, Emergency Planning and Community Right-to-Know Act (EPCRA) (Pub. L. 99–499, 42 United States Code [U.S.C.] 11022) Hazardous Chemical Reporting: Community Right-To-Know (40 Code of Federal Regulations [CFR] 370)	Requires one-time notification if extremely hazardous substances are stored in excess of threshold planning quantities (TPQs).	Solano County Department of Resource Management, Environmental Health Services Division (DRM EHS)	As discussed in Section 4.9.3.1 Hazard Analysis page 4.9-14 of the Application, extremely hazardous substances will not be used or stored onsite. **Therefore, notification is not required as no extremely hazardous substances will be stored in excess of TPQs.** A Hazardous Materials Business Plan (HMBP) will be prepared for submittal to Solano County DRM EHS to assure that all hazardous materials will be handled and stored properly for Construction and Operations.	**Not required.**	**Section 4.9 Hazards, 4.9.3.1 Hazard Analysis, page 4.9-14.**
Section 304, EPCRA (Pub. L.	Requires notification when	Solano County DRM EHS	As discussed in CEQA Impact 4.9-2 page 4.9-21 of the	**Training on the HMBPs including**	**Section 4.9 Hazards, CEQA**

LORS[1/]	Requirements/Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
99–499, 42 U.S.C. 11002) Emergency Planning and Notification (40 CFR 355)	there is a release of hazardous material in excess of its reportable quantity (RQ).		Application, an HMBP will be prepared to describe notification and reporting procedures as part of the hazardous materials release response plan. The HMBPs will be developed for both construction and operations. **The construction and operations HMBPs will be developed once Project design is finalized, and drafts will be provided to the CEC for review and approval prior to Project construction and operation.**	**hazardous materials release notification requirements will be provided to construction workers and operations employees.**	**Impact 4.9-2, page 4.9-21.**
Section 311, EPCRA (Pub. L. 99–499, 42 U.S.C. 11021) Hazardous Chemical Reporting: Community Right-To-Know (40 CFR 370)	Requires that material safety data sheets (MSDS) for all hazardous materials or a list of all hazardous materials be submitted to the State or Tribal Emergency Response Commission (SERC), Local or Tribal Emergency Planning Commission (LEPC), and Solano County DRM.	Solano County DRM EHS	The construction and operations HMBPs will include a list of hazardous materials for submission to agencies. **Safety Data Sheets (SDS) for the CATL battery unit Model C02306P05L01 are provided as part of Data Request Response #2. Other hazardous materials that require SDS will be included in the HMBPs, which will be developed once Project design is finalized. Drafts of the HMBPs will be provided to the CEC for review and approval prior to Project construction and operation.**	**Finalized SDS will be included in HMBPs submitted to Solano County DRM and CEC prior to Project construction and Project operation.**	**Data Request Response #2, DR WS-7 and Appendix 12-G: CATL NRC + Safety Data Sheet.**
Section 313, EPCRA (Pub. L. 99–499, 42 U.S.C. 11023) Toxic Chemical Release Reporting: Community Right-To-Know (40 CFR 372)	Requires annual reporting of releases of hazardous materials.	Solano County DRM EHS	The construction and operations HMBPs will describe reporting procedures. **EPCRA Section 313 Toxic Chemical Release Inventory Reporting will not be applicable to the Project as it will not manufacture or process over 25,000 pounds or otherwise use over 10,000 pounds of a listed toxic chemical over a calendar year and the facility will not have 10 or more full-time employees.**	**Not required.**	**Not Applicable**
Section 112, Clean Air Act (CAA) Amendments (Pub. L. 101–549, 42 U.S.C. 7412) Chemical Accident Prevention Provisions (40 CFR 68)	Requires facilities that store a listed hazardous material at a quantity greater than the threshold quantity (TQ) to develop a Risk Management Plan (RMP).	Solano County DRM EHS	As discussed in Section 4.9.2.1 Risk Management Plan page 4.9-8 of the Application, the Project will not store listed hazardous materials during construction or operations; therefore, an RMP will not be required.	**Not required.**	**Section 4.9 Hazards, 4.9.2.1 Risk Management, Plan page 4.9-8.**

LORS[1/]	Requirements/Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
Section 311, CWA (Pub. L. 92–500, 33 USC 1251 et seq.) Oil Pollution Prevention (40 CFR 112)	Requires preparation of an SPCC Plan if the total petroleum storage (including ASTs, oil-filled equipment, and drums) is greater than 1,320 gallons. The facility will store petroleum products in excess of 1,320 gallons.	SWRCB	As discussed in CEQA Impact 4.9-1 pages 4.9-18 and 4.9-20 of the Application, an SPCC Plan will be prepared and implemented prior to storing petroleum products onsite in excess of 1,320 gallons during construction and operations.	**The SPCC Plans will be developed once Project design is finalized, and drafts will be provided to the CEC for review and approval prior to storing petroleum on the Project site during construction and prior to Project operation.**	**Section 4.9 Hazards, CEQA Impact 4.9-1, pages 4.9-18 and 4.9-20.** **Data Request Response #2, DR HAZ-8.**
29 U.S.C. § 651, 29 CFR § 1910 et seq., and § 1926 et seq.	Contains requirements for equipment used to store and handle hazardous materials and addresses requirements for equipment necessary to protect workers in emergencies.	U.S. Environmental Protection Agency (Region IX) and Federal Occupational Safety and Health Administration (OSHA)	As discussed in CEQA Impact 4.9-1 pages 4.9-18 and 4.9-19, the Project will meet requirements for equipment used to store and handle hazardous materials necessary to protect workers for construction and operations.	**Construction and operations HMBPs and Emergency Response Plans addressing hazardous material emergency worker protection will be provided to the CEC for review and approval.**	**Data Request Response #2, DR HAZ-8.**
49 CFR Parts 172, 173, and 179	Provides standards for labels, placards, and markings on hazardous waste shipments by truck (Part 172) and standards for packaging hazardous wastes (Part 173 and 179)	California Highway Patrol, California Department of Motor Vehicles, and U.S. Department of Transportation	Standards for labels, placards, and markings on hazardous waste shipments are the responsibility of the transporters. **Any hazardous waste generated during construction or operation will be removed from the site by a registered hazardous waste transporter.**	**The registered hazardous waste transporter will label vehicles and packaging in accordance with this requirement.**	**Data Request Response #2, DR HAZ-5.**
State					
Health and Safety Code, Section 25500 et seq. (HMBP)	Requires preparation of an HMBP if hazardous materials are handled or stored in excess of threshold quantities.	California Occupational Safety and Health Administration (Cal-OSHA)	As stated in CEQA Impact 4.9-1 page 4.9-19 and CEQA Impact 4.9-2 page 4.9-21 of the Application, an HMBP will be prepared for submittal to the Solano County DRM EHS. The construction and operations HMBPs will ensure that all handling, storage, and disposal of hazardous materials will be conducted in accordance with proven practices to minimize exposure to workers or the public.	**The HMBPs will address the storage and handling of hazardous materials and will be developed once Project design is finalized. Drafts will be provided to the CEC for review and approval prior to Project construction and operation.**	**Section 4.9 Hazards, CEQA Impact 4.9-1, pages 4.9-18 and 4.9-19.**
8 California Code of Regulations (CCR) § 339, § 3200 et seq., 5139	Address the control of hazardous substances.	Solano County DRM EHS	As stated in CEQA Impact 4.9-1 page 4.9-18 of the Application, the HMBPs as well as the SPCC Plans will describe the proper handling, storage, transport, and	**The HMBPs and SPCC Plans will be developed once Project design is finalized. Drafts will**	**Section 4.9 Hazards, CEQA Impact 4.9-1, pages 4.9-18 and 4.9-20.**

LORS[1/]	Requirements/Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
et seq., and 5160 et seq.			disposal techniques and methods for controlling hazardous materials and prevent spills for both construction and operation.	**be provided to the CEC for review and approval prior to Project construction and operation.**	
Health and Safety Code, Section 25531 through 25543.4 (CalARP)	Requires registration with local Certified Unified Program Agency (CUPA) or lead agency and preparation of an RMP if regulated substances are handled or stored in excess of TPQs.	Solano County DRM EHS	Not Applicable. The Project will not handle, treat, store, or dispose of more than the threshold quantity of any of the listed regulated materials.	**Not required.**	**Section 4.9 Hazards, 4.9.2.1 Risk Management Plan, page 4.9-8.**
California Fire Code, Article 89, and others	Includes provisions for storage and handling of hazardous materials, and requirements for combustible and flammable liquids.	Dixon Fire Protection District (DFPD)	As stated in section 4.9.3.2 Health and Safety Program page 4.9-15 of the Application, the Project will meet requirements for the storage and handling of hazardous materials (Article 80), flammable and combustible liquids (Article 79), and for obtaining permits (Article 4) through implementing the Fire Protection and Prevention Plan. **Flammable and combustible liquid storage and handling is expected to be limited to construction equipment fueling, which will be addressed by the construction Health and Safety Program and Fire Protection and Prevention Plan.**	**A Construction Health and Safety Program and Fire Protection and Prevention Plan will be provided to the CEC for review and approval prior to introducing hazardous materials and flammable liquids to the Project site.**	**Section 4.9 Hazards, 4.9.3.2 Health and Safety Program, page 4.9-15.**
California Fire Code, Chapter 12	Includes requirements for vehicle impact protection, location, spacing between batteries, egress, security, seismic and structural design, and fire suppression systems. Chapter 12 also sets maximum allowable battery quantities and specific battery type requirements for various battery technologies.	DFPD	As stated in section 4.9.3.1 Hazard Design Protection Measures page 4.9-11 of the Application, the Project will meet design and fire suppression requirements for electrical energy storage systems as set forth in Chapter 12 of the California Fire Code.	**The Project's final design will meet the requirements set forth in Chapter 12 of the California Fire Code and final designs will be provided to the Chief Building Official (CBO) and CEC for review and approval.**	**Section 4.9 Hazards, 4.9.3.1 Hazard Design Protection Measures, page 4.9-11.**

LORS[1/]	Requirements/Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
Senate Bill 38	Adds safety requirements for battery energy storage projects to the California Public Utilities Code. Requires BESS facilities to have an emergency response and emergency action plan, which includes established response procedures for equipment malfunction or failure, procedures that provide for the safety of surrounding residents, neighboring properties, and first responders, and established notification and communication procedures between the BESS facility and local emergency management agencies.	Solano County DRM EHS and DFPD	As stated in section 4.9.3.1 Safety Standard Compliance page 4.9-11 of the Application, the Project will develop an emergency response and emergency action plan in accordance with SB 38 requirements.	**The Emergency Action Plan will be developed once Project design is finalized, and a draft will be provided to DFPD and the CEC for review and approval prior to Project construction and operation.**	**Section 4.9 Hazards, 4.9.3.1 Safety Standard Compliance, page 4.9-11 of the Application.**
Local					
Solano County General Plan	Provides guidance for siting and management of facilities that store, collect, treat, dispose, or transfer hazardous waste and hazardous materials.	Solano County DRM and DFPD	The Project will comply with the applicable goals, policies, and implementation measures of the Public Health and Safety Element of the County General Plan, including Policies HS.P-31 and HS.P-39 and Implementation Measures HS.I-17 and HS.I-19 as related to fire safety, and Policies HS.P-49 through HS.P-54 as related to hazardous waste and materials. As stated in CEQA Impact 4.9-7 page 4.9-24 of the Application, fire safety systems will be consistent with California Fire Code requirements and manufacturer's specifications. Refer also to Section 4.20, *Wildfire*, of the Application.	**HMBP and SPCC Plans will be developed once Project design is finalized and drafts will be provided to the Solano County DRM and CEC for review and approval prior to storing petroleum on the Project site during construction and prior to Project operation.**	**Application Section 4.11, Land Use and Planning, Impact 4.11-2.**

LORS[1/]	Requirements/Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
			Additionally, as stated in CEQA Impacts 4.9-1 and 4.9-2 of the Application, the Project will minimize risks associated with transporting, storing, and using hazardous materials, and disposing of hazardous waste through preparation and implementation of a SWPPP, HMBPs, and SPCC Plans. Refer also to Section 4.11, *Land Use and Planning*, of this application for a consistency analysis with applicable County General Plan goals, policies, and implementation measures as related to hazards and hazardous materials.		
Solano County Multi-Jurisdictional Hazard Mitigation Plan	Provides guidance for natural and human-caused hazard planning and mitigation.	Solano County DRM	As stated in CEQA Impact 4.9-6 page 4.9-23, HMBPs will be prepared for submittal to the Solano County DRM EHS, and the Project's construction or operation would not impair the County's ability to implement the MJHMP.	**The HMBPs will be developed once Project design is finalized, and drafts will be provided to the County DRM EHS and the CEC for review and approval prior to Project construction and operation.**	**Section 4.9 Hazards, CEQA Impact 4.9-6, page 4.9-23.**
City of Vacaville General Plan	Provides guidance for siting and management of facilities that store, collect, treat, dispose, or transfer hazardous waste and hazardous materials.	City of Vacaville Utilities Administration Department	The Project will comply with the goals, policies, and actions of the Safety Element of the City General Plan, including Policies SAF-P5.2, SAF-P5.4, SAF-P5.7, and Action SAF-5.2 as related to fire safety, and Policy SAF-P6.6 as related to hazardous materials. As stated in CEQA Impact 4.9-7 of the Application, all fire safety systems will be consistent with local zoning and fire department requirements, as well as comply with federal, state and local worker safety and fire protection codes and regulations. As stated in CEQA Impact 4.9-1, the Project will properly transport all hazardous materials, such as transporting the lithium-ion batteries via DOT-certified vehicles.	**The HMBPs will be developed once Project design is finalized, and drafts will be provided to the County DRM EHS and the CEC for review and approval prior to Project construction and operation.**	**Section 4.11, Land Use and Planning, Impact 4.11-2.**
Travis Air Force Base Land Use Compatibility Plan (AFB LUCP)	Regulates land use and safety hazards within the Travis AFB Airport Influence Area	Solano County Airport Land Use Commission	As described in CEQA Impact 4.9-5 page 4.9-23 of the Application, the Project site is located within Zone D of the Travis AFB LUCP and would	**The Project's design complies with the Travis AFB LUCP Zone D requirements.**	**Section 4.9 Hazards, CEQA Impact 4.9-5, page 4.9-23.**

LORS[1/]	Requirements/Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
			comply with compatibility factors and development conditions of this zone, including limiting the development of structures to below 200 feet.		

1/ LORS – laws, ordinances, regulations, and standards
2/ Added detail is provided in **bold text**.

Table 12-5 (Revised). Laws, Ordinances, Regulations, and Standards for Worker Health and Safety (Replaces Table 4.9-8 in Application)

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
Federal					
Title 29 Code of Federal Regulations (CFR) Part 1910	Contains the minimum occupational safety and health standards for general industry in the United States	Occupational Health and Safety Administration (OSHA)	As described in Health and Safety Programs 4.9.3.2, pages 4.9-14 through 4.9-16 of the Application, health and safety programs will be designed and implemented to adhere to all applicable regulations. The Project will meet federal employee health and safety standards for general industry.	**The Project will implement operation procedures that will follow OSHA standards. Health and safety training and personal protective equipment (PPE) will be provided for all operations employees.**	**Section 4.9 Hazards, Health and Safety Programs 4.9.3.2, pages 4.9-14 through 4.9-16.**
Title 29 CFR Part 1926	Contains the minimum occupational safety and health standards for the construction industry in the United States	OSHA	As described in Health and Safety Programs 4.9.3.2, pages 4.9-14 through 4.9-16 of the Application, health and safety programs will be designed and implemented to adhere to all applicable regulations. The Project will meet federal employee health and safety standards for the construction industry.	**The Project will implement construction procedures that will comply with OSHA standards. Health and safety training and PPE will be provided for all construction personnel.**	**Section 4.9 Hazards, Health and Safety Programs 4.9.3.2, pages 4.9-14 through 4.9-16.**
42 United States Code (U.S.C.) § 9601 et seq.; 40 CFR Part 302	Prescribes notification requirements for any release of a reportable quantity of hazardous substance, and notification of potential injured parties in connection with any release	National Response Center and U.S. Environmental Protection Agency, Region IX	As described in Mitigation Measures 4.9.5 page 4.9-27 of the Application, project design features will be implemented prior to any reportable quantities of hazardous substances. Prescribes requirements for notification of any specific release of hazardous substance, notification of potential injured parties, and demonstration of financial responsibility. In the event of a specified release, the Project will follow all specified requirements. **The HMBPs and Emergency**	**As part of the HMBPs and EAPs, training on reporting procedures will be provided to construction workers prior to construction and operations employees prior to operation.**	**Section 4.9 Hazards, Mitigation Measures 4.9.5 page 4.9-27.**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
			Action Plans (EAPs) will be developed once Project design is finalized, and drafts will be provided to the CEC for review and approval prior to Project construction and operation.		
49 CFR Parts 172, 173, and 179	Provides standards for labels, placards, and markings on hazardous waste shipments by truck (Part 172) and standards for packaging hazardous materials (Part 173) and tank cars (Part 179)	California Highway Patrol	The Project will meet standards for labels, placards, and markings on hazardous waste shipments and standards for packaging hazardous materials by using qualified vendors and transporters who will be responsible for complying with applicable transportation regulations. **Any hazardous waste generated during construction or operation will be removed from the site by a registered hazardous waste transporter.**	**The registered hazardous waste transporter will label vehicles and packaging in accordance with this requirement.**	**Data Request Response #2, DR HAZ-5.**
State					
California Occupational Safety and Health Act, 1970	Establishes minimum safety and health standards for construction and general industry operations in California	California Occupational Health and Safety Administration (Cal-OSHA)	As described in Health and Safety Programs 4.9.3.2, pages 4.9-14 through 4.9-16 of the Application, health and safety programs will be designed and implemented to adhere to all applicable regulations. The Project will meet safety and health standards for construction and general industry operations. **Health and safety programs will be developed once Project design is finalized, and draft programs will be provided to the CEC for review and approval prior to Project construction and operation.**	**Health and safety training will be provided to construction workers prior to construction and operations employees prior to operation. Training courses and target audiences are described in Revised Table 12-1 above.**	**Section 4.9 Hazards, Health and Safety Programs 4.9.3.2, pages 4.9-14 through 4.9-16.** **Revised Table 12-1 above.**
8 California Code of Regulations (CCR) 339	Requires list of hazardous chemicals relating to the Hazardous Substance Information and Training Act	Cal-OSHA	As discussed in CEQA Impact Analysis 4.9.3.4 page 4.9-17 of the Application, the project will not involve the routine transport or disposal of hazardous materials. The Project will meet requirements for hazardous chemicals**, including a Hazard Communication Program.**	**Employee training will be provided under a Hazard Communication Program.**	**Section 4.9 Hazards, 4.9.2.2, Table 4.9-3.**
8 CCR 1509	Addresses requirements for construction, accident, and prevention plans	Cal-OSHA	As discussed in Mitigation Measures 4.9-5, page 4.9-28 of the Application, the Applicant will prepare and submit a Project Construction Health and Safety Program as well as a Construction Site Security Plan containing requirements for construction, accident, and prevention plans. The Project will meet requirements for	**Health and safety training will be provided to construction workers prior to construction. Training courses and target audiences are described in**	**Section 4.9 Hazards, Mitigation Measures 4.9-5, page 4.9-28.** **Revised Table 12-1 above.**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
			construction, accident, and prevention plans. **Construction Health and Safety programs are included in Revised Table 12-1 above and will be developed once Project design is finalized. Drafts will be provided to the CEC for review and approval prior to Project construction.**	**Revised Table 12-1 above.**	
8 CCR 1509, et seq., and 1684, et seq.	Addresses construction hazards, including head, hand, and foot injuries, and noise and electrical shock	Cal-OSHA	As described in Health and Safety Programs in Section 4.9.3.2, page 4.9-14 and 4.9-15 of the Application, an Injury and Illness Prevention Plan and a Personal Protective Equipment Program will be implemented to address construction hazards. Project will meet standards for construction hazards. **An Injury and Illness Prevention Plan and a Personal Protective Equipment Program will be developed once Project design is finalized, and drafts will be provided to the CEC for review and approval prior to Project construction.**	**Training on the Injury and Illness Prevention Plan and Personal Protective Equipment Program will be provided to construction workers prior to construction.**	**Section 4.9 Hazards, Section 4.9.3.2, pages 4.9-14 and 4.9-15.** **Data Request Response #2 WS-11.** **Revised Table 12-1 above.**
8 CCR 1528, et seq., and 3380, et seq.	Requirements for personal protective equipment (PPE)	Cal-OSHA	As described in Health and Safety Programs in Section 4.9.3.2, page 4.9-15 of the Application, a Personal Protective Equipment Program will be implemented that addresses PPE requirements. The Project will meet requirements for PPE. **A Personal Protective Equipment Program will be developed once Project design is finalized, and a draft will be provided to the CEC for review and approval prior to Project construction and operation.**	**Training on the Personal Protective Equipment Program will be provided to construction workers prior to construction and operations employees prior to operation.**	**Section 4.9 Hazards, Health and Safety Programs in Section 4.9.3.2, page 4.9-15.** **Data Request Response #2 WS-11.** **Revised Table 12-1 above.**
8 CCR 1597, et seq., and 1590, et seq.	Requirements addressing the hazards associated with traffic accidents and earth moving	Cal-OSHA	As described in Safety Training Programs in Section 4.9.3.3, pages 4.9-16 through 4.9-17 of the Application, safety training associated with earth moving vehicles and traffic accidents will be required. The Project will meet requirements for hazards associated with traffic accidents and earth moving. **A Safe Driving Program and Heavy Equipment Safety Program will be developed once Project design is finalized, and drafts will be provided to the CEC for review and approval prior to Project construction.**	**All construction workers and operation employees will be trained on the Safe Driving Program. Construction workers and operations employees working on, near, or with heavy equipment will also be trained on the Heavy**	**Section 4.9 Hazards, Safety Training Programs in Section 4.9.3.3, pages 4.9-16 through 4.9-17.** **Revised Table 12-1 above.**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
				Equipment Safety Program.	
8 CCR 1604, et seq.	Requirements for construction hoist equipment	Cal-OSHA	As described in Safety Training Programs in Section 4.9.3.3, page 4.9-16 of the Application, a Hoisting and Rigging Safety Program will be implemented to for construction hoist equipment safety. The Project will meet requirements for construction hoist equipment. **A Hoisting and Rigging Safety Program will be developed once Project design is finalized and a draft will be provided to the CEC for review and approval prior to Project construction.**	**Construction workers responsible for the oversight or conduct of hoisting and rigging will be trained on the Hoisting and Rigging Safety Program prior to Project construction.**	**Section 4.9 Hazards, Safety Training Programs in Section 4.9.3.3, pages 4.9-16.** **Revised Table 12-1 above.**
8 CCR 1620, et seq., and 1723, et seq.	Addresses miscellaneous hazards	Cal-OSHA	As described in Hazardous Materials Use and Disposal in Section 4.9.2.1, page 4.9-5 of the Application, miscellaneous hazardous materials will be stored offsite. **The Project will meet standards for miscellaneous hazards through implementation of the Construction and Operations Health and Safety Programs, which are included in Revised Table 12-1 above and will be developed once Project design is finalized. Drafts will be provided to the CEC for review and approval prior to Project construction.**	**Training will be provided for the Construction and Operations Health and Safety Programs as summarized in Revised Table 12-1.**	**Section 4.9. Hazards, Health and Safety Programs in Section 4.9.3.2 and Safety Training Programs, Section 4.9.3.3.** **Revised Table 12-1 above.**
8 CCR 1709, et seq.	Requirements for steel reinforcing, concrete pouring, and structural steel erection operations	Cal-OSHA	As described in Hazard Design Protection Measures in Section 4.9.3.1, page 4.9-13 of the Application, Project components will be constructed of steel reinforcing. The Project will meet requirements for steel reinforcing, concrete pouring, and structural steel erection operations.	**Project design will comply with Cal-OSHA requirements for steel reinforcing, concrete pouring, and structural steel erection operations. Detailed structural engineering drawings of the proposed seismic anchoring that are prepared, reviewed, and approved by a licensed structural engineer will be provided to the CBO during the plan check process.**	**Section 4.9 Hazards, Hazard Design Protection Measures in Section 4.9.3.1, page 4.9-13.**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
8 CCR 1920, et seq.	Requirements for fire protection systems	Cal-OSHA	As described in Section 4.9.3.2, Health and Safety Programs, page 4.9-15 of the Application, a Fire Protection and Prevention Plan will be implemented to protect from fire hazards. The Project will meet requirements for fire protection systems. **The Fire Protection and Prevention Plan will be developed once Project design is finalized and a draft will be provided to the DFPD and CEC for review and approval prior to Project construction.**	**Project design will incorporate requirements for fire protection systems and training on the Fire Protection and Prevention Plan will be provided to construction workers prior to construction and operations employees prior to operation.**	**Section 4.9 Hazards, Section 4.9.3.2, Health and Safety Programs, page 4.9-15.** **Revised Table 12-1 above.**
8 CCR 2300, et seq., and 2320, et seq.	Requirements for addressing low-voltage electrical hazards	Cal-OSHA	As described in Section 4.9.3.3, Safety Training Programs, page 4.9-17 of the Application, an electrical safety training course will be required for all employees that work on electrical systems and equipment. The Project will meet requirements for low-voltage electrical hazards. **An Electrical Safety Training Program will be developed once Project design is finalized and will be provided to the CEC for review and approval prior to Project construction.**	**Training on the Electrical Safety Training Program will be provided to construction workers and operations employees required to work on electrical systems and equipment.**	**Section 4.9 Hazards, Section 4.9.3.3, Safety Training Programs, page 4.9-17.** **Revised Table 12-1 above**
8 CCR 2395, et seq.	Addresses electrical installation requirements	Cal-OSHA	As described in Section 4.9.3.3, Safety Training Programs, page 4.9-17 of the Application, an electrical safety training course will be required for all employees that work on electrical systems and equipment. The Project will meet requirements for electrical installation. **An Electrical Safety Training Program will be developed once Project design is finalized and will be provided to the CEC for review and approval prior to Project construction.**	**Training on the Electrical Safety Training Program will be provided to construction workers and operations employees required to work on electrical systems and equipment.**	**Section 4.9 Hazards, Section 4.9.3.3, Safety Training Programs, page 4.9-17.** **Revised Table 12-1 above.**
8 CCR 2700, et seq.	Addresses high-voltage electrical hazards	Cal-OSHA	As described in Section 4.9.3.3, Safety Training Programs, page 4.9-17 of the Application, an electrical safety training course will be required for all employees that work on electrical systems and equipment. The Project will meet requirements for high-voltage electrical hazards. **An Electrical Safety Training Program will be developed once Project design is finalized and will be provided to**	**Training on the Electrical Safety Training Program will be provided to construction workers and operations employees required to work on electrical systems and equipment.**	**Section 4.9 Hazards, Section 4.9.3.3, Safety Training Programs, page 4.9-17.** **Revised Table 12-1 above.**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
			the CEC for review and approval prior to Project construction.		
8 CCR 3200, et seq., and 5139, et seq.	Requirements for control of hazardous substances	Cal-OSHA	As described in Section 4.9.3.3, Safety Training Programs, page 4.9-17 of the Application, a Hazardous Substance Training Program will be required for all employees. The Project will meet requirements for hazardous substances. **A Hazardous Substance Program will be developed once Project design is finalized and will be provided to the CEC for review and approval prior to Project construction.**	**Training on the Hazardous Substance Program will be provided to all construction workers prior to construction and operations employees prior to operation.**	**Section 4.9 Hazards, Section 4.9.3.3, Safety Training Programs, page 4.9-17.** **Revised Table 12-1 above.**
8 CCR 3203, et seq.	Requirements for operational accident prevention programs	Cal-OSHA	As described in Section 4.9.3.2, Health and Safety Programs, pages 4.9-14 through 4.9-16 of the Application, the construction safety and health program will transition into an operations-oriented program. **Health and Safety programs are included in Revised Table 12-1 above and will be developed once Project design is finalized. Drafts will be provided to the CEC for review and approval prior to Project operation.**	**Health and safety training will be provided to operations employees prior to Project operation. Training courses and target audiences are described in Revised Table 12-1 above.**	**Section 4.9 Hazards, Section 4.9.3.3, Health and Safety Programs, page 4.9-14-17.** **Revised Table 12-1 above.**
8 CCR 3270, et seq., and 3209, et seq.	Requirements for evacuation plans and procedures	Cal-OSHA	As described in Section 4.9.3.3, Safety Training Programs, page 4.9-16 of the Application, the Project will incorporate evacuation plans as part of the Emergency Action Plan and will meet requirements for evacuation plans and procedures. **The Emergency Action Plan will be developed once Project design is finalized and a draft will be provided to DFPD and the CEC for review and approval prior to Project construction and operation.**	**Training on Emergency Action Plan will be provided to all construction workers prior to construction and operations employees prior to operation.**	**Section 4.9 Hazards, 4.9.3.1 Safety Standard Compliance, page 4.9-11.** **Revised Table 12-1 above.**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
8 CCR 3301, et seq.	Requirements for addressing miscellaneous hazards, including hot pipes, hot surfaces, compressed air systems, relief valves, enclosed areas containing flammable or hazardous materials, rotation equipment, pipelines, and vehicle-loading dock operations	Cal-OSHA	As described in Section 4.9.2.1, Hazardous Materials Use and Disposal, page 4.9-5 of the Application, miscellaneous hazardous materials will be stored offsite. The Project will meet requirements for miscellaneous hazards. **Health and Safety programs covering these topics are included in Revised Table 12-1 above and will be developed once Project design is finalized. Drafts will be provided to the CEC for review and approval prior to Project operation.**	**Health and safety training will be provided to operations employees prior to Project operation. Training courses and target audiences are described in Revised Table 12-1 above.**	**Section 4.9 Hazards, Section 4.9.3.3, Health and Safety Programs, page 4.9-14-17.** **Data Request Response #2 HAZ-2.** **Revised Table 12-1 above.**
8 CCR 3360, et seq.	Addresses requirements for sanitary conditions	Cal-OSHA	As described in Section 4.9.3.2, Health and Safety Programs, page 4.9-15 of the Application, an Injury and Illness Prevention Plan (IIPP) and PPE Program will be implemented that addresses requirements for sanitary conditions. **An Injury and Illness Prevention Plan and a Personal Protective Equipment Program will be developed once Project design is finalized, and drafts will be provided to the CEC for review and approval prior to Project construction and operation.**	**Training on the Injury and Illness Prevention Plan and Personal Protective Equipment Program will be provided to construction workers prior to construction and operations employees prior to operation.**	**Section 4.9 Hazards, Section 4.9.3.2, pages 4.9-14 and 4.9-15.** **Data Request Response #2 WS-11.** **Revised Table 12-1 above.**
8 CCR 3395, et seq., and 3396, et seq.	Requirements for addressing heat illness in both indoor and outdoor workplaces.	Cal-OSHA	Project will meet requirements for hazards associated with heat illness by implementing construction and operations IIPPs. **An Injury and Illness Prevention Plan will be developed once Project design is finalized and a draft will be provided to the CEC for review and approval prior to Project construction and operation.**	**Training on the Injury and Illness Prevention Plan will be provided to construction workers prior to construction and operations employees prior to operation.**	**Section 4.9 Hazards, Section 4.9.3.2, pages 4.9-14 and 4.9-15.** **Data Request Response #2 WS-11.** **Revised Table 12-1 above**
8 CCR 3511, et seq., and 3555, et seq.	Requirements for addressing hazards associated with stationary engines; compressors; and portable, pneumatic, and electrically powered tools	Cal-OSHA	As discussed in Section 4.9.3.3, Safety Training Programs, pages 4.9-16 through 4.9-17 of the Application, trainings in portable/tool safety and stationary engine safety will be required. The Project will meet requirements for hazards associated with stationary engines; compressors; and portable, pneumatic, and electrically powered tools. **Health and Safety programs covering these topics are**	**Training on the Heavy Equipment Safety Program will be provided to construction workers and operations employees working on, near, or with heavy equipment. Training on the**	**Section 4.9 Hazards, Safety Training Programs in Section 4.9.3.3, pages 4.9-16 through 4.9-17.** **Revised Table 12-1 above.**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
			included in Table 12-1 above, including a Heavy Equipment Safety Program and a Hand and Portable Power Tool Safety Program. These plans will be developed once Project design is finalized, and drafts will be provided to the CEC for review and approval prior to Project construction and operation.	**Portable Power Tool Safety Program will be provided to all construction workers and operations employees.**	
8 CCR 3649, et seq., and 3700, et seq.	Requirements for addressing hazards associated with field vehicles	Cal-OSHA	As described in Section 4.9.3.3, Safety Training Programs, page 4.9-17 of the Application, a Safe Driving Program is required for all employees. The Project will meet requirements for hazards associated with field vehicles. **A Safe Driving Program will be developed once Project design is finalized, and a draft will be provided to the CEC for review and approval prior to Project construction.**	**Training on the Safe Driving Program will be provided to all construction workers prior to construction and operations employees prior to operation.**	**Section 4.9 Hazards, Safety Training Programs in Section 4.9.3.3, pages 4.9-16 through 4.9-17.** **Revised Table 12-1 above.**
8 CCR 3940, et seq.	Requirements for addressing hazards associated with power transmission, compressed air, and gas equipment	Cal-OSHA	As described in Section 4.9.3.3, Safety Training Programs, page 4.9-17 of the Application, Hot Work Permits will be required for employees performing activities associated with power transmission, compressed air, and gas equipment. **An Electrical Safety Training Program will be developed once Project design is finalized and will be provided to the CEC for review and approval prior to Project construction.**	**Training on the Electrical Safety Training Program will be provided to construction workers and operations employees required to work on electrical systems and equipment.**	**Section 4.9 Hazards, Section 4.9.3.3, Safety Training Programs, page 4.9-17.** **Revised Table 12-1 above.**
8 CCR 5109, et seq.	Requirements for addressing construction accident and prevention programs	Cal-OSHA	As described in Section 4.9.3.2, Health and Safety Programs, page 4.9-14 of the Application, implementation of an IIPP will address construction accident and prevention. The Project will meet requirements for construction accident and prevention programs. **An IIPP will be developed once Project design is finalized and a draft will be provided to the CEC for review and approval prior to Project construction and operation.**	**Training on the IIPP will be provided to construction workers prior to construction and operations employees prior to operation.**	**Section 4.9 Hazards, Section 4.9.3.2, page 4.9-14 and 4.9-15.** **Data Request Response #2 WS-11.** **Revised Table 12-1 above.**
8 CCR 5110, et seq.	Requirements for the implementation of an ergonomics program	Cal-OSHA	The Project will meet requirements for ergonomics programs through implementation of the construction and operations IIPP. **An IIPP will be developed once Project design is finalized and a draft will be provided to the CEC for review**	**Training on the IIPP will be provided to construction workers prior to construction and operations**	**Section 4.9 Hazards, Section 4.9.3.2, pages 4.9-14 and 4.9-15.**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
			and approval prior to Project construction and operation.	**employees prior to operation.**	**Data Request Response #2 WS-11.** **Revised Table 12-1 above.**
8 CCR 5139, et seq.	Requirements for addressing hazards associated with welding, sandblasting, grinding, and spray-coating	Cal-OSHA	As described in Section 4.9.3.3, Safety Training Programs, page 4.9-17 of the Application, Hot Work Permits will be required for employees performing cutting/welding. Project will meet requirements for welding, sandblasting, grinding, and spray-coating. **A Hot Work Permits Training Program will be developed once Project design is finalized, and a draft will be provided to the CEC for review and approval prior to Project construction.**	**Training on Hot Work Permits will be provided to construction workers performing hot work prior to construction.**	**Section 4.9.3.3 Safety Training Programs, Table 4.9-6. Construction and Operation Safety Training Program, page 4.9-17.** **Revised Table 12-1 above.**
8 CCR 5141, et seq.	Requirements for addressing Valley Fever and harmful respiratory exposure.	Cal-OSHA	Project will meet requirements for preventing respiratory illness such as Valley Fever by implementing construction and operations health and safety programs, respiratory protection programs, and fugitive dust control best management practices. **A Respiratory Protection Program and an IIPP will be developed once Project design is finalized, and drafts will be provided to the CEC for review and approval prior to Project construction.**	**Training on the Respiratory Protection Program will be provided to construction workers and operations employees required to wear respiratory protection. Training on the IIPP will be provided to all construction workers and operations employees.**	**Section 4.9.3.2 Health and Safety Programs, pages 4.9-14 to 4.9-15.** **Revised Table 12-1 above.**
8 CCR 5141.1, et seq.	Requirements for addressing injury or illness due to wildfire smoke exposure	Cal-OSHA	Project will meet requirements for protection from wildfire smoke by implementing construction and operations health and safety programs and respiratory protection programs. **A Respiratory Protection Program and an IIPP will be developed once Project design is finalized and drafts will be provided to the CEC for review and approval prior to Project construction.**	**Training on the Respiratory Protection Program will be provided to construction workers and operations employees required to wear respiratory protection. Training on the IIPP will be provided to all construction**	**Section 4.9.3.2 Health and Safety Programs, pages 4.9-14 to 4.9-15.** **Revised Table 12-1 above.**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
				workers and operations employees.	
8 CCR 5150, et seq.	Requirements for confined space entry	Cal-OSHA	As described in Section 4.9.3.3, Safety Training Programs, page 4.9-17 of the Application, permits for confined space entry are required for relevant employees. The Project will meet requirements for confined space entry. **A confined space entry training program will be developed once Project design is finalized, and a draft will be provided to the CEC for review and approval prior to Project construction and operation.**	**Training on confined space entry will be provided to construction workers and operations employees required to supervise or perform confined space entry.**	**Section 4.9.3.3, Safety Training Programs, Table 4.9-6. Construction and Operation Safety Training Program, page 4.9-17.** **Revised Table 12-1 above.**
8 CCR 5155, et seq.	Requirements for use of respirators and for controlling employee exposure to airborne contaminants	Cal-OSHA	As described in Section 4.9.3.3, Safety Training Programs, page 4.9-17 of the Application, the Respiratory Protection Program will be implemented for all employees **required to wear respiratory protection**. The Project will meet requirements for use of respirators and exposure to airborne contaminants. **A Respiratory Protection Program and an IIPP will be developed once Project design is finalized, and drafts will be provided to the CEC for review and approval prior to Project construction.**	**Training on the Respiratory Protection Program will be provided to construction workers and operations employees required to wear respiratory protection. Training on the IIPP will be provided to all construction workers and operations employees.**	**Section 4.9.3.3, Safety Training Programs, Table 4.9-6. Construction and Operation Safety Training Program, page 4.9-17.** **Revised Table 12-1 above.**
8 CCR 5160, et seq.	Requirements for addressing hot, flammable, poisonous, corrosive, and irritant substances	Cal-OSHA	As described in Section 4.9.3.3, Safety Training Programs, page 4.9-17 of the Application, Hot Work Permits will be required for employees performing hot work. The Project will meet requirements for hot, flammable, poisonous, corrosive, and irritant substances. **Health and safety training programs will be developed once Project design is finalized and drafts will be provided to the CEC for review and approval prior to Project construction and operation.**	**Health and safety training programs including Hot Work Permits, Flammable and Combustible Liquid Storage and Handling, and IIPP will be provided to construction workers and operations employees, as applicable. Training courses and target audiences are described in Table 12-1 above.**	**Section 4.9.3.3, Safety Training Programs, Table 4.9-6. Construction and Operation Safety Training Program, page 4.9-17** **Revised Table 12-1 above.**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
8 CCR 5184, et seq.	Requirements for storage battery systems	Cal-OSHA	As described in Section 4.9.3.1, Hazard Analysis, page 4.9-11 of the Application, requirements for storage battery systems are detailed. The Project will meet requirements for storage battery systems. **Detailed battery system safety system design details will be provided to the CBO for review and approval prior to Project construction.**	**Cal-OSHA requirements for storage battery systems are addressed through Project design.**	**Section 4.9.3.1, Hazard Analysis, pages 4.9-11 through 4.9-14.**
8 CCR 5185, et seq.	Requirements for changing and charging storage batteries	Cal-OSHA	As described in Section 4.9.3.1, Hazard Analysis, page 4.9-13 of the Application, requirements for changing and charging storage batteries are discussed. Project will meet requirements for changing and charging storage batteries**, as applicable to a utility-scale BESS facility. Detailed battery system safety system design details will be provided to the CBO for review and approval prior to Project construction. Battery changing and charging procedures will follow manufacturer specifications.**	**Cal-OSHA requirements for storage battery systems are addressed through Project design.**	**Section 4.9.3.1, Hazards Analysis, pages 4.9-9 to 4.9-14.**
8 CCR 5192, et seq.	Requirements for conducting emergency response operations	Cal-OSHA	As described in Section 4.9.3.2, Health and Safety Programs, page 4.9-16 of the Application, an Emergency Action Plan will be implemented for conducting emergency response operations. The Project will meet requirements for conducting emergency response operations. **The Emergency Action Plan will be developed once Project design is finalized, and a draft will be provided to DFPD and the CEC for review and approval prior to Project construction and operation.**	**Training on Emergency Action Plan will be provided to all construction workers prior to construction and operations employees prior to operation.**	**Section 4.9.3.2, Health and Safety Program, page 4.9-16.**
8 CCR 5193, et seq.	Requirements for controlling employee exposure to bloodborne pathogens associated with exposure to raw sewage water and body fluids associated with First Aid/CPR duties	Cal-OSHA	As described in Section 4.9.3.2, Health and Safety Programs, page 4.9-15 of the Application, a Personal Protective Equipment Program will be implemented to address bloodborne pathogens, and exposure to raw sewage and fluids associated with First Aid/CPR duties. The Project will meet requirements for controlling employee exposure to bloodborne pathogens associated with exposure to raw sewage water and body fluids associated with First Aid/CPR	**Training on the IIPP will be provided to all construction workers and operations employees.**	**Section 4.9.3.2, Health and Safety Programs, page 4.9-14.** **Data Request Response #2 WS-11.**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
			duties. **An IIPP will be developed once Project design is finalized and a draft will be provided to the CEC for review and approval prior to Project construction.**		
8 CCR 5194, et seq.	Requirements for employee exposure to dusts, fumes, mists, vapors, and gases	Cal-OSHA	As described in Section 4.9.3.3, Safety Training Programs, page 4.9-17 of the Application, the Respiratory Protection Program will be implemented for all employees **required to wear respiratory protection**. The Project will meet requirements for exposure to dusts, fumes, mists, vapors, and gases. **A Respiratory Protection Program and an IIPP will be developed once Project design is finalized and drafts will be provided to the CEC for review and approval prior to Project construction.**	**Training on the Respiratory Protection Program will be provided to construction workers and operations employees required to wear respiratory protection. Training on the IIPP will be provided to all construction workers and operations employees.**	**Section 4.9.3.3, Safety Training Programs, page 4.9-16.** **Revised Table 12-1 above.**
8 CCR 5405, et seq.; 5426, et seq.; 5465, et seq.; 5500, et seq.; 5521, et seq.; 5545, et seq.; 5554, et seq.; 5565, et seq.; 5583, et seq.; and 5606, et seq.	Requirements for flammable liquids, gases, and vapors	Cal-OSHA	As described in Section 4.9.3.3, Safety Training Programs, page 4.9-17 of the Application, a Flammable and Combustible Liquid Storage and Handling training will be required for employees responsible for handling combustible liquids or gases. The Project will meet requirements for flammable liquids, gases, and vapors. **The Flammable and Combustible Liquid Storage and Handling Training Program will be developed once Project design is finalized, and a draft will be provided to the CEC for review and approval prior to Project construction.**	**Training on Flammable and Combustible Liquid Storage and Handling will be provided to all construction workers and employees responsible for handling and storage for such materials.**	**Section 4.9.3.3, Safety Training Programs, page 4.9-16.** **Revised Table 12-1 above.**
8 CCR 6150, et seq.; 6151, et seq.; 6165, et seq.; 6170, et seq.; and 6175, et seq.	Fire protection requirements	Cal-OSHA	As described in Section 4.9.3.1, Hazard Analysis, page 4.9-11 of the Application, the Project will include a fire protection design to prevent against fire hazards. The Project will meet fire protection requirements.	**Detailed fire protection design information will be provided to the CBO for review and approval prior to Project construction.**	**Section 4.9.3.1, Hazard Analysis, page 4.9-14.**
Title 24, Part 3, California Electrical Code	The Cal-OSHA electrical safety regulations incorporate the requirements of the Uniform Electrical Code	Cal-OSHA	As described in Section 4.9.2.2, Worker Health and Safety, page 4.9-17 of the Application, electrical safety regulations will be incorporated into the electrical safety training for all relevant employees. The Project will meet	**Detailed electrical system design information will be provided to the CBO for review and approval prior**	**Section 4.09 Hazards, Section 4.9.3.1 Hazards Analysis, pages 4.9-9 to 4.9-14.**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
	located in Title 24, Part 3		requirements for electrical safety regulations.	**to Project construction.**	
Health and Safety Code Section 25531, et seq.	Requires that every new or modified facility that handles, treats, stores, or disposes of more than the threshold quantity of any of the listed regulated materials prepare and maintain a Risk Management Plan (RMP).	Cal-OSHA	As described in Section 4.9.2.1, Hazards and Hazardous Materials, page 4.9-8 of the Application, a Risk Management Plan is not required because the identified types and quantities of hazardous materials are not applicable. The Project will not handle, treat, store, or dispose of more than the threshold quantity of any of the listed regulated materials.	**Not required.**	**Section 4.9, Hazards, Section 4.9.2.1 Risk Management Plan, page 4.9-8.**
Health and Safety Code Sections 25500 through 25541	Requires the preparation of a Hazardous Material Business Plan (HMBP) that details emergency response plans for a hazardous materials emergency at the facility	Cal-OSHA	As described in Section 4.9.8.1, Hazards and Hazardous Materials, page 4.9-37 of the Application, an HBMP will be developed. The Project will prepare an HMBP that details emergency response plans for hazardous materials emergencies. **The HMBPs and Emergency Action Plan will be developed once Project design is finalized, and drafts will be provided to the CEC for review prior and approval to Project construction and operation.**	**Training on the HMBPs and Emergency Action Plan will be provided to all construction workers prior to construction and operations employees prior to operation.**	**Section 4.9.8.1, Hazards and Hazardous Materials, Table 4.9-11 Permits and Permitting Schedule for Hazardous Materials Handling** **Revised Table 12-1 above.**
Local					
Specific hazardous material handling requirements	Provides response agencies with necessary information to address emergencies	Solano County Department of Resource Management, Environmental Health Services Division (DRM EHS)	As described in CEQA Impact Analysis 4.9.3.4, page 4.9-23 of the Application, the Project will coordinate with the County to ensure temporary road closure will not impair emergency response or evacuation in the area. The Project will provide response agencies with necessary information to address emergencies. **The Emergency Action Plan will be developed once Project design is finalized, and a draft will be provided to DFPD, the County DRM EHS, and the CEC for review and approval prior to Project construction and operation.**	**The Emergency Action Plan will be provided to emergency response agencies.**	**Section 4.9, Hazards, Section 4.9.3.4 CEQA Impact Analysis, page 4.9-23.**
Emergency Response Plan	Allows response agency to integrate Project emergency response activities into any response actions	Solano County DRM EHS	As described in CEQA Impact Analysis 4.9.3.4, page 4.9-23 of the Application, the Project will not interfere with any adopted emergency response plan. The Project will prepare an Emergency Response Plan and provide to	**The Emergency Action Plan will be provided to emergency response agencies.**	**Section 4.9 Hazards, Section 4.9.3.4, CEQA Impact Analysis, page 4.9-23.**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
			response agency. **The Emergency Action Plan will be developed once Project design is finalized, and a draft will be provided to DFPD, the County DRM EHS, and the CEC for review and approval prior to Project construction and operation.**		
Business Plan	Provides response agency with overview of Project purpose and operations	Solano County DRM EHS	As described in Section 4.9.8.1, Hazards and Hazardous Materials, page 4.9-37 of the Application, the Project will provide response agency with HMBPs containing an overview of the Project. **The HMBPs will be developed once Project design is finalized, and drafts will be provided to the County DRM EHS and the CEC for review and approval prior to Project construction and operation.**	**The HMBPs will be provided to the response agency prior to Project construction.**	**Section 4.9, Hazards, Section 4.9.8.1, Hazards and Hazardous Materials, page 4.9-37.**
RMP (Certified Unified Program Agency [CUPA], administered by the County)	Provides response agency with detailed review of risks and hazards located at the Project and mitigation implemented to control risks or hazards	Solano County DRM EHS	As described in Section 4.9.2.1, Hazards and Hazardous Materials, page 4.9-8 of the Application, the Project will not be required to develop a Risk Management Plan because it will not result in the threshold quantities of any listed regulated materials. The Project will not handle, treat, store, or dispose of more than the threshold quantity of any of the listed regulated materials.	**Not required.**	**Section 4.9, Hazards, Section 4.9.2.1 Risk Management Plan, page 4.9-8.**
Industrial Codes and Standards					
National Fire Protection Association (NFPA)	Prescribes minimum requirements necessary to establish a reasonable level of fire safety and property protection from the hazards created by fire and explosion.	Dixon Fire Protection District (DFPD)	As described in Section 4.9.3.2, Health and Safety Programs, page 4.9-15 of the Application, a Fire Protection and Prevention Plan will be implemented that covers fire safety and property protection. The Project will meet minimum requirements necessary to establish a reasonable level of fire safety and property protection from the hazards created by fire and explosion. **A Fire Protection and Prevention Plan contracted will be developed once Project design is finalized, and a draft will be provided to the DFPD and CEC for review and approval prior to introducing hazardous materials and flammable liquids to the Project site.**	**Fire protection system design details will be submitted the CBO for review and approval to ensure the Project is compliant with all applicable NFPA Standards and Fire Codes. Training on the Fire Protection and Prevention Plan will also be provided to construction workers prior to construction and operations employees prior to operation.**	**Section 4.9, Hazards, Section 4.9.3.2, Health and Safety Programs, page 4.9-15.**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
NFPA 1	Fire Prevention Code	DFPD	As described in Section 4.9.3.2, Health and Safety Programs, page 4.9-15 of the Application, a Fire Protection and Prevention Plan will be implemented that addresses the NFPA 1 Fire Prevention Code. The Project will meet Fire Prevention Code requirements. **A Fire Protection and Prevention Plan will be developed once Project design is finalized, and a draft will be provided to the DFPD and CEC for review and approval prior to introducing hazardous materials and flammable liquids to the Project site.**	**Fire protection system design details will be submitted to the CBO for review and approval to ensure the Project is compliant with all applicable NFPA Standards and Fire Codes. Training on the Fire Protection and Prevention Plan will also be provided to construction workers prior to construction and operations employees prior to operation.**	**Section 4.9, Hazards, Section 4.9.3.2, Health and Safety Programs, page 4.9-15.**
NFPA 10	Portable Fire Extinguishers	DFPD	As described in Section 4.9.3.2, Health and Safety Programs, page 4.9-15 of the Application, a Fire Protection and Prevention Plan will be implemented that addresses the NFPA 10 for portable fire extinguishers. The Project will maintain fire extinguishers.	**A Fire Protection and Prevention Plan contracted will be developed and a draft will be provided to the DFPD and CEC for review and approval prior.**	**Section 4.9, Hazards, Section 4.9.3.2, Health and Safety Programs, page 4.9-15.**
NFPA 30	Flammable and Combustible Liquids Code	DFPD	As described in Section 4.9.3.2, Health and Safety Programs, page 4.9-15 of the Application, a Fire Protection and Prevention Plan will be implemented that addresses the NFPA 30 Flammable and Combustible Liquids Code. The Project will meet applicable code requirements for flammable and combustible liquids onsite during construction. **A Fire Protection and Prevention Plan and a Flammable and Combustible Liquid Storage and Handling Training Program will be developed once Project design is finalized, and drafts will be provided to the DFPD and CEC for review and approval prior to introducing hazardous materials and flammable liquids to the Project site.**	**Training on the Fire Protection and Prevention Plan will be provided to all construction workers prior to construction and operations employees prior to operation. Training on the Combustible Liquid Storage and Handling Training Program will be provided to those responsible for the handling and storage of flammable or combustible liquids or gases.**	**Section 4.9, Hazards, Section 4.9.3.2, Health and Safety Programs, page 4.9-15.**
NFPA 68	Explosion Venting	DFPD	As described in Section 4.9.2, *Affected Environment,* page 4.9-8 of	**Explosion venting system design**	**Section 4.9, Hazards, Section**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
			the Application, fire explosion control will be achieved through the Fire Prevention and Protection Program. The Project will meet applicable requirements for explosion venting.	**information will be submitted the CBO for review and approval.**	**4.9.3.4, CEQA Impact 4.9-7, page 4.9-24.**
NFPA 69	Explosion Preventing	DFPD	As described in Section 4.9.2, *Affected Environment*, page 4.9-8 of the Application, fire explosion control will be achieved through the Fire Prevention and Protection Program. The Project will meet applicable requirements for explosion prevention.	**Explosion prevention system design information will be submitted the CBO for review and approval.**	**Section 4.9. Hazards, Section 4.9.3.4, CEQA Impact 4.9-7, page 4.9-24.**
NFPA 70	National Electric Code	DFPD	As described in Section 4.9.2.2, Worker Health and Safety, page 4.9-17 of the Application, electrical safety regulations will be incorporated into the electrical safety training for all relevant employees. The Project will meet applicable requirements of the National Electric Code. **An Electrical Safety Training Program will be developed once Project design is finalized and will be provided to the CEC for review and approval prior to Project construction and operation.**	**Electrical equipment system design information will be submitted to the CBO for review and approval to ensure the Project is compliant with the National Electric Code. Training on the Electrical Safety Training Program will be provided to construction workers and operations employees required to work on electrical systems and equipment.**	**Section 4.9, Hazards, Section 4.9.3.3, Safety Training Programs, pages 4.9-16 through 4.9-17.**
NFPA 70B	Electrical Equipment Maintenance	DFPD	As described in Section 4.9.2.2, Worker Health and Safety, page 4.9-17 of the Application, electrical safety regulations will be incorporated into the electrical safety training for all relevant employees. The Project will meet applicable requirements for electrical equipment maintenance. **An Electrical Safety Training Program will be developed once Project design is finalized and will be provided to the CEC for review and approval prior to Project construction and operation.**	**Training on the Electrical Safety Training Program will be provided to construction workers and operations employees required to work on electrical systems and equipment.**	**Section 4.9, Hazards, Section 4.9.3.3, Safety Training Programs, pages 4.9-16 through 4.9-17.**
NFPA 70E	Electrical Safety Requirements for	DFPD	As described in Section 4.9.2.2, Worker Health and Safety, page 4.9-17, and Section 4.9.3.2, Health and Safety Programs, page 4.9-15 of the	**Training on the Electrical Safety Training Program will be provided to**	**Section 4.9, Hazards, Section 4.9.3.2, Health and**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
	Employee Workplaces		Application, electrical safety regulations will be incorporated into the electrical safety training for all relevant employees. The Personal Protective Equipment Program will also address protection from electric shocks. The Project will meet applicable electrical safety requirements for employee workplaces. **An Electrical Safety Training Program and a Personal Protective Equipment Program will be developed once Project design is finalized and will be provided to the CEC for review and approval prior to Project construction and operation.**	**construction workers and operations employees required to work on electrical systems and equipment. Training on the Personal Protective Equipment Program will be provided to all construction workers and operations employees.**	**Safety Programs, page 4.9-15.** **Data Request Response #2 WS-11.** **Revised Table 12-1 above.**
NFPA 72	National Fire Alarm Code	DFPD	As described in Section 4.9.3, *Environmental Analysis*, page 4.9-12 of the Application, the Project will include fire mitigation measures including fire detection systems and alarms. The Project will meet applicable requirements of the National Fire Alarm Code.	**Fire alarm system design information will be submitted to the CBO for review and approval to ensure the Project is compliant with the applicable portions of the National Fire Alarm Code.**	**Section 4.9, Hazards, Section 4.9.3.1, Hazard Analysis, page 4.9-12.**
NFPA 75	Protection of Electronic Computer/Data Processing Equipment	DFPD	As described in Section 4.9.2.2, Worker Health and Safety, page 4.9-17 of the Application, electrical safety regulations will be incorporated into **Project design and into** the electrical safety training for all relevant employees. This includes training for electrical equipment. The Project will meet applicable protection requirements for electronic computer/data processing equipment.	**Electronic control system design information will be submitted to the CBO for review and approval to ensure the Project is compliant with the applicable portions of NFPA 75.**	**Section 4.9, Hazards, Section 4.9.3.3, Safety Training Programs, pages 4.9-16 through 4.9-17.**
NFPA 78	Lighting Protection Systems	DFPD	The Project will meet applicable requirements for lighting protection systems.	**Lighting protection system design information will be submitted to the CBO for review and approval to ensure the Project is compliant with the applicable portions of NFPA 78.**	**Section 3.0, Electrical Transmission, Section 3.5.2.1 Electric and Magnetic Fields, pages 3-17 through 3-18.**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
NFPA 90A	Installation of Air Conditioning and Ventilating Systems	DFPD	As described in Section 2.3.6, *Fire Protection*, pages 2-11 through 2-12 of the Application, the Project will include installation of BESS thermal management systems, gas detection, and ventilation and will meet applicable requirements.	**Thermal management system design information will be submitted the CBO for review and approval to ensure the Project is compliant with the applicable portions of NFPA 90A.**	**Section 2.3.6, Fire Protection, pages 2-11 through 2-12.**
NFPA 496	Purged and Pressurized Enclosures for Electrical Equipment	DFPD	As described in Section 4.9.2.2, Worker Health and Safety, page 4.9-17 of the Application, electrical safety regulations will be incorporated into the electrical safety training for all relevant employees. This includes training for electrical equipment. The Project will meet applicable requirements for purged and pressurized enclosures for electrical equipment.	**Electrical equipment system design information will be submitted to the CBO for review and approval to ensure the Project is compliant with the applicable portions of NFPA 496. Electrical Safety Training will also be provided for construction workers and operations employees required to work on electrical systems and equipment.**	**Section 4.9, Hazards, Section 4.9.3.3, Safety Training Programs, pages 4.9-16 through 4.9-17.**
NFPA 497	Flammable and Combustible Liquids Classification	DFPD	As described in Section 4.9.2, *Affected Environment*, page 4.9-8 of the Application, fire explosion control and classification will be achieved through the Fire Prevention and Protection Program. The Project will meet applicable requirements for flammable and combustible liquids classification. **A Flammable and Combustible Liquid Storage and Handling Training Program and a Fire Prevention and Protection Plan will be developed once Project design is finalized, and drafts will be provided to the CEC for review and approval prior to Project construction and operation.**	**Final Project design information will be submitted to the CBO for review and approval. Training on the Fire Protection and Prevention Plan and Flammable and Combustible Liquid Storage and Handling Training Program will be provided to all construction workers prior to construction and operations**	**Section 4.9, Hazards, Section 4.9.3.2, Health and Safety Programs, page 4.9-15.** **Revised Table 12-1 above.**

LORS[1/]	Requirements/ Applicability	Administering Agency	Project Conformance[2/]	Method of Conformance	AFC Section Reference Substantiating Conformance
				employees prior to operation.	
NFPA 850	**Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations**	**DFPD**	**As described in Section 4.9.3.2, *Health and Safety Programs*, page 4.9-15 of the Application, the Project will implement a Fire Protection and Prevention Plan, which will incorporate a fire hazard inventory, including ignition sources. NFPA 850 covers a variety of topics that will be addressed in final Project design and in the Health and Safety plans and programs included in Revised Table 12-1 above, including the Fire Protection and Prevention Plan, Electrical Safety Training, and Emergency Action Plan. All health and safety plans will be developed once Project design is finalized, and drafts will be provided to CEC for review and approval prior to construction and operation.**	**Final Project design information will be submitted to the CBO for review and approval to ensure the Project is compliant with the applicable portions of NFPA 850. Training will also be provided to the target audiences for each health and safety plan and program included in Revised Table 12-1 above.**	**Section 4.9, Hazards, Section 4.9.3.2, Health and Safety Programs, page 4.9-15.** **Revised Table 12-1 above.**
NFPA 855	Standard for the Installation of Stationary Energy Storage Systems	DFPD	As described in Section 4.9.3, *Environmental Analysis*, page 4.9-13 of the Application, the Project will implement system spacing for the installation of Stationary Energy Storage Systems. Project design incorporates fire protection and safety requirements.	**Final Project design information will be submitted to the CBO for review and approval to ensure the Project is compliant with the applicable portions of NFPA 855.**	**Section 4.9, Hazards, Section 4.9.3, Environmental Analysis, pages 4.9-13 through 4.9-14.**

1/ LORS – laws, ordinances, regulations, and standards
2/ Added detail is provided in **bold text**.

6.5 Data Request REV 1 DR WS-05

Data Request Response #2 Part 1, Section 9.0 of the Hazard Mitigation Analysis (HMA) provided in Appendix 11-A (TN263281) includes several recommendations to ensure project compliance with specific LORS. It is unclear whether these have been formally incorporated into the project design or operational protocols. Additionally, the HMA recommends backup power for the explosion control system (e.g. Section 4.4.1), and the NFPA 69 Compliance Report states this backup supply will be in place; however, further discussion was not identified.

REV 1 DR WS-05. Please explain how each of the recommendations in Section 9, specifically items 1a through 1e and the explosion fan backup power discussed in Section 4.4.1, will be addressed in the project. For each, describe how and where it will be implemented.

Response: To ensure that each of the recommendations provided in Section 9 and Section 4.4.1 of the HMA will be implemented during final design, construction, and operation of the Project, the Applicant proposes the following Condition of Certification be included in the Staff Assessment/EIR.

The project owner will include the following in the Site Design Plans in compliance with the CFC:

a. *A disconnecting means or placards must be provided at the site per CFC §1207.4.1.*

b. *Signage must be provided at the site per CFC §1207.4.8.*

c. *Information related to the inverter listing must be provided per CFC §1207.3.*

d. *The fire code official must approve of angles of approach/departure, grade, and imposed load for the access roads per CFC §503.*

e. *A key box must be provided at the site per CFC §506.*

f. *When responding to a battery emergency, all site personnel and first responders shall remain at a safe distance, upwind from a distressed BESS container, as designated in the Corby BESS ERP, to ensure they are not momentarily exposed to dangerous conditions. In addition, site personnel and first responders should not approach the front of distressed containers, and all first responders should wear proper PPE when approaching a distressed container during a battery emergency.*

g. *Backup power for the exhaust ventilation system of the containers shall be provided by an external UPS. The UPS shall be designed to comply with the minimum of two hours required by CFC.*

The HMA provided additional recommendations, which are addressed by the Applicant's commitment to implement the Conditions of Certification adopted in the Final Decision for the Darden Project as proposed in its filings docketed on May 23, 2025, TN 263300 and on July 3, 2025 TN 264562.

1. *Plans: Fire Risk Alliance, LLC (FRA) recommends that prior to energizing the Corby BESS, commissioning, decommissioning, operations and maintenance, and emergency response plans be finalized, as required by the CFC.*

   This recommendation is a requirement of Condition of Certification WORKER SAFETY-2.

2. *Emergency Response Training: FRA recommends that all site personnel and emergency response personnel who could be responsible for responding to a Corby BESS emergency be trained on the ERP before energizing the Corby BESS. Annual refresher training should be provided, as appropriate, if requested by the AHJ.*

   This recommendation is a requirement of Condition of Certification WORKER SAFETY-7.

3. *Fire Protection Systems: FRA recommends that all fire protection systems (such as the fire alarm system and explosion control system) be designed, installed, commissioned, inspected, tested, and maintained as required by the CFC and their respective NFPA standards.*

   This recommendation is a requirement of Conditions of Certification WORKER SAFETY-8 and -9.

APPENDIX 2-A: SOLANO LAND TRUST AGREEMENT

SOLANO LAND TRUST

Land connects us all – protecting it today, saving it for tomorrow

Date 07-25-2025

Corby Energy Storage, LLC
Attention: Nadan Omercajic
700 Universe Boulevard
Juno Beach, FL 3340

Re: Letter Agreement for the Corby Energy Storage, LLC, Agriculture mitigation project, Solano County

Dear Mr. Ahn:

This letter sets forth the agreement (î Agreementï) between Solano Land Trust (î SLTï) and Corby Energy Storage, LLC, the mitigation easement applicant (î Applicantï), regarding the consulting services to be provided by SLT to Applicant to assist Applicant with certain aspects of Applicantìs mitigation requirements, including but not limited to, those contained within the Agricultural Mitigation Plan for the Battery Energy Storage Project to be located in Vacaville, Ca, Solano County (î the Projectï) and as required by the permitting agency, California Energy Commission (î CECï), as further described below.

Applicant is required to meet certain mitigation requirements as part of the CEC approval of the Project (î Mitigation Requirementsï) in order to undertake development of the Project, Applicant shall provide further information regarding the details of the Mitigation Requirements as the CEC permitting process progresses, but Applicant anticipates the Mitigation Requirements might include the following:

- CEC may find that conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown in the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency will take place and be converted to non-agricultural uses.
- If mitigation for the loss of ag land is determined by the CEC review, the Mitigation Requirement will consider local policies and regulations to determine any farmland mitigation that will be required. The current Solano County Agriculture Mitigation Policy requirement is up to a 3:1 ratio for ag land use changes. It is Solano Land Trustìs choice to participate in developing a project with a 3:1 mitigation ratio for agricultural land impacts.
- CEC may also find that mitigation may be necessary for impacts to the Swainsonìs hawk foraging habitat. SLT is open to developing this requirement along with or separate from the Agricultural Mitigation. If the acreage requirements match or are different SLT could offer an in-lieu fee payment option if accepted by CEC. These funds could be paired with other SLT Swainsonìs hawk mitigation projects.

ACCREDITED LAND TRUST ACCREDITATION COMMISSION

SLT agrees to consult with Applicant regarding the Mitigation Requirements described above on the terms set forth in this Agreement. In order to meet the Mitigation Requirements for agricultural land use changes in part, Applicant has proposed to place a conservation easement (îConservation Easementï or îCEï) on certain agricultural land located in Solano County. As part of this Agreement, SLT will search for suitable land and a willing seller to satisfy the agricultural land Mitigation Requirements (îTarget Propertyï), which Applicant acknowledges and agrees must be reviewed and approved by Solano Land Trust and the CEC.

SLT makes no warranty or guarantee that imposing the CE on the Target Property, when identified, or any other aspect of the mitigation easement project will be sufficient to meet the Mitigation Requirements; rather, it will be Applicantìs sole responsibility to obtain determination from the permitting agency(ies) that the mitigation CE project, including but not limited to CE the Target Property, will meet the Mitigation Requirements for ag land use changes and that any other actions are fulfilled with respect to the Mitigation Requirements for other aspects of the Project, as determined by CEC.

SLT will consider accepting the CE as part of Applicantìs Mitigation Requirements pursuant to SLTìs standard mitigation process (as documented in îMitigation Program of Solano Land Trust, 2004,ï a copy of which is enclosed herewith for your reference) (îSLT Mitigation Programïï). As noted in the attached document, typically the SLT Mitigation Program involves three phases: (1) screening, (2) landowner outreach/target property identification and preparation and evaluation, and (3) execution.

1. Screening Phase: Staff will review the application, communicate with the Applicant to ascertain criteria for Target Property, perform community outreach, internal Committee review, discussion and staff direction. Staff will consider current landowner outreach for a possible Willing Seller. SLT staff will seek approval from the Project (PC) or the Agricultural Conservation Easement (ACE) committees to enter a Letter Agreement for Project Development. NOTE- At the time of this Letter Agreement the Screening Phase has been funded and completed.

2. Project Development Phase. SLT staff will further the Willing Seller Outreach/Target Property Identification, obtain SLTìs Agricultural Conservation Easement (ACE) Committee approval for Target Property and Mitigation project. This involves detailed review and preparation of the necessary documents associated with the mitigation easement project. SLT and Applicant will work together to ensure that the Conservation Easement terms will satisfy Applicantìs Mitigation Requirements and SLTìs requirements for conservation easements.

Upon the determination by Applicant and SLT that the CE mitigation project generally appears satisfactory to satisfy the Mitigation Requirements applicable to the Ag Land Use changes, SLT will review and/or prepare the following materials:

a. Conservation Easement: SLT and the Target Property landowner will negotiate the terms of the Conservation Easement. SLT will work with the landowner to obtain the legal description of the applicable portion of the Target Property, provide necessary maps, and clean title if needed. Applicant, via the retainer to SLT, will fund the appraisal, closing and escrow costs, and other associated costs in order to execute a recorded conservation easement, including, but not limited, a Phase 1 and Mineral Remoteness Opinion, if SLT determines these reports are necessary to ensure long-term enforceability of the CE. Such costs are included within the defined term îProject Expensesï in this Agreement.

b. Easement Stewardship Endowment: Based on the Conservation Easement terms, SLT will calculate the Easement Stewardship Endowment, which includes a contribution to SLTìs Legal Defense Fund. As noted in SLTìs Mitigation Program, Applicant shall agree to fund SLTìs Easement Stewardship Endowment for the Conservation Easement. SLT and Applicant will prepare a Memorandum of Agreement for Payment of Easement Stewardship Contribution, which will document the amount of the required endowment and how SLT will use the Easement Stewardship Endowment funds. Applicant shall agree to fund SLTìs Stewardship Endowment at an amount acceptable by both parties prior to SLT accepting the CE.

c. Baseline Report: SLT will prepare a Baseline Conditions Report, documenting the conditions on the applicable portion of the Target Property as of the date of conveyance of the Conservation Easement.

d. Title Insurance: Applicant will fund the purchase of title insurance for SLT for the Conservation Easement on the applicable portion of the Target Property.

The ACE Committee will review all the pertinent information prepared during the Project Development Phase and will make a recommendation to SLTìs Board regarding approval.

3. Execution Phase. Upon approval, which shall not be unreasonably withheld, of the Conservation Easement and the Baseline Conditions Report by the SLT Board, satisfaction of all other SLT conditions, and deposit of the Easement Stewardship Endowment into escrow by Applicant, Applicant and SLT will execute the Memorandum of Agreement for Payment of Easement Stewardship Contribution and execute and record the Conservation Easement. After full implementation of the mitigation easement project, including but not limited to execution and recordation of the Conservation Easement and Applicantìs payment of the Easement Stewardship Endowment and other required funds under this agreement, and except as otherwise expressly required by CEC or as otherwise required by applicable law, Applicant shall have no further obligation with regard to the perpetual stewardship or implementation of the Conservation Easement.

SLT agrees to work diligently on this mitigation easement project, including negotiating the scope of work and mitigation agreement with Applicant, identifying and analyzing the Target Property, preparing and negotiating easement documents, and, when ready for presentation, presenting the project to SLTìs Board of Directors for acceptance. By agreeing to undertake this work, however, SLT does not guarantee that it will ultimately accept the CE; such determination will be based, without limitation, on the successful negotiation of the CE terms with the owner of the Target Property, title issues, status of mineral rights, etc. In addition, SLTìs participation in this mitigation easement project does not constitute SLTìs endorsement of Applicantìs development project.

In addition to CE acquisition and closing costs as described above, SLT will charge Applicant on a time and materials basis for staff time, legal review, direct expenses (e.g., mileage), title review, outside consulting, and materials provided by SLT (collectively, îProject Expensesï). The schedule of SLTìs rates is attached. Materials and outside services are charged at SLTìs cost plus 10%. Project Expenses will also include SLT's staff time negotiating scope of work and reviewing Applicant materials, as applicable. SLT will bill for the Project Expenses against the retainer described below. SLT will provide an accounting, in writing, to Applicant, of the staff time and other expenses incurred and charged against the retainer.

Applicant agrees to pay SLT all incurred Project Expenses associated with the mitigation project from its initiation on date of this Agreement. Applicantìs obligation to pay for the Project Expenses applies even if the Target Property and/or the proposed CE thereon are not approved by the permitting agency(ies) and/or SLT declines to complete the mitigation easement project for cause which must be provided to Applicant in writing explaining the basis for such withdrawal from the mitigation easement project. If SLT declines to complete the mitigation easement project, within thirty days, SLT will provide all documents whether in final or draft, including emails, referencing the work done under this Agreement.

In the event Applicant withdraws its request that SLT hold the CE for the Target Property, Applicant will be responsible for paying all Project Expenses associated with this project incurred up until the date of SLTìs receipt of written notice from Applicant to the address on this letterhead regarding such withdrawal.

In order to proceed, Applicant must deposit with SLT an initial retainer in the amount of Fifteen Thousand Dollars ($15,000.00). The retainer is non-refundable except to the extent that it exceeds Applicantìs financial obligations to SLT under this Agreement. For example, if SLT completes the work for less than $15,000.00, the balance will be returned to Applicant. Alternatively, if, during the process, the balance in the retainer account falls below $5,000.00, SLT may require Applicant to provide additional funds before continuing to work on the project. Within thirty days following Applicantìs request, SLT will provide an accounting of the staff time and other expenses incurred and charged against the retainer. Acceptance by SLT of payment from Applicant does not establish a joint venture or agency relationship between SLT and the Applicant.

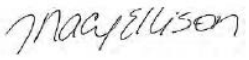
Applicant understands and agrees that nonpayment of Project Expenses pursuant to this Agreement may, at the sole and exclusive discretion of SLT, result in temporary or permanent cessation of the mitigation consulting process. Project Expenses are due thirty days after receipt of invoice from SLT. Failure to pay Project Expenses or to replenish the retainer within forty-five days following invoice will constitute a breach of this Agreement and SLT will have the right to temporarily suspend work under this Agreement until payment is made to SLT. If payment is not received within ninety days after the monies are due, SLT may permanently cease the mitigation consulting process and has all legal and equitable rights and remedies for such breach. If there is a dispute regarding the Project Expenses, Applicant will provide notice of such dispute within fifteen days after the invoice is received, and the parties will meet and confer within fifteen days after Applicantìs notice of dispute is provided to have good faith discussions to resolve the dispute. If the parties are unable to resolve the payment dispute, Applicant will pay the invoice but retains all legal and equitable rights and remedies/ If either party is required to enforce this Agreement in court, the losing party shall be pay the prevailing partyìs attorney fees, expert fees, and court costs. Overdue amounts bear interest at the rate of 1.5% per month (but not more than the maximum amount permitted by law) until paid and are subject to a monthly payment service charge equal or the lesser of $50 or 1% of the overdue balance.

* * *

By countersigning below, Applicant accepts the terms of this Agreement. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A signed copy of this Agreement delivered by e-mail, Docusign, or other means of electronic transmission will be deemed to have the same legal effect as delivery of a manually signed copy of this Agreement.

If you have questions regarding this project, please contact Tracy Ellison at 707-580-4263. We look forward to working with you.

Sincerely,



Tracy Ellison, Acting Executive Director
On behalf of
Nicole Braddock
Executive Director

ACKNOWLEDGED AND AGREED:

By its signature below, Corby Energy Storage, LLC, as Applicant, agrees to the terms of this Agreement. Enclosed is the retainer check in the amount of Fifteen Thousand Dollars ($15,000.00) made payable to Solano Land Trust. The Point of Contact and Notice Address for this Agreement will be:

Name of Point of Contact for Mitigation Applicant:

Nadan Omercajic

Title: Environmental Project Manager

Telephone: 415-770-8214

Address: One California Street, San Francisco, CA 94111

The signatory on behalf of the Applicant hereby represents that s/he is a duly authorized agent of the Applicant with full authority to execute this Agreement on behalf of Applicant.

APPLICANT:

Corby Energy Storage, LLC

By: Stephen Ahn Dated: 7/25/2025

Title: Stephen Ahn

SOLANO LAND TRUST

Land connects us all – protecting it today, saving it for tomorrow

May 31, 2025

To Whom It May Concern:

The undersigned hereby gives Tracy Ellison, Conservation Director for Solano Land Trust, the authority to sign for Nicole Braddock, Executive Director of Solano Land Trust, as acting Executive Director from June 4 through September 8, 2025 while the Executive Director is out of the office.

Tracy has the authority to sign any and all routine documents related to projects and agreements approved by the Board of Solano Land Trust. Additionally, Tracy has the authority to negotiate and execute contracts at the same level that the Executive Director would typically administer. Tracy is authorized to sign checks.

Tracy will sign using her signature and title, specifying "for Nicole Braddock, Executive Director" and will attach a copy of this notice to all such signed documents. Tracy will also provide the Executive Director, upon her return, with a copy of all documents signed in her name.

Thank you,

Steve Pressley
Solano Land Trust Board President

5/29/2025
Date

Aldo Jordan

Aldo Jordan
Solano Land Trust Board Treasurer

5-31-2025
Date

ACCREDITED LAND TRUST ACCREDITATION COMMISSION

APPENDIX 2-B: SOLANO LAND TRUST LETTER

SOLANO LAND TRUST

Land connects us all – protecting it today, saving it for tomorrow

08-19-2025

To: Nadan Omercajic

From: Tracy Ellison, Conservation Director, Solano Land Trust

Re: Data request

Nadan,

Thank you for the opportunity to meet last week for our project kick off meeting for the Corby Battery Storage project in Vacaville, CA.

Solano Land Trust has received its retainer of $15,000 per the Letter Agreement executed on 07-25-2025. We are now in the project development phase and SLT will continue to provide updates on actions taken.

There was a request for information at our meeting, and this memo will contain SLTìs feedback.

Acres and location of the mitigation action:

1. Accounting of acres that would qualify for the mitigation lands for this project. (also attached)

Acres 1 mile east of the City of Vacaville city limit line and within 2 miles of the wind turbines south of Hwy 12. This chart shows total acreage and both types - Ag mitigation (Orchard/Vine/Other) and those lands for Swainson's hawk mitigation (Other). This includes Solano County Ag regions Elmira/Maine Prairie and some Jepson Prairie.

	Coverage Type		
Soil Classification	Orchard/Vine	Other	Total
[redacted]			
Prime	31,441.14	74,232.82	105,673.96
State	1,035.94	4,754.92	5,790.86
Unique	4,110.50	4,575.18	8,685.68
Grazing	2,428.65	127,837.69	130,266.34
Total	**39,016.23**	**211,400.61**	**250,416.84**

Acres East of Leisure Town Road (Pleasants, Lagoon, Vaca Valley, Solano County General Plan AG region)

	Orchard/Vine	Other	Total
Prime	1,765.84	2,440.78	4,206.62
State	444.92	273.97	718.89
Unique	1,061.51	706.96	1,768.48
Grazing	126.05	15,408.36	15,534.41
	3,398.32	**18,830.06**	**22,228.39**

2. Ag regions and county ag overlays- SLT would look to place this mitigation easement(s) in the Ag regions where the conversion is happening: Elmira/Maine Prairie and Pleasants/Vaca/Lagoon Valleys. If more outreach is needed to find a willing seller, then portions of the Jepson Prairie Ag Region and the designated Agricultural Reserve Overlay areas would be considered.

3. Mapping- SLT has provided the Solano General Plan Land Use map, the Solano General Plan Ag Regions map and its internal AG and Avian lands map.

Swainsonìs hawk mitigation- SLTìs approach to this mitigation requirement:

Solano Land Trust is very active in the mitigation efforts with Cities and Mitigation proponents that are in need of Swainsonìs hawk and burrowing owl foraging habitat (Avian) mitigation. SLT works closely with the city of Vacaville and the city of Dixon when mitigation proponents are considering conservation easements as their mitigation action. Currently SLT understands that Avian forging habitat credits are not readily available in Solano County. SLT is the Steward of 5 Swainsonìs hawk mitigation easements and active with 1 transaction.

SLT has the ability to cobble together Avian foraging habitat mitigation projects due to the active development and conversion of these types of lands in Solano County. SLT, via this project and others, is continually engaging with landowners and presenting the opportunity to conserve their land through these funding types.

SLT would like to offer the In Lieu Fee approach to any Avian foraging habitat mitigation and allow SLT to create and fund a larger, more impactful, Avian mitigation project by bringing multiple, local Avian mitigation needs together. SLT would be open to negotiating an agreement to satisfy mitigation needs like this, possibly with a term of up-5 years to complete and satisfy the mitigation proponentìs requirements.

SLT will approach this project with the action to conserve a stand-alone 120-acre agricultural conservation easement and suggest an In Lieu Fee for the 40-ac Swainsonìs hawk mitigation easement. Because the mitigation acres are different, SLT would not favor stacking the mitigation on one property. This would create an Anomaly property, one with different types of restrictions on one parcel. That is not conducive to a landowner wanting to sell or buy the property and potentially affecting its agricultural use.

Please reach out to me with any questions.

Tracy Ellison, Conservation Director
Solano Land Trust
Tracy@solanlandtrust.org
Cell 707-580-4263

Acres 1 mile east of the City of Vacaville city limit line and within 2 miles of the wind turbines south of Hwy 12. This chart shows total acreage and both types - Ag mitigation (Orchard/Vine/Other) and those lands for Swainson's hawk mitigation (Other). This includes Solano County Ag regions Elmira/Maine Prairie and some Jepson Prairie.

	Coverage Type		
Soil Classification	Orchard/Vine	Other	Total
Prime	31,441.14	74,232.82	105,673.96
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Acres East of Leisure Town Road (Pleasants, Lagoon, Vaca Valley, Solano County General Plan AG region)

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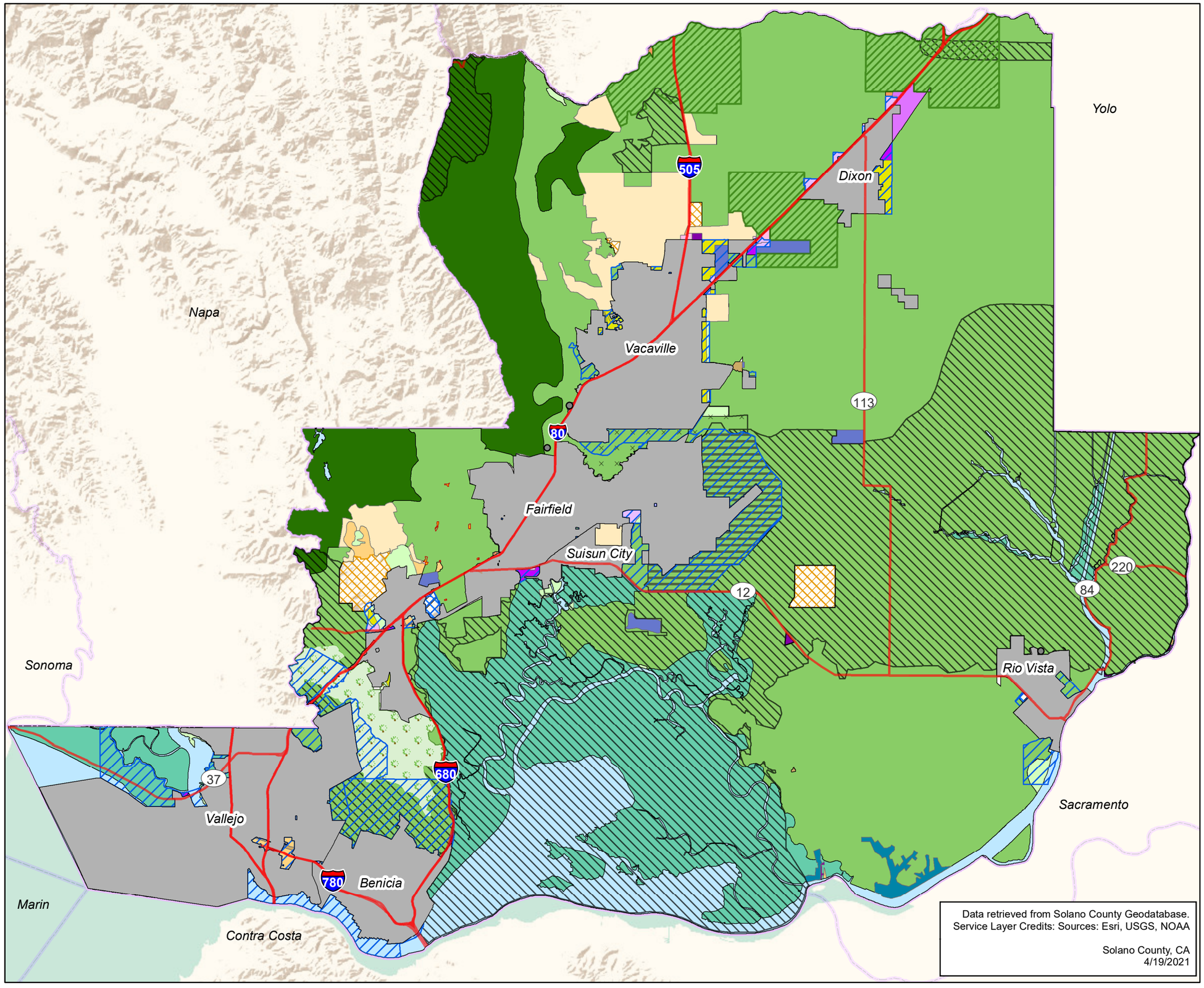
State	444.92	273.97	718.89
Unique	1,061.51	706.96	1,768.48
Grazing	126.05	15,408.36	15,534.41
	3,398.32	**18,830.06**	**22,228.39**

Figure 6:
General Plan Land Use, 2021



Data retrieved from Solano County Geodatabase.
Service Layer Credits: Sources: Esri, USGS, NOAA

Solano County, CA
4/19/2021

Legend

- County Boundaries
- City Boundaries
- Major Highways

Land Use Designations (Outside of Cities)

- Agriculture
- General Industrial
- Highway Commercial
- Limited Industrial
- Marsh
- Park and Recreation
- Public/Quasi-Public
- Rural Residential
- Service Commercial
- Specific Project Area
- Traditional Community - Mixed Use
- Traditional Community - Residential
- Urban Commercial
- Urban Industrial
- Urban Project Area
- Urban Residential
- Water Bodies and Courses
- Water Dependent Industrial
- Watershed
- Agricultural Tourist Center
- Joint Study Areas

County Planning Overlays

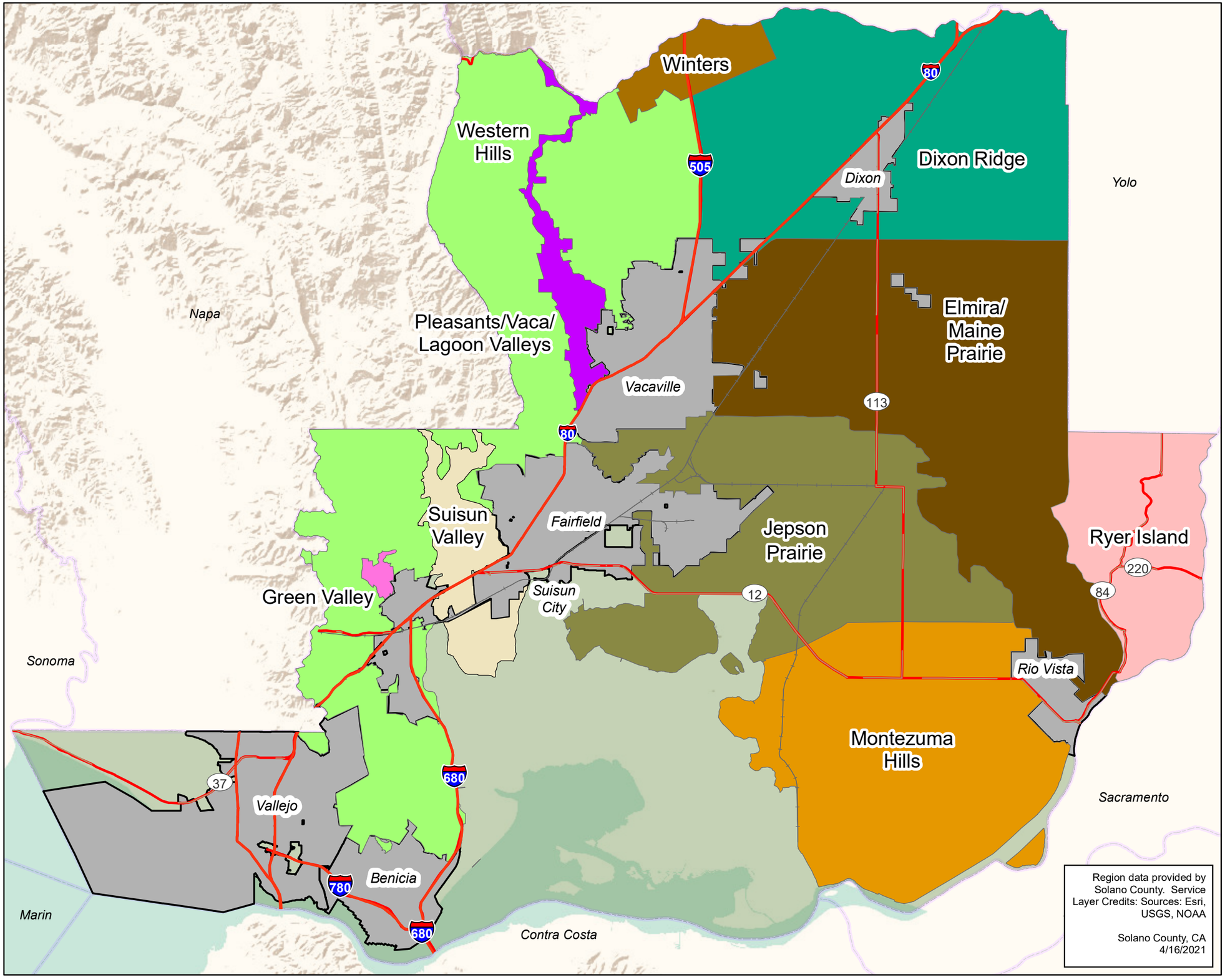
- Agricultural Reserve Overlay
- Resource Conservation Overlay
- Travis Reserve Area
- Tri-City/County Cooperative Planning Area - City
- Tri-City/County Cooperative Planning Area - County
- Vacaville-Fairfield-Solano Greenbelt
- Spheres of Influence

AGRICULTURAL CONSERVATION PLAN 2022

N

0 1.5 3 6 9 Miles

Figure 9:
Agricultural Regions



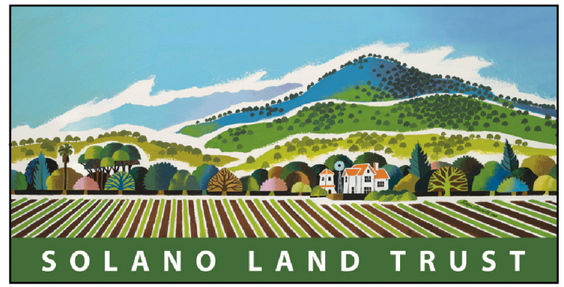
Legend

- County Boundaries
- City Boundaries
- Major Highways
- Railroads

Agricultural Regions

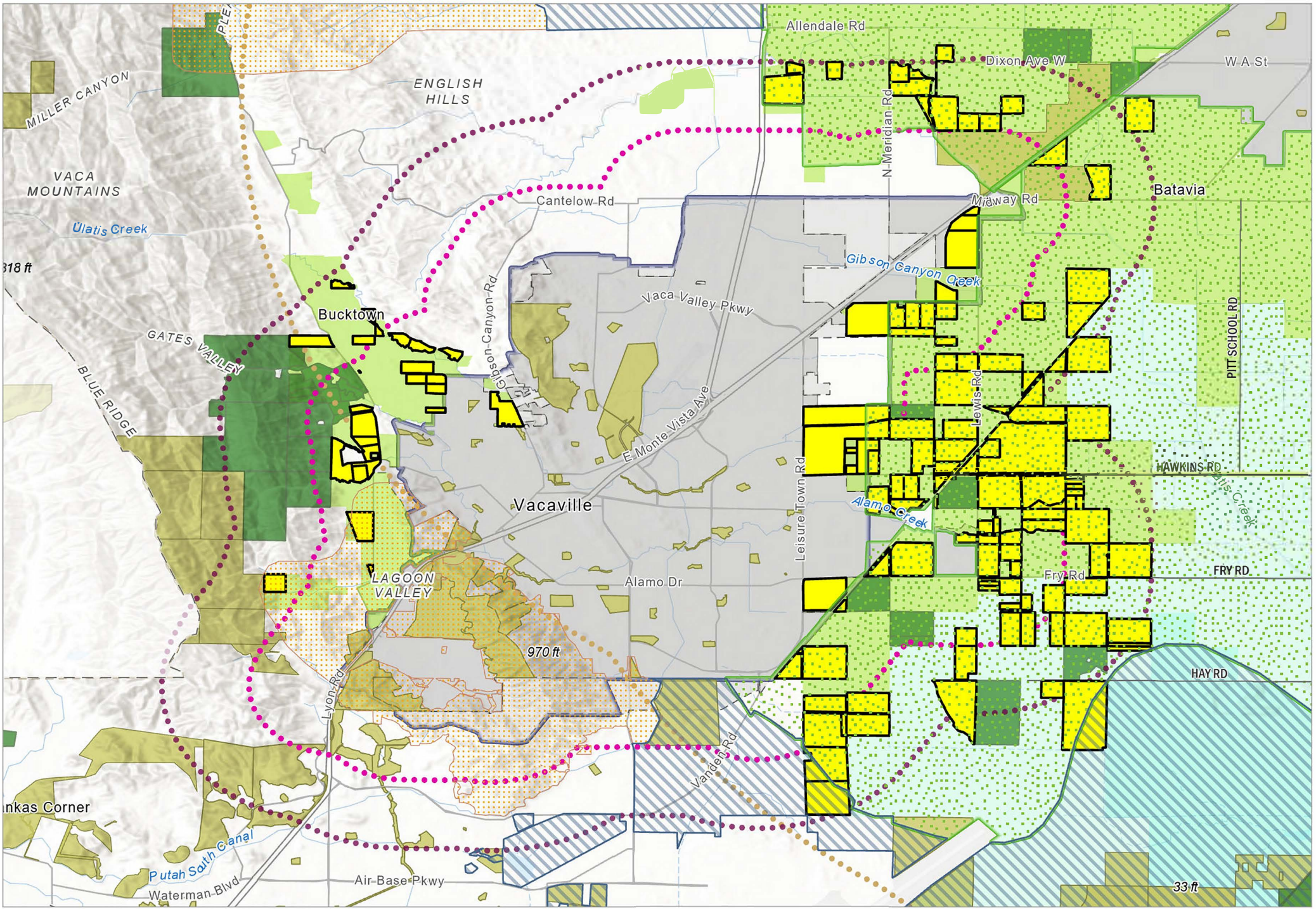
- Dixon Ridge
- Elmira/ Maine Prairie
- Green Valley
- Jepson Prairie
- Montezuma Hills
- Pleasants/Vaca/Lagoon Valleys
- Ryer Island
- Suisun Valley
- Western Hills
- Winters

AGRICULTURAL CONSERVATION PLAN 2022



N

0 1.5 3 6 9 Miles



SOLANO LAND TRUST

- Irrigated/No Trees Priorities
- SLT Conservation Easement
- Other Protected
- Vacaville (1mi buffer)
- Vacaville (2mi buffer)
- Incorporated City Boundary
- Sphere of Influence
- Urban Growth Boundary
- A-40
- A-80
- A-160

SWHA Potential Reserve Areas

- Inner Coast Range Potential Reserve Area
- Irrigated Agriculture Potential Reserve
- Valley Floor Grassland Potential Reserve Area

Map produced 5/15/2025
for Solano Land Trust.

APPENDIX 2-C: AGRICULTURAL MITIGATION PLAN

AGRICULTURAL MITIGATION PLAN FOR THE CORBY BATTERY ENERGY STORAGE PROJECT

PREPARED FOR:

Corby Energy Storage, LLC
700 Universe Boulevard
Juno Beach, FL 33408
Contact: Nadan Omercajic
415.770.8214

PREPARED BY:

ICF
980 9th Street, Suite 1200
Sacramento, CA 95814
Contact: Brad Schafer
916.737.3000

August 2025

ICF. 2025. *Agricultural Mitigation Plan for the Corby Battery Energy Storage Project*. August. (ICF 104188.0.011.). Prepared for Corby Energy Storage, LLC, Juno Beach, FL.

Contents

List of Figures

Chapter 1
Introduction and Proposed Project

Corby Energy Storage, LLC (Applicant), proposes to construct, own, and operate the Corby Battery Energy Storage System Project (Project) (Figure 1). The facility will be constructed on an approximately 40.3-acre privately owned parcel in Solano County, California (Figure 2). The Project will include a 300-megawatt (MW) battery energy storage system (BESS), associated Project substation, inverters, and other ancillary facilities, such as fencing, roads, a retention basin, and a supervisory control and data acquisition (SCADA) system. The proposed Project site is currently used as agricultural land for row crops. The surrounding land is also in agricultural use, including orchards to the south, irrigated pastures to the east and west, and rural residential use to the north.

The Project will connect to the Pacific Gas and Electric (PG&E) Vaca-Dixon Substation across Interstate 80 (I-80) and northwest of the Project site, using an approximately 1.1-mile long 230-kilovolt (kV) generation tie (gen-tie) line, portions of which will be installed overhead and underground (Figure 2). The underground portion of the gen-tie line will run east-west parallel to and crossing Kilkenny Road, either within acquired easements on adjacent parcels or within the City of Vacaville road right-of-way. The overhead portions will include two structures on the Project site, four structures between Kilkenny Road and I-80 on private land owned by the Applicant, and up to four structures north of I-80 on PG&E-owned property adjacent to the Vaca-Dixon Substation, for a total of up to ten overhead gen-tie structures.

The Project will be processed and permitted through the California Energy Commission (CEC) under an opt-in process. The CEC will be the lead agency for the Project under the California Environmental Quality Act (CEQA). The purpose of this report is to describe the mitigation plan and the assessment conducted to date for impacts to agricultural lands resulting from the Project.

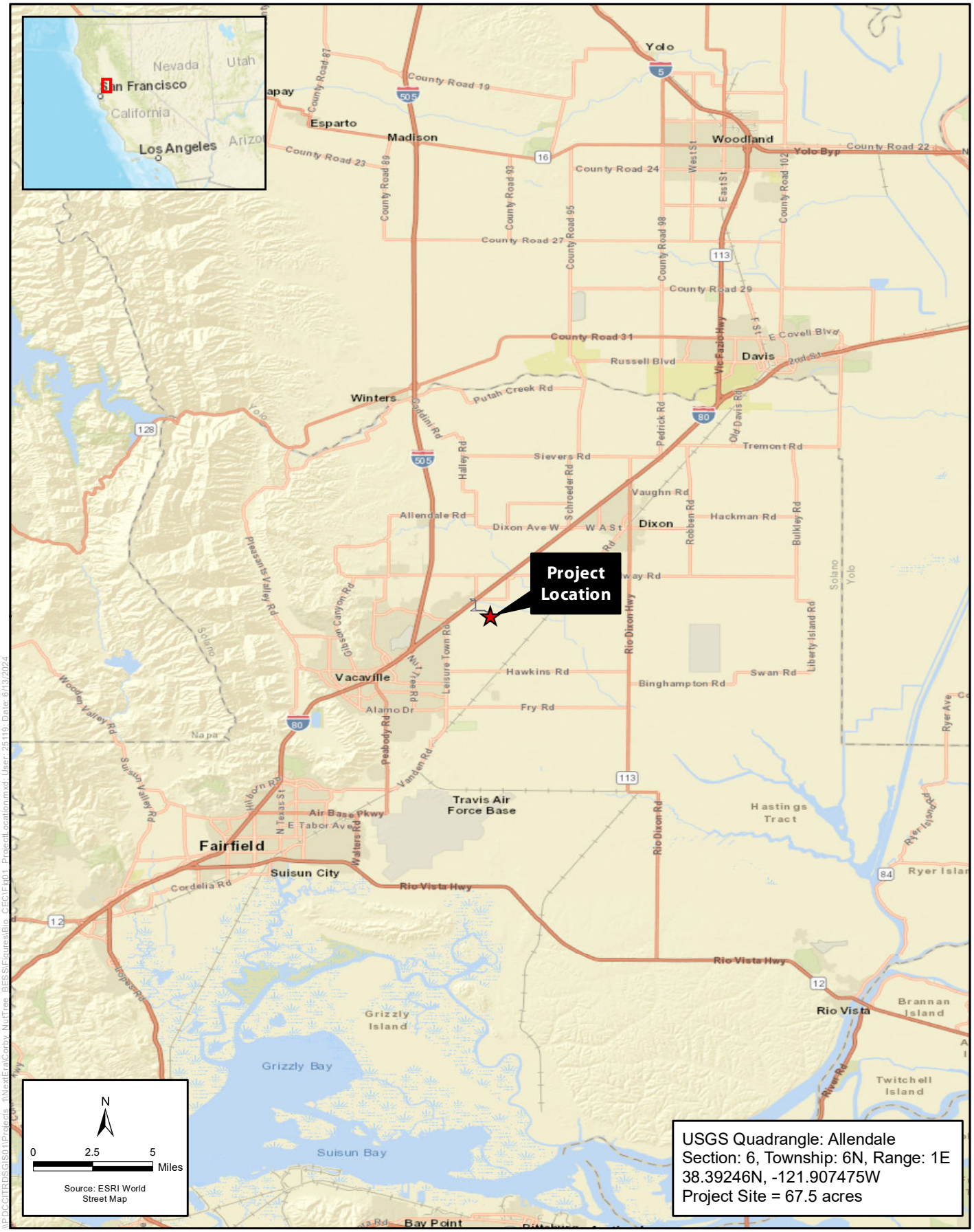


Figure 1
Project Location

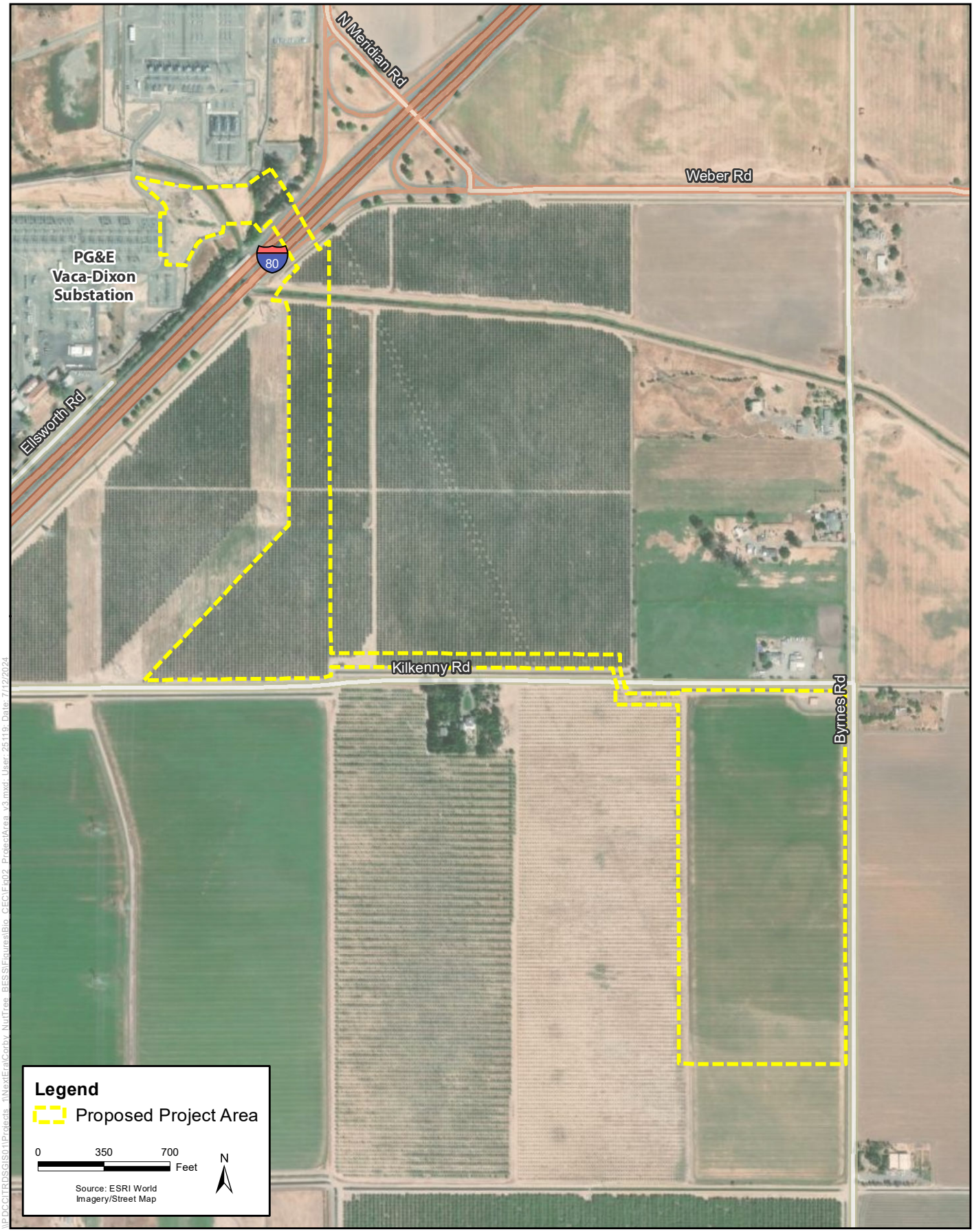


Figure 2
Project Area

Chapter 2
Project Impacts to Agricultural Lands

Generally, under CEQA Appendix G, *Environmental Checklist*, a project may have potentially significant impacts if it may "*Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown in the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use.* " The CEQA lead agency will normally assess during their environmental review whether the project would convert farmland to a non-agricultural use. If the CEQA lead agency determines that the project would convert farmland to a non-agricultural use, they will make findings as appropriate considering local policies, regulations and considering any farmland mitigation that is required.

The Project includes a battery storage site located on approximately 40 acres, and a proposed gen-tie line route which would connect to the Pacific Gas and Electric (PG&E) Vaca-Dixon Substation across Interstate 80 (I-80) and northwest of the Project site, using an approximately 1.1-mile long new 230-kilovolt (kV) line, portions of which will be installed overhead and underground. A review of the most recently available California Farmland Conversion Report (2018) indicates that changes in land use mapped by the FMMP focus on "energy infrastructure" which appears to be further defined as primarily solar facility development. The conversion of agricultural lands from electrical infrastructure does not appear to be considered within the FMMP. The Authors of this report theorize that this is because most transmission lines occupy a small area for the locations of towers and the lands under and around the lines are readily available for agricultural uses. Consequently, the installation of electrical infrastructure such as transmission lines does not appear to be considered a conversion of agricultural lands for the purposes of CEQA.

The Project site is mapped by the FMMP as a combination of Prime Farmland (12.9 acres), Farmland of Statewide Importance (9.0 acres), and Unique Farmland (18.4 acres) (Figure 3). The Project proposes to install battery storage containers and associated equipment, as described above, on the Project site which would cease agricultural production or the ability for agricultural production for a period of up to 30 years (the expected duration of the project). The FMMP normally considers the addition of "energy infrastructure", for example photovoltaic solar projects, to result in a conversion from agricultural lands to "Urban and Built-Up Land" (California Department of Conservation 2018). The project is reasonably similar to a solar project in that it would place electrical infrastructure on the farmland preventing the use of the land for agricultural purposes into the future. Thus, the Project can be reasonably expected to result in a conversion of approximately 40.3 acres of farmland to a non-agricultural use.

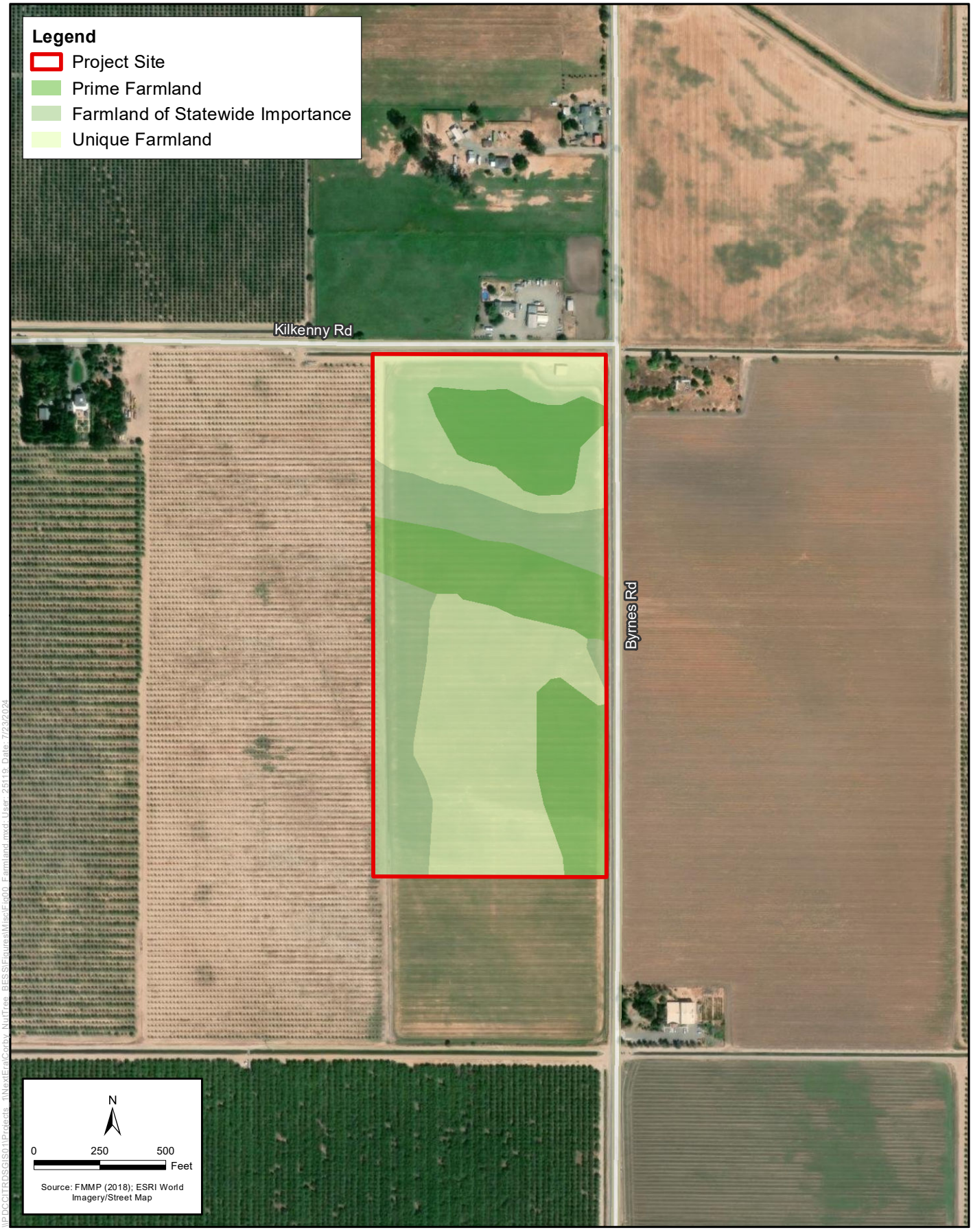


Figure 3
Farmland Mapping and Monitoring Program (FMMP) Map

Chapter 3
Solano County Policy

3.1 General Plan

The Solano County General Plan Agriculture Element (Solano County 2008) is an overarching, comprehensive framing document that provides for the long-term protection of Solano County's agricultural resources, as well as for development within the County. In conformance with the state's General Plan requirements, the Solano County General Plan outlines policies, standards, and programs to guide day-to-day land use decisions, which directly affect the County's future.

The following policy in the agricultural chapter of the General Plan is applicable where a project may have impacts on agricultural lands.

AG.P-4: Require farmland conversion mitigation for either of the following actions:

a. A General Plan amendment that changes the designation of any land from an agricultural to a nonagricultural use or,

b. An application for a development permit that changes the use of the land from production agriculture to a nonagricultural use, regardless of the General Plan designation.

The following implementation regulation in the agricultural chapter of the General Plan is applicable where a project may have impacts on agricultural lands.

AG.1-1: Create and adopt a farmland conversion mitigation program and ordinance. Require compensation for loss of agricultural land. Establish appropriate mitigation ratios for the program or utilize a graduated mitigation mechanism. The mitigation ratio shall be a minimum of 1.5:1 (1.5 acres of farmland protected through mitigation for each acre of farmland converted). The program shall not present regulatory barriers to agritourism, agricultural services, and agricultural processing in regions and within land use designations where such uses are permitted and encouraged. The program shall also establish mitigation within the same agricultural region as the proposed development project, or within the Agricultural Reserve Overlay district, as a preferred strategy. The program shall incorporate a fee option, and shall provide an exemption for farmworker housing. Mitigation lands shall be of similar agricultural quality to the lands being converted.

3.2 Agricultural Mitigation Program

Consistent with the Solano County General Plan, Implementation Program AG.1-1, Solano County adopted Ordinance No. 2024-1858 on November 5, 2024; which defines and implements an Agricultural Mitigation Program within the unincorporated areas of Solano County. Among the requirements, the ordinance requires projects that convert Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance, to mitigate at a replacement ratio up to 3:1 (for every acre converted or developed, up to three acres would be protected). Mitigation lands are required to meet specific criteria, including but not limited to: 1) lands with an Agricultural land use designation under the Solano County General Plan, 2) lands assigned an

Agricultural Zoning District under the Solano County Code, and 3) lands of adequate size, configuration, and location to be viable for continued agricultural operations and use.

For land uses converting 20 acres or more, an applicant can mitigate using an Agricultural Conservation Easement on land located within the Agricultural Reserve Overlay or within the same Agricultural Region (as designed by the Agricultural Chapter of the General Plan). Project proponents may also utilize an in-lieu fee program subject to the establishment of the in-lieu fee amount by the Solano County Board of Supervisors, on a case-by-base basis. In-lieu fees must be held by the County in a separate account and expended for the sole purpose of mitigating the loss of Farmland by acquiring and managing Agricultural Conservation Easements. Lastly, the ordinance provides an avenue for project proponents to propose alternative mitigation measures that fulfill the purpose of the Agricultural Mitigation Program.

Chapter 4
Proposed Mitigation and Conclusions

4.1 Proposed Mitigation

In consideration of the Project impacts to agricultural lands described above, as well as Solano County policies regarding mitigation for the loss of agricultural lands; approximately 120.9 acres of agricultural mitigation land will be needed for the Project (a 3:1 ratio of mitigation to impact).

If the Project is approved, the Applicant would secure 120.9 acres of agricultural mitigation meeting the criteria in the Solano County Agricultural Mitigation Program, or if necessary, pay into the County's in-lieu fee program. To assess the feasibility of obtaining suitable mitigation lands, the Applicant has entered into an agreement with Solano Land Trust (SLT), including a retainer to support SLT costs for the assessment. SLT has indicated that agricultural mitigation is feasible, and they currently help implement the City of Vacaville's agricultural mitigation program in the region. The Applicant has entered into an Initial Screening Agreement with SLT and will advance through SLT's process ending in Acceptance and Execution of a mitigation agreement upon identification of available suitable mitigation lands.

In the unlikely event mitigation through SLT is determined to be infeasible or is not completed, the Applicant would pay into Solano County's in-lieu fee program to mitigate the conversion of agricultural lands consistent with Solano County policies.

4.2 Conclusions

The project is expected to result in the conversion of agricultural land to a non-agricultural use. Mitigation for the loss of agricultural lands is proposed that would be consistent with Solano County General Plan policies and the recently adopted Agricultural Mitigation Program. Initial review with a local land trust indicates that a significant amount of suitable mitigation land is generally available within the Elmira/Maine Prairie agricultural region1 specifically, and throughout Solano County in general, and there is a well-defined process for completing the mitigation requirement.

[1] The Project is located within the Elmira/Maine Prairie agricultural region in the Solano County General Plan. https://www.solanocounty.com/civicax/filebank/blobdload.aspx?BlobID=6493

Chapter 5
References

California Department of Conservation. 2018. 2016-2018 California Farmland Conversion Report. Available at: https://www.conservation.ca.gov/dlrp/fmmp/Documents/fmmp/pubs/2016-2018/FCR/FCR_1618_Report.pdf. Accessed July 10, 2024.

Solano County. 2008. Solano County General Plan Agriculture Element. Solano County, CA. November 4, 2008. Available: https://www.solanocounty.com/civicax/filebank/blobdload.aspx?BlobID=6493.

APPENDIX 4-A: LAKE AND STREAMBED ALTERATION AGREEMENT APPLICATION

FOR DEPARTMENT USE ONLY				
Date Received	*Amount Received*	*Amount Due*	*Date Complete*	*Notification No.*
	$	*$*		
Assigned to:				

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Complete EACH field, unless otherwise indicated, following the enclosed instructions and submit ALL required enclosures. Attach additional pages, if necessary.

1. APPLICANT PROPOSING PROJECT

Name	Corby Energy Storage, LLC		
Business/Agency			
Mailing Address	One California, Suite 16		
City, State, Zip	San Francisco, CA 94111		
Telephone		Fax	
Email			

2. CONTACT PERSON (*Complete only if different from applicant*)

Name	Nadan Omercajic		
Street Address	One California, Suite 16		
City, State, Zip	San Francisco, CA 94111		
Telephone	(415) 770-8214	Fax	
Email	Nadan.Omercajic@nexteraenergy.com		

3. PROPERTY OWNER (*Complete only if different from applicant*)

Name			
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

4. PROJECT NAME AND AGREEMENT TERM

A. Project Name		Corby Battery Energy Storage System Project		
B. Agreement Term Requested		☑ Regular (*5 years or less*) ☐ Long-term (*greater than 5 years)*		
C. Project Term		D. Seasonal Work Period		E. Number of Work Days
Beginning (*year*)	Ending (*year*)	Start Date (*month/day*)	End Date (*month/day*)	

5. AGREEMENT TYPE

Check the applicable box. If box B, C, D, E, or F is checked, complete the specified attachment.	
A.	☑ Standard *(Most construction projects, excluding the categories listed below)*
B.	☐ Gravel/Sand/Rock Extraction (*Attachment A*) *Mine I.D. Number:*_____
C.	☐ Timber Harvesting (*Attachment B*) *THP Number:* _____
D.	☐ Water Diversion/Extraction/Impoundment (*Attachment C*) *SWRCB Number:* _____
E.	☐ Routine Maintenance (*Attachment D*)
F.	☐ Remediation of Marijuana Cultivation Sites (*Attachment E*)
G.	☐ Department Grant Programs *Agreement Number:* _____
H.	☐ Master
I.	☐ Master Timber Operations

6. FEES

See the current fee schedule to determine the appropriate notification fee. Itemize each project's estimated cost and corresponding fee. ***Note: The Department may not process this notification until the correct fee has been received.***

	A. Project	B. Project Cost	C. Project Fee
1	Corby Gen-tie Option #1 SID Canal HDD	NA	NA
2			
3			
4			
5			
6			
7			
8			
9			
10			
		D. Base Fee *(if applicable)*	
		E. TOTAL FEE*	

** Check, money order, and Visa or MasterCard payments are accepted. When payment is made by credit card, CDFW shall assess a separate credit card processing fee of 1.6% to the Total Fee. Credit card payment must be submitted with a completed Credit Card Payment Authorization Form (DFW 1443b (Rev. 8/15)) available online at: https://www.wildlife.ca.gov/Conservation/LSA/Forms or at a Department regional office.*

7. PRIOR NOTIFICATION AND ORDERS

A. Has a notification previously been submitted to, or a Lake or Streambed Alteration Agreement previously been issued by, the Department for the project described in this notification?

☐ Yes (*Provide the information below*) ☑ No

Applicant	Notification Number	Date

B. Is this notification being submitted in response to a court or administrative order or notice, or a notice of violation (NOV) issued by the Department?

☑ No ☐ Yes (*Enclose a copy of the order, notice, or NOV. If the applicant was directed to notify the Department verbally rather than in writing, identify the person who directed the applicant to submit this notification and the agency he or she represents, and describe the circumstances relating to the order.*)

☐ *Continued on additional page(s)*

8. PROJECT LOCATION

A. Address or description of project location.

(*Include a map that marks the location of the project with a reference to the nearest city or town, and provide driving directions from a major road or highway*)

The horizontal directional drill under the Solano Irrigation District (SID) earthen-lined ditch is adjacent to Killkenny Road in Vacaville, and approximately 0.25 mile west of where Killkenny Road intersects with Byrnes Road. Coordinates of the HDD crossing are 38°23'43.66"N, 121°54'36.85"W.

The ditch was excavated in uplands and primarily conveys water for irrigation.

☐ *Continued on additional page(s)*

B. River, stream, or lake affected by the project.	Solano Irrigation District ditch
C. What water body is the river, stream, or lake tributary to?	Outfalls into Gibson Canyon Creek
D. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts?	☐ Yes ☑ No ☐ Unknown
E. County	Solano County

F. USGS 7.5 Minute Quad Map Name	G. Township	H. Range	I. Section	J. ¼ Section
Allendale	6 North	1 East	06	

☐ *Continued on additional page(s)*

K. Meridian (*check one*) ☐ Humboldt ☑ Mt. Diablo ☐ San Bernardino

L. Assessor's Parcel Number(s)

0141010030 - North Side of Kilkenny Road, and 0141030080 - South side of Kilkenny Road

☑ *Continued on additional page(s)*

M. Coordinates (*If available, provide at least latitude/longitude or UTM coordinates and check appropriate boxes)*			
Latitude/Longitude	*Latitude:* 38°23'43.66"N	*Longitude:* 121°54'36.85"W	
	☑ Degrees/Minutes/Seconds	☐ Decimal Degrees	☐ Decimal Minutes
UTM	*Easting:* 595163.60	*Northing:* 4250255.86	☑ Zone 10 ☐ Zone 11
Datum used for Latitude/Longitude or UTM	☐ NAD 27	☑ NAD 83 or WGS 84	

9. PROJECT CATEGORY

WORK TYPE	NEW CONSTRUCTION	REPLACE EXISTING STRUCTURE	REPAIR-MAINTAIN-OPERATE EXISTING STRUCTURE
Bank stabilization – bioengineering/recontouring	☐	☐	☐
Bank stabilization – rip-rap/retaining wall/gabion	☐	☐	☐
Boat dock/pier	☐	☐	☐
Boat ramp	☐	☐	☐
Bridge	☐	☐	☐
Channel clearing/vegetation management	☐	☐	☐
Culvert	☐	☐	☐
Debris basin	☐	☐	☐
Dam	☐	☐	☐
Filling of wetland, river, stream, or lake	☐	☐	☐
Geotechnical survey	☐	☐	☐
Habitat enhancement – revegetation/mitigation	☐	☐	☐
Levee	☐	☐	☐
Low water crossing	☐	☐	☐
Road/trail	☐	☐	☐
Sediment removal: pond, stream, or marina	☐	☐	☐
flood control	☐	☐	☐
Storm drain outfall structure	☐	☐	☐
Temporary stream crossing	☐	☐	☐
Utility crossing: horizontal directional drilling	☑	☐	☐
jack/bore	☑	☐	☐
open trench	☐	☐	☐
Water diversion without facility	☐	☐	☐
Water diversion with facility	☐	☐	☐
Other *(specify)*:	☐	☐	☐

10. PROJECT DESCRIPTION

A. Describe the project in detail. Include photographs of the project location and immediate surrounding area.

- Written description of all project activities with detailed step-by-step description of project implementation.
- Include any structures (e.g., rip-rap, culverts) that will be placed or modified in or near the stream, river, or lake, and any channel clearing.
- Specify volume, and dimensions of all materials and features (e.g., rip rap fields) that will be used or installed.
- If water will be diverted or drafted, specify the purpose or use.
- Enclose diagrams, drawings, plans, and maps that provide all of the following: site specific construction details; dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; overview of the entire project area (i.e., "bird's-eye view") showing the location of each structure and/or activity, significant area features, stockpile areas, areas of temporary disturbance, and where the equipment/machinery will access the project area.

See Attachment A: Section 10 - Project Description for more information.

☑ *Continued on additional page(s)*

B. Specify the equipment and machinery that will be used to complete the project.

Anticipated construction equipment for the HDD and jack-and-bore crossing of the ditch includes air compressors, cranes, forklifts, pumps, welders, bore/drill rigs, excavators, and water trucks.

☐ *Continued on additional page(s)*

C. Will water be present during the proposed work period (specified in box 4.D) in the stream, river, or lake (specified in box 8.B).	☑ Yes ☐ No (*Skip to box 11*)
D. Will the proposed project require work in the wetted portion of the channel?	☐ Yes (*Enclose a plan to divert water around work site*) ☑ No

11. PROJECT IMPACTS

A. Describe impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.

See Attachment A: Section 11 - Project Impacts and Aquatic Resources Delineation Report (provided separately with Opt-in Application) for more information.

☑ *Continued on additional page(s)*

B. Will the project affect any vegetation? ☑ Yes (*Complete the tables below*) ☐ No (*Include aerial photo with date supporting this determination)*

Vegetation Type	Temporary Impact	Permanent Impact
See Attachment A: Section 11	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____
	Linear feet: _____ Total area: _____	Linear feet: _____ Total area: _____

Tree Species	Number of Trees to be Removed	Trunk Diameter (range)
See Attachment A: Section 11		

☐ *Continued on additional page(s)*

C. Are any special status animal or plant species, or habitat that could support such species, known to be present on or near the project site?

☑ Yes *(List each species and/or describe the habitat below)* ☐ No ☐ Unknown

Biological Resources Report (provided separately with Opt-in Application) describes the biological resources identified on or near the Project site.

☐ *Continued on additional page(s)*

D. Identify the source(s) of information that supports a “yes” or “no” answer above in Box 11.C.

See Biological Resources Report (provided separately w/Opt-in Application)

☐ *Continued on additional page(s)*

E. Has a biological study been completed for the project site?

☑ Yes (*Enclose the biological study*) ☐ No

Note: A biological assessment or study may be required to evaluate potential project impacts on biological resources.

F. Has a hydrological study been completed for the project or project site?

☐ Yes (*Enclose the hydrological study*) ☑ No

Note: A hydrological study or other information on site hydraulics (e.g., flows, channel characteristics, and/or flood recurrence intervals) may be required to evaluate potential project impacts on hydrology.

G. Have fish or wildlife resources or waters of the state been mapped or delineated on the project site?

☑ Yes (*Enclose the mapped results*) ☐ No

Note: Check "yes" if fish and wildlife resources or waters of the state on the project site have been mapped or delineated. "'Wildlife' means and includes all wild animals, birds, plants, fish, amphibians, reptiles and related ecological communities, including the habitat upon which the wildlife depends." (Fish & G. Code, § 89.5.) If "yes" is checked, submit the mapping or delineation. If the mapping or delineation is in digital format (e.g., GIS shape files or KMZ), you must submit the information in this format for the Department to deem your notification complete. If "no" is checked, or the resolution of the mapping or delineation is insufficient, the Department may request mapping or delineation (in digital or non-digital format), or higher resolution mapping or delineation for the Department to deem the notification complete.

12. MEASURES TO PROTECT FISH, WILDIFE, AND PLANT RESOURCES

A. Describe the techniques that will be used to prevent sediment from entering watercourses during and after construction.

See Attachment A: Section 12 - Measures to Protect Fish, Wildlife, and Plant Resources.

☑ *Continued on additional page(s)*

B. Describe project avoidance and/or minimization measures to protect fish, wildlife, and plant resources.

All Project Design (PD) Measures included in the CEC Opt-In Application for the Corby Battery Energy Storage System Project (20-OPT-05) will be implemented during Project activities to avoid and/or minimize Project impacts.

☐ *Continued on additional page(s)*

C. Describe any project mitigation and/or compensation measures to protect fish, wildlife, and plant resources.

No compensatory mitigation is proposed for the Project as implementation of Project activities will not divert or obstruct the natural flow of any river, stream, or lake; will not alter the bed, channel, or banks; and will not use or deposit materials into any river, stream, or lake. In the unlikely event that a frac-out within the ditch occurs, it is anticipated to result in a very small temporary impact which would be immediately cleaned up.

☐ *Continued on additional page(s)*

13. PERMITS

List any local, State, and federal permits required for the project and check the corresponding box(es). Enclose a copy of each permit that has been issued.

A. CEC Opt-in Certification ☑ Applied ☐ Issued

B. National Pollutant Discharge Elimination System (CGP) ☐ Applied ☐ Issued

C. _____ ☐ Applied ☐ Issued

D. Unknown whether ☐ local, ☐ State, or ☐ federal permit is needed for the project. (*Check each box that applies*)

☐ *Continued on additional page(s)*

14. ENVIRONMENTAL REVIEW

A. Has a draft or final document been prepared for the project pursuant to the California Environmental Quality Act (CEQA) and/or National Environmental Protection Act (NEPA)?

☐ Yes (*Check the box for each CEQA or NEPA document that has been prepared and enclose a copy of each.*)

☑ No (*Check the box for each CEQA or NEPA document listed below that will be or is being prepared.*)

☐ Notice of Exemption	☐ Mitigated Negative Declaration	☐ NEPA document (*type*):
☐ Initial Study	☑ Environmental Impact Report	_____
☐ Negative Declaration	☐ Notice of Determination *(Enclose)*	
☐ THP/ NTMP	☐ Mitigation, Monitoring, Reporting Plan	

B. State Clearinghouse Number (*if applicable*)	N/A		
C. Has a CEQA lead agency been determined?	☑ Yes (*Complete boxes D, E, and F*)	☐ No (*Skip to box 14.G*)	
D. CEQA Lead Agency	California Energy Commission		
E. Contact Person	Renee Longman	F. Telephone Number	916-937-3538

G. If the project described in this notification is not the "whole project" or action pursuant to CEQA, briefly describe the entire project (Cal. Code Regs., tit. 14, § 15378).

A complete description of the whole project is provided in the CEC Opt-In Application for the Corby Battery Energy Storage System Project (20-OPT-05).

☐ *Continued on additional page(s)*

H. Has a CEQA filing fee been paid pursuant to Fish and Game Code section 711.4?

☑ Yes (*Enclose proof of payment*) ☐ No (*Briefly explain below the reason a CEQA filing fee has not been paid)*

Please refer to the CEC Opt-In Application for the Corby Battery Energy Storage System Project (20-OPT-05).

Note: If a CEQA filing fee is required, the Lake or Streambed Alteration Agreement may not be finalized until paid.

15. SITE INSPECTION

Check one box only.

☑ In the event the Department determines that a site inspection is necessary, I hereby authorize a Department representative to enter the property where the project described in this notification will take place at any reasonable time, and hereby certify that I am authorized to grant the Department such entry.

☐ I request the Department to first contact (*insert name*) _____ at (*insert telephone number*) _____ to schedule a date and time to enter the property where the project described in this notification will take place. I understand that this may delay the Department's determination as to whether a Lake or Streambed Alteration Agreement is required and/or the Department's issuance of a draft agreement pursuant to this notification.

16. DIGITAL FORMAT

Is any of the information included as part of the notification available in digital format (i.e., CD, DVD, etc.)?

☐ Yes (Please enclose the information via digital media with the completed notification form)

☑ No

17. SIGNATURE

I hereby certify that to the best of my knowledge the information in this notification is true and correct and that I am authorized to sign this notification as, or on behalf of, the applicant. I understand that if any information in this notification is found to be untrue or incorrect, the Department may suspend processing this notification or suspend or revoke any draft or final Lake or Streambed Alteration Agreement issued pursuant to this notification. I understand also that if any information in this notification is found to be untrue or incorrect and the project described in this notification has already begun, I and/or the applicant may be subject to civil or criminal prosecution. I understand that this notification applies only to the project(s) described herein and that I and/or the applicant may be subject to civil or criminal prosecution for undertaking any project not described herein unless the Department has been separately notified of that project in accordance with Fish and Game Code section 1602 or 1611.

_____ _____
Signature of Applicant or Applicant's Authorized Representative Date

_____
Print Name

ATTACHMENT A
ADDITIONAL INFORMATION

10. PROJECT DESCRIPTION

A. Describe the project in detail. Include photographs of the project location and immediate surrounding area.

An Aquatic Resources Delineation Report was prepared for the Project in September 2024. The delineation identified 1 basin, 13 ditches, 1 intermittent riverine feature, and 2 seasonal wetlands within 250 feet of the Corby Battery Energy Storage System Project (Project) site and proposed generation tie (gen-tie) corridor, none of which occur on the Project site. Among these, one unnamed mapped ditch (referred to as D-7) is located northeast of the Project site within the proposed underground portion of the gen-tie corridor (Underground Route Option #1). A photo of this ditch is included as Photograph 1 at the end of this section.

The Applicant proposes to cross beneath ditch D-7 using trenchless methods including horizontal directional drilling (HDD) and jack and bore. All other aquatic resources identified in the Project vicinity will remain undisturbed during Project activities.

Ditch D-7 is a Solano Irrigation District (SID) earthen-lined ditch excavated in upland areas, primarily functioning to convey water for irrigation. This feature outfalls to Gibson Canyon Creek, an intermittent riverine feature, off of Lewis Road.

For Underground Route Option #1, the gen-tie line and fiber optic cables would be installed under the ditch using HDD and jack and bore techniques to avoid or minimize any potential disturbances to it. HDD would be used for the fiber optic cables, and jack and bore would be used for the gen-tie line. Using these techniques, there would be a vertical distance of 10 feet for the top of gen-tie line and 11 feet for the top of the fiber optic cables from the bottom of the ditch. This area is shown on Figure 1.

As shown in the preliminary HDD design (Figure 2), the HDD entry point would be located on the north side of Kilkenny Road within a 3,600-square-foot workspace. The HDD would extend approximately 200 feet to the south, crossing underneath the ditch with a 11-foot vertical clearance, continuing under Kilkenny Road, and exiting on the south side of Kilkenny Road into a 3,680-square-foot workspace. The HDD entry point and the HDD exit would be greater than 15 feet from top of the bank of the ditch. Trees within the orchards within these workspaces would need to be cleared to facilitate work activities. None of these trees are riparian.

As shown in the preliminary jack and bore design (Figure 3), the jack and bore launching pit and entry pit would largely overlap with the HDD workspaces. The launching pit would be located on the southern side of Kilkenny Road in a 7,500-square-foot workspace that overlaps with the workspace associated with the HDD exit location. The launching pit would require an excavation of 15 feet wide by 40 feet long by 15.5 feet deep for placement of the bore rig. The bore hole would extend approximately 152 feet north, crossing underneath Kilkenny Road and the ditch. The bore hole would have a 10-foot vertical clearance from the bottom of the ditch. The bore hole would continue to the

receiving pit on the northside of the ditch. The receiving pit work area would encompass a 3,400-square-foot workspace, with a 15-foot-wide by 15-foot-long by 16-foot-deep pit. This receiving pit work area is within the HDD entry pit workspace and associated temporary construction easement for the gen-tie line. The jack and bore launching and receiving pits would be greater than 15 feet from the top of the bank of the ditch.

Photograph 1: Ditch D-7 in Proximity to the HDD and Jack and Bore Location

11. PROJECT IMPACTS

A. Describe impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.

HDD and jack and bore activities are not anticipated to directly impact the ditch as the gen-tie line and fiber optic cables would be installed 10 and 11 feet below it, respectively. However, HDD and jack and bore activities have a low potential for frac-out in which minimal amounts of drilling mud may inadvertently enter the ditch or adjacent areas.

If a frac-out occurs during these activities, any impacts would be expected to be very minimal due to the limited diameter and length of the HDD and jack and bore, and that drilling pressures would be maintained to minimize the potential for frac-outs. The HDD and jack and bore operator would be continuously monitoring pressure of the drill and jack and bore, and if there was a loss of pressure that may signify a frac-out, it would be quickly identified and addressed. In the unlikely event of a frac-out within the ditch, it would result in temporary impacts to less than 100 square feet, and 10 linear feet along the ditch, and this would be associated with the cleanup of the drilling mud. All drilling mud that exits as a result of a frac-out would be promptly removed.

No pollutants are known to occur within the work areas associated with these activities, so the mobilization of pollutants associated with a potential frac-out is not expected.

As this irrigation ditch has limited wildlife value, a potential frac-out would not mobilize pollutants, and would be promptly cleaned up; therefore, any impacts would be negligible and temporary.

B. Will the project affect any vegetation?

No riparian vegetation would be affected by the Project, as there is no riparian vegetation associated with the ditch. Trees within the adjacent orchards would be removed within the workspaces associated with the HDD and jack and bore. These orchard trees are located at distances of 20 feet or more from the top of the bank of the ditch.

12. MEASURES TO PROTECT FISH, WILDLIFE, AND PLANT RESOURCES

A. Describe the techniques that will be used to prevent sediment from entering watercourses during and after construction.

Erosion control best management practices (BMPs) would be implemented and installed to minimize erosion and prevent sediments from entering the ditch. These BMPs would include installation of straw wattles, silt fences, straw bales or similar upland of the ditch as specified in the stormwater pollution prevention plan that will be prepared for the Project. Other BMPs that would be included for the Project include maintenance of erosion control measures, concrete waste management, watering for dust control, diverting runoff from disturbed areas, and reseeding and restoration of the site.

In addition, during the HDD and jack and bore, the equipment operator would continuously monitor drilling fluid pressures and. If there is a sudden loss in pressure that may signify a frac-out, corrective actions would be immediately taken. These may include cleanup of drilling mud that exits into the ditch or adjacent upland areas.

A Project specific Frac-Out Contingency Plan would be prepared prior to beginning Project activities, and it would be implemented during all HDD and jack and bore activities. This plan would include applicable measures and BMPs to employ in the event of an inadvertent frac-out. The Plan would also detail appropriate clean-up measures for any release of drilling mud. BMPs and equipment necessary to implement the Frac-Out Contingency Plan would be stored onsite such that they would be available immediately to respond to a frac-out.

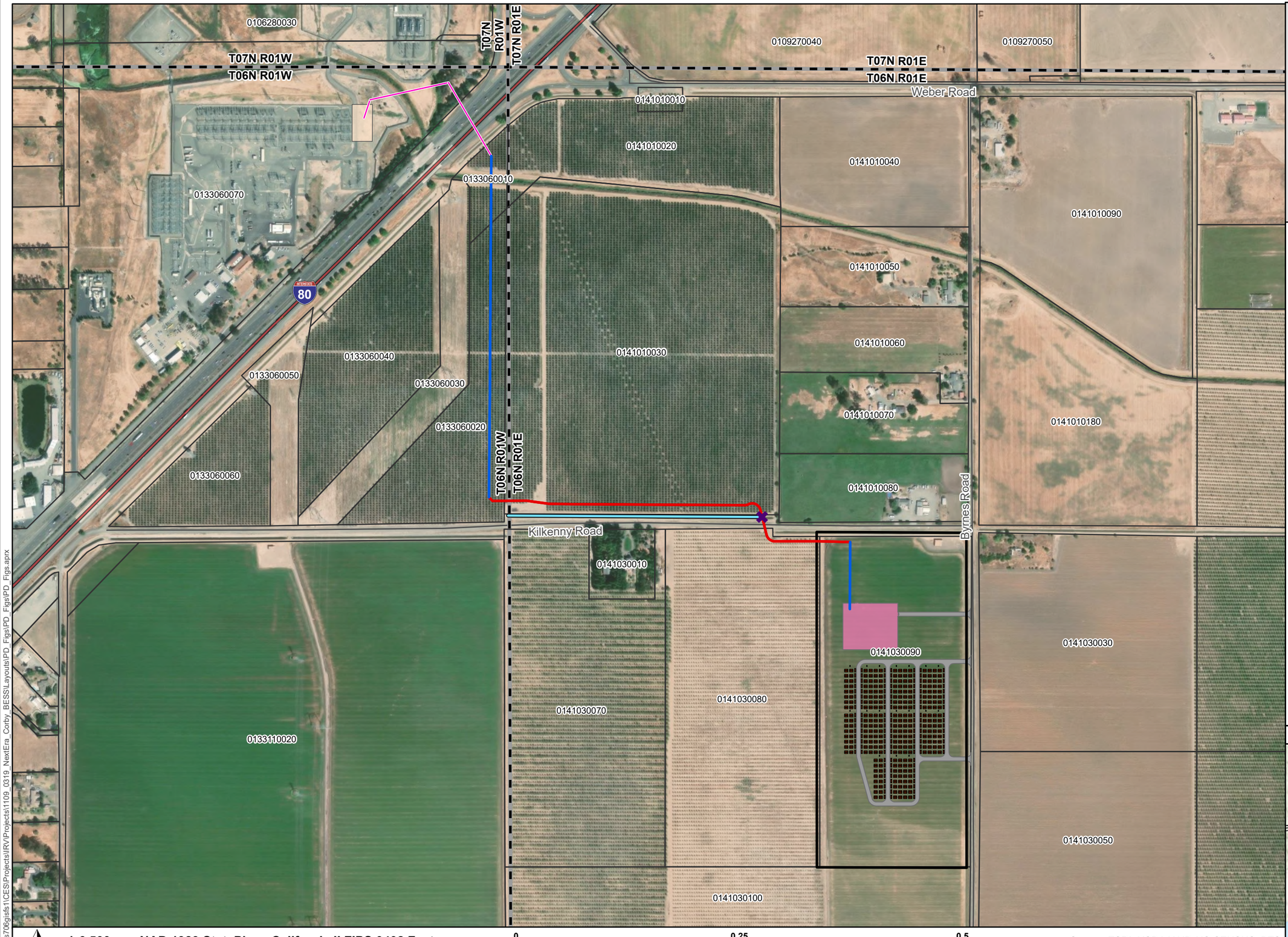
In addition, all Project Design Measures included in the California Energy Commission Opt-In Application for the Corby Battery Energy Storage System Project (20-OPT-05) would be implemented during Project activities to avoid and/or minimize Project impacts.

FIGURES

NextEra Energy Corby Battery Energy Storage System Project

Figure 1 Location of Ditch D-7 Crossing

Solano County, CA



- Ditch D-7
- Parcels
- Township Range

Proposed Components

- HDD and Jack and Bore Crossing of Ditch D-7
- Gen-tie (Overhead; PG&E)
- Gen-tie (Overhead)
- Gen-tie (Underground; Option 1)
- Access Road
- BESS Array
- Project Site
- Project Substation
- New Corby Bay

TETRA TECH

NOT FOR CONSTRUCTION

Reference Map

1:6,500 NAD 1983 StatePlane California II FIPS 0402 Feet

0 0.25 0.5 Miles

Source: ESRI, USDA NAIP, US CENSUS, BTS

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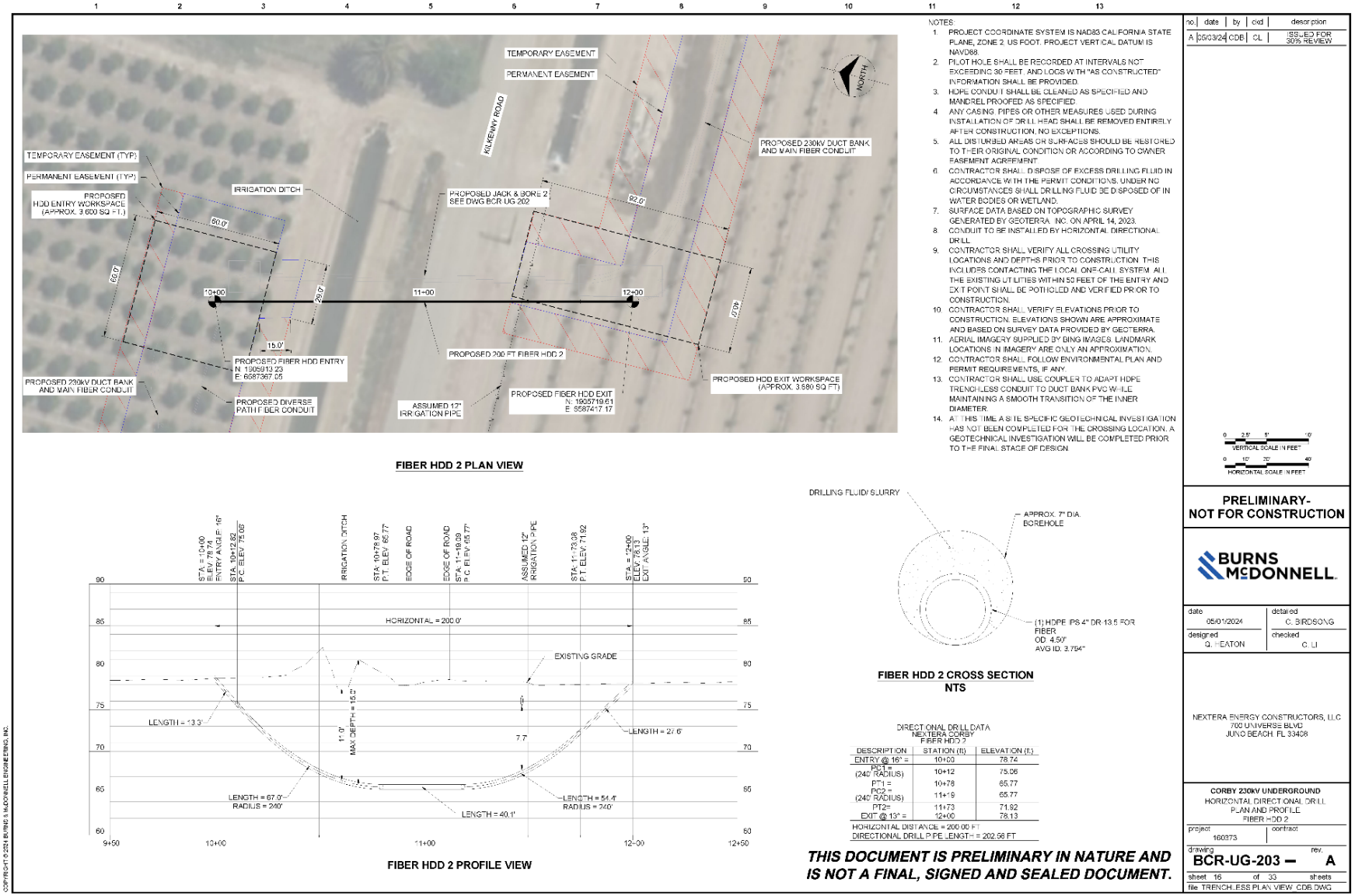

Figure 2. Preliminary HDD Design

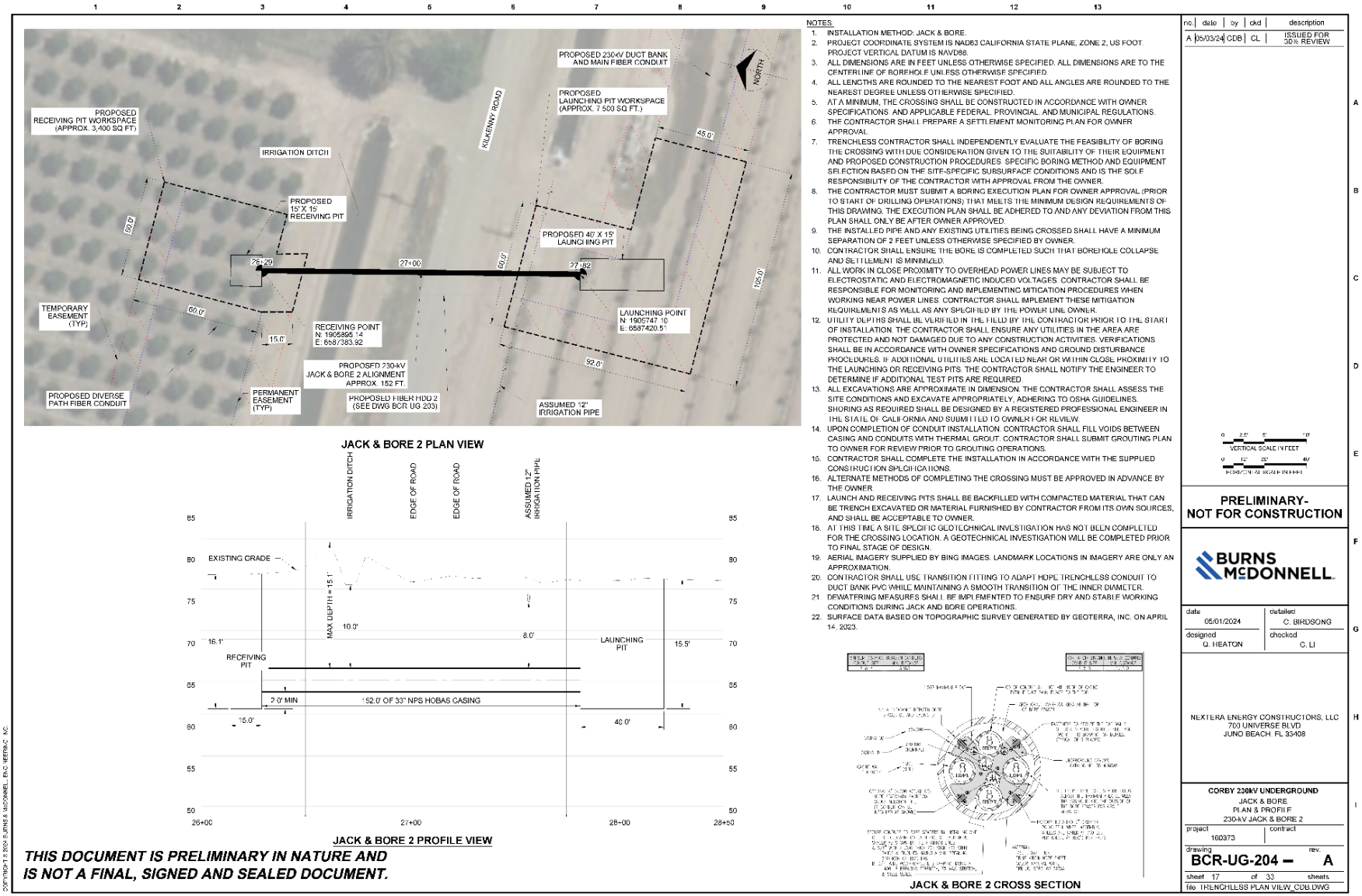

Figure 3. Preliminary Jack and Bore Design

APPENDIX 4-B: BIOLOGICAL RESOURCES SURVEY STAFF REFERENCES AND RESUME

Corby Battery Energy Storage Project

The following references are being provided at CEC's request as evidence of the qualifcations and field experience of biologists that conducted field surveys.

ICF Biologist	Reference 1	Reference 2
Kaitlin Kozlowski	Anna Jordan; 916-539-3122. ajordan@usgs.gov. Wildlife Biologist with USGS	Jeff McFarland; 530-249-6263. jeffrey.mcfarland@tahoe.ca.gov. Wildlife Biologist with Tahoe Conservancy (formerly with CDFW)
Ross Wilming	Jackie Finck: 415.310.2405. jackieyonfinck@gmailcom. Biologist with Kleinfelder	Dr. Gretchen Flohr; 925-789-7459. Gretchen.flohr@icf.com. Wildlife Biologist with ICF
Austin Kozlowski	Matt Toenies; 916-588-0192. matthew.toenies@wildlife.ca.gov. Senior Environmental Scientist with CDFW	Jeff McFarland; 530-249-6263. jeffrey.mcfarland@tahoe.ca.gov. Wildlife Biologist with Tahoe Conservancy (formerly with CDFW)
Michael Scaffidi	Ryan Phillips; 831-234-7324. ryan.phillips@talonecological.org. Wildlife Biologist with Talon.	Dr. Gretchen Flohr; 925-789-7459. Gretchen.flohr@icf.com. Wildlife Biologist with ICF
Arin Phillips	Kara Martinusen; 916-752-0977. kara.martinusen@icf.com. Wildlife Biologist with ICF	Molly Goble; 925-785-5541. Molly.goble@icf.com. Wildlife Biologist with ICF
Rachel Bennett	Eric Hansen; 916-921-8281. echansen@hansenbio.org. Wildlife Biologist with Hansen Biological	Eric Stitt;916-666-3485. Eric.stitt@icf.com. Wildlife Biologist with ICF (formerally with ECORP)

Areas of Expertise

- Wildlife biology
- Nesting birds
- Focused surveys
- Construction monitoring
- Environmental documents

Education

- BSc, Environmental Science and Management (minor in Wildlife, Fish, and Conservation Biology), University of California, Davis, 2018

Years of Experience

- Professional start date: 05/2017
- ICF start date: 05/2017

Certifications

- OSHA 30-Hour Construction; 2022; no exp.
- Adult First-Aid/CPR/AED; American Red Cross; exp. 2026

Training

- Ridgway's Rail Training, ICF, 2018
- Training for High-Speed Rail Jobs, California High-Speed Rail Authority, 2025
- Wildlife Biologist Construction Awareness Training (WildCAT), 2025
- Burrowing Owl Training, Talon Ecological Research Group, 2025

Arin Phillips

Senior Wildlife Biologist

Arin Phillips is a wildlife biologist with experience conducting field studies in a variety of habitats and regions across the western United States. She performs habitat assessments, endangered and threatened species surveys, and has extensive experience conducting and leading environmental compliance monitoring. Arin also works on environmental documents, including critical issues analyses (CIAs), biological assessments (BAs), natural environment studies, and biological sections of California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) documents.

SUMMARY OF SURVEYING AND MONITORING HOURS AND LIFESTAGES OBSERVED BY SPECIES

Species	Survey Hours	Monitoring Hours	Lifestages
American badger	100s	100s	Adult
Blunt-nosed leopard lizard	100s	-	Adult
Burrowing owl	100s	100s	Adult, juvenile, fledgling
California red-legged frog	100s	100s	Adult, eggs
California tiger salamander	100s	100s	All
Desert kit fox	100s	100s	-
Desert tortoise	100s	100s	Adult
Foothill yellow-legged frog	100s	100s	Adult, tadpole
Golden eagle	100s	100s	Adult, juvenile, fledgling
Mojave fringe-toed lizard	100s	100s	Adult
Ridgway's rail	10s	-	Adult
Salt marsh harvest mouse	10s	100s	Adult
San Joaquin kit fox	100s	100s	Adult, juvenile
Santa Ana sucker	10s	-	Adult
Vernal pool branchiopods	10s	10s	Adult
Western pond turtle	10s	100s	Adult

PROJECT EXPERIENCE

Conservation Planning

Tule Red Tidal Restoration Project, Westervelt Ecological Services, Solano County, California, 2018–2019
Biologist. Arin served as a biological monitor for salt marsh harvest mouse (SMHM; *Reithrodontomys raviventris*). Additionally, she monitored nesting birds on site and routinely observed western pond turtle (WPT; *Actinemys marmorata*) adjacent to the project area. Arin delivered Worker Environmental Awareness Program (WEAP) trainings specific to SMHM, RIRA, CBRA, WPT, and CLTE and implemented AMMs and CMs related to these species.

Monitoring hours = >250

Communication Facilities

Middle Mile Broadband Network (MMBN), Arcadian Infracom, Los Angeles and San Bernardino Counties, California, 2024–2025
Biologist. Conducted surveys and land cover delineations to map suitable habitat for each species [desert tortoise (DETO; *Gopherus agassizii*), burrowing owl (BUOW; *Athene cunicularia*), desert kit fox (DKF; *Vulpes macrotis arsipus*), American badger (TATA; *Taxidea taxus*) and Mojave fringe-toed lizard (MFTL*; Uma scoparia*), and protected desert plants] for a 500-mile linear MMBN project through the Mojave desert.

Survey hours = 80

20-Day Environmental Clearance Letter, Comcast, Broomfield County, Colorado, 2022
Biologist. Arin conducted land cover delineations for a fiber installation project, with focus on identifying suitable habitat for black-tailed prairie dog (*Cynomys ludovicianus*), burrowing owl (BUOW; *Athene cunicularia*), and nesting raptors.

Survey hours = 8

Bay Area Connect Fiber Optic Cable Project, Bandwidth Infrastructure Group, Alameda and Santa Clara Counties, California, 2021
Biologist. Arin conducted desktop reviews for sensitive biological resources that could occur along approximately 16 miles of proposed fiber optic lines to support preparation of biological resources preconstruction survey checklists for notice of proposed construction submittals to the California Public Utilities Commission.

Development and Redevelopment

Berkeley Way Housing Project, BRIDGE Housing, Alameda County, California, 2020
Biologist. Arin conducted a preconstruction survey for nesting migratory birds and raptors protected by the MBTA to avoid potential impacts to nests from project-related construction activities. She prepared a memorandum documenting findings.

Survey hours = 8

Energy and Fuels

Mulqueeney Ranch Wind Project, Brookfield Power, Alameda County, California, 2025
Biologist. Conducted special-status species surveys to identify and map habitat for burrowing owl (BUOW; *Athene cunicularia)*. Inspected and maintained wildlife exclusion fencing (WEF) for CTS and CRLF. Processed materials for one-way doors and artificial burrows in compliance with the project's Burrowing Owl Exclusion, Excavation and Monitoring Plan. Along with a team of biologists, installed artificial burrows prior to eviction of burrowing owls in the project area.

Survey hours = 80

Las Camas Solar Project and Substation Expansion, EDP Renewables, Merced County, California, 2024-2025
Biologist. Arin conducted burrowing owl (BUOW; *Athene cunicularia*) and San Joaquin kit fox (SJKF; *Vulpes macrotis mutica*) surveys for the Las Camas Solar Project. BUOW surveys conducted were modified from the California Department of Fish and Wildlife (CDFW) BUOW protocol (CDFW 2012) to fit client and project needs. Additionally, den monitoring that included the use of tracking medium and remote cameras was carried out at 11 potential SJKF dens. No SJKF use was observed. Arin also monitored construction activities during the approximate 10-acre expansion of the Las Camas substation. 38 BUOW were identified during surveys between 2024-2025.

Survey hours = 60; monitoring hours = 200

Brighton-Davis Idle Line Removal Project, Pacific Gas and Electric Company (PG&E), Yolo County, California, 2024
Biologist. Arin delivered worker environmental awareness program (WEAP) trainings specific to vernal pool branchiopods, burrowing owl (BUOW; *Athene cunicularia*), and California tiger salamander (CTS; *Ambystoma californiense*). She conducted preconstruction land cover delineation surveys to identify and flag vernal pool branchiopod, BUOW, and CTS habitat. Arin observed two adult BUOW and one desiccated CTS metamorph in the project area and implemented AMMs and CMs related to BUOW and CTS.

Survey hours = 30; monitoring hours= 80

Sandrini Solar Development Project, EDP Renewables, Kern County, California, 2024
Biologist. Arin conducted protocol blunt-nosed leopard lizard (BNLL; *Gambelia sila*) surveys as a Level I surveyor. Surveys followed the *Revised Survey Methodology for the Blunt-nosed Leopard Lizard (Gambelia sila)* (California Department of Fish and Wildlife [CDFW] 2019). No BNLL were observed.

Survey hours = 60

Big Sampson Wind Project, Engie North America, Crockett County, Texas, 2023
Biologist. While employed with Tetra Tech, Arin assisted a senior biologist in the field conducting wetland delineations using the three-parameter method described in the 1987 U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual. She also authored the water resources report for the project.

Various Structure Replacement Projects, Tri-State Generation and Transmission Association, Moffat, Rio Blanco, and Weld Counties, Colorado, 2022-2023
Biologist/Field Lead. While employed with Tetra Tech, Arin conducted preconstruction pedestrian and aerial raptor nest surveys. She identified and monitored active golden eagle (GOEA; *Aquila chrysaetos*) and peregrine falcon (PEFA; *Falco peregrinus*) nests within the project area from incubation through fledging. She prepared a raptor nest report for submission to the Bureau of Land Management (BLM). Additionally, she completed a noxious weed inventory within the transmission line right-of-way (ROW) and associated access roads. Arin implemented AMMs and CMs related to GOEA and other nesting birds and conducted regular inspections of the construction work areas to ensure compliance with environmental requirements, including USACE, the Clean Water Act (CWA), and BLM plan of development requirements.

Survey hours = >200; monitoring hours = >200

Rupert and Helianthus Solar Projects, NextEra Energy Resources, Grant and Ellis Counties, Kansas, 2023
Biologist. While employed with Tetra Tech, Arin authored the wildlife and plants sections of the CIA for a proposed solar project. She also completed a reconnaissance-level site visit to verify findings from the CIA desktop review, including delineating land cover suitable for special-status species.

Survey hours = 16

Westlake to Boulder Junction Project, Xcel Energy, Boulder County, Colorado, 2022–2023
Biologist. While employed with Tetra Tech, Arin conducted preconstruction land cover delineation surveys to identify, flag, and map black-tailed prairie dog (*Cynomys ludovicianus*) habitat. Arin relocated black-tailed prairie dogs from approximately 80 burrows within the construction work area using reverse dispersal translocation methods. Arin also monitored replacement of an existing natural gas line within the work area to ensure avoidance of impacts to black-tailed prairie dogs.

Survey hours = >200; monitoring hours = >200

Craig Solar Project, Con Edison Clean Energy Business, Moffat County, Colorado, 2022
Biologist. While employed with Tetra Tech, Arin conducted a site visit to verify desktop solar site assessment findings for a proposed solar project. She conducted a wildlife habitat survey to assess general biological resources in the project area and prepared a wildlife habitat report documenting findings. Additionally, Arin assisted a senior biologist in the field

with wetland delineations using the three-parameter method described in the 1987 USACE Wetland Delineation Manual.

Survey hours = 16

Sterling Ranch Natural Gas Project, Xcel Energy, Douglas County, Colorado, 2022
Biologist. While employed with Tetra Tech, Arin conducted protocol-level preconstruction BUOW surveys for a natural gas line installation project according to Colorado Parks and Wildlife's (CPW) *Recommended Survey Protocol and Actions to Protect Nesting Burrowing Owls*. She observed several adult BUOW adjacent to the project area.

Survey hours = 8

Sugar Pine Solar and Storage Project, Enel Green Power, Klamath County, Oregon, 2022
Biologist. While employed with Tetra Tech, Arin conducted landcover delineation surveys to identify and map habitat for special-status species for a proposed 300 MW solar and 150 MW storage project.

Survey hours = 40

Capulin Wind Project, BluEarth Renewables, Union County, New Mexico, 2022
Biologist. Arin conducted eagle and large bird point counts as part of resource assessments for a proposed 400 MW wind project.

Survey hours = 16

Sonoran Solar Project, NextEra Energy Resources, Maricopa County, Arizona, 2021–2022
Biologist. Arin provided third-party compliance support to the BLM on a 260 MW solar and 260 MW battery storage project on BLM-administered land. She monitored construction activities on behalf of the BLM to verify that construction crews were performing activities consistent with BLM authorizations and that monitoring was conducted appropriately for special-status species such as DETO and BUOW. Arin also provided quality assurance/quality control review of compliance logs from other monitors.

Monitoring hours = 40

Vegetation Management North Region, Pacific Gas and Electric Company (PG&E), Various Counties on U.S. Forest Service Lands, California, 2021–2022
Biologist. Arin conducted preconstruction desktop reviews and prepared biological constraints reports (BCRs) for vegetation management projects along PG&E electric distribution lines on U.S. Forest Service lands.

Big Creek Hydroelectric System Transmission Line Rating Remediation Project, Southern California Edison (SCE), Fresno County, California, 2020–2022
Construction Lead Monitor/Deputy Project Manager. Arin determined construction monitoring needs, provided training and day-to-day oversight of biological and cultural

monitors, and communicated regularly with contractors and the client to ensure management plans remained up to date and monitoring and data collection needs were met across the project. She conducted daily preconstruction surveys and monitoring for sensitive resources such as California red-legged frog (CRLF; *Rana draytonii*), California tiger salamander (CTS; *Ambystoma californiense*), Sierra Nevada yellow-legged frog (SNYF; *Rana sierrae*), San Joaquin kit fox (SJKF; *Vulpes macrotis mutica*), nesting birds, and roosting bats. She implemented AMMs and CMs related to these species and installed and maintained resource signage in the project area. Completed daily monitoring reports and reviewed reports from biological and cultural monitors.

Survey hours = >100; monitoring hours = >1000

Eagle Ridge Road Repair Project, PG&E, Alameda County, California, 2019–2021
Biologist. Arin identified wildlife exclusion fence (WEF) placement specific to CTS and supervised installation of WEF. Developed and delivered WEAP training and implemented AMMs and CMs related to CTS. Conducted preconstruction land cover delineation surveys to identify, flag, and map CTS habitat. She performed hand excavation of California ground squirrel (OTBE; *Otospermophilus beecheyi*) burrows for potential CTS occupancy with mini-excavator assistance. Arin observed five adult CTS and handled one adult CTS under the supervision of the Designated Biologist. She also conducted monthly post-construction compliance monitoring and prepared monthly compliance reports.

Survey hours = 60; monitoring hours = 90

Electric Transmission Line Access Road Maintenance Environmental Services, PG&E, Electric Transmission Service Area, California, 2019–2022
Biologist/Project Coordinator. Arin conducted wildlife habitat assessments, sensitive species surveys, and construction monitoring for various access road maintenance projects. She developed and delivered Worker Environmental Awareness Program (WEAP) trainings for construction personnel. Arin prepared biological constraints reviews (BCRs) and coordinated staff for completion of preconstruction surveys and construction monitoring.

Electric Transmission Line Access Road Maintenance (ARM) Hillsdale Junction, Half Moon Bay, PG&E, San Mateo County, California, 2020
Biologist. Arin conducted preconstruction clearance surveys and construction monitoring for San Francisco garter snake (SFGS; *Thamnophis sirtalis tetrataenia*), CRLF, western pond turtle (WPT; *Actinemys marmorata*), and San Francisco dusky-footed woodrat (SFDFWR; *Neotoma fuscipes annectans*) during vegetation removal activities for vehicle and foot path clearance leading to transmission towers in San Mateo County. She developed and delivered WEAP training to construction personnel and prepared daily monitoring logs documenting compliance of all construction-related activities. Several potential SFDFWR nests were observed and marked for avoidance.

Survey hours = 20; monitoring hours = 20

Electric Transmission Line ARM, Salmon Creek Tap, PG&E, Sonoma County, California, 2020
Biologist. Arin conducted preconstruction surveys for western bumble bee (BOOC; *Bombus occidentalis*) and host plants for Myrtle's silverspot butterfly (*Speyeria zerene myrtleae*), particularly western dog violet (*Viola adunca*), along approximately 2 miles of electric transmission line located in Sonoma Coast State Park. Over 100 plants were observed. Additionally, Arin developed and delivered WEAP training to construction personnel and implemented AMMs and CMs related to Myrtle's silverspot butterfly during biological monitoring for vegetation removal activities along the transmission line.

Survey hours = 16; monitoring hours = 40

Desert Harvest and Palen (Maverick) Solar Projects, EDF Renewables, Riverside County, California, 2019–2020
Biologist. Arin composed compliance trackers for Desert Harvest plans and permits and assisted in assessing potential mitigation parcels for desert tortoise (DETO; *Gopherus agassizii*) suitability. She also conducted preconstruction surveys for DETO, desert kit fox (DKF; *Vulpes macrotis arsipus*), and BUOW and implemented AMMs and CMs related to these species, including monitoring WEF throughout project construction. Arin monitored active nests, including BUOW and loggerhead shrike (LOSH; *Lanius ludovicianus)* in the project area, and relocated wildlife found in disturbance areas, including common species such as Mojave shovel-nosed snakes, desert glossy snakes, long-nosed leopard lizards, western banded gecko, desert iguana, western zebra-tailed lizard, desert horned lizard, side-blotched lizard, western whiptail, desert kangaroo rats, and round-tailed ground squirrels. Arin handled more than 100 Mojave fringe-toed lizards (MFTL; *Uma scoparia*) and relocated them to suitable habitat outside the disturbance area.

Survey hours = >500; monitoring hours = >500

Gas Pipeline Vegetation Maintenance Project, PG&E, Santa Cruz and Monterey Counties, California, 2019
Biologist. Arin delivered Worker Environmental Awareness Program (WEAP) training and monitored vegetation removal along PG&E gas transmission ROWs to ensure compliance with PG&E's habitat conservation plan. She conducted clearance surveys of work areas for CRLF and Santa Cruz long-toed salamander (SCLS; *Ambystoma macrodactylum croceum*). No special-status species were observed.

Monitoring hours = 8

Hopland Valve Project, PG&E, Mendocino County, California, 2019
Biologist. Arin conducted preconstruction clearance surveys for FYLF, monitored wildlife exclusion fencing (WEF) throughout project construction, and delivered WEAP training specific to FYLF. She implemented AMMs and CMs related to FYLF and observed several juvenile FYLF and numerous tadpoles in a creek adjacent to the project area.

Survey hours = 40

Wright Solar Park Construction Monitoring, Clenera, Merced County, California, 2018–2020
Biologist. Arin conducted land cover delineation surveys to identify and map CTS, SJKF, BUOW, and American badger (TATA; *Taxidea taxus*) habitat and burrows. She performed hand excavation of OTBE burrows for potential CTS occupancy with mini-excavator assistance. Arin excavated more than 200 burrows and handled and released PICA and OTBE encountered during the project. Arin observed TATA and BUOW on site. Arin also conducted post-construction avian carcass and avian use surveys. No CTS were recovered during excavations.

Survey hours = >300; monitoring hours = >300

Tule Wind Power Project, Avangrid Renewables, San Diego County, California, 2017–2019
Biologist. Arin composed weekly construction monitoring reports and monthly California National Diversity Database (CNDDB) reports using monitoring logs from biologists in the field. She assisted with scheduling and coordinating daily work plans for field biologists. Under the direction of a Qualified Stormwater Pollution Prevention Plan (SWPPP) Practitioner (QSP), Arin conducted interim and post-rain SWPPP inspections in the field to evaluate erosion and best management practices (BMPs) on site.

Big Beau Solar Project, EDF Renewables, Kern County, California, 2019
Biologist. Arin conducted protocol-level surveys for DETO and BUOW, including transects for protected desert plants and SJKF. Protected desert plants observed included silver cholla (*Cylindropuntia echinocarpa*), beavertail cactus (*Opuntia basilaris var. basilaris*), and Joshua tree (*Yucca brevifolia*).

Survey hours = 40

North 20 Repair Projects, Shell Pipeline, Contra Costa County, California, 2018–2019
Biologist. Arin assisted a senior biologist in the field to conduct landcover delineations to identify suitable habitat for sensitive biological resources around repair sites, including CRLF and CTS. Arin monitored a gas pipeline repair dig on East Bay Regional Park District property and implemented AMMs and CMs related to CRLF and CTS. No CRLF or CTS were observed.

Survey hours = 8; monitoring hours = 8

Tehachapi Renewable Transmission Project, SCE, Kern, Los Angeles, and San Bernardino Counties, California, 2017–2018
Biologist/FRED Head. Arin managed nesting bird reports in SCE's Field Reporting and Environmental Database (FRED) by collecting real-time data on nest conditions from biologists in the field to create or update reports. She determined where nest buffers overlapped with construction components and notified the client and contractor of affected work areas.

Fisheries

Santa Ana River Aquatic Predator Removal, San Bernardino Valley Municipal Water District, San Bernardino County, California, 2019
Volunteer. Arin participated in removing non-native aquatic predators from dewatered portions of the Santa Ana River. She identified stranded native fish and rescued and held native fish for release back into the river under the supervision of permitted biologists. Fish species handled and removed included blue catfish (*Ictalurus furcatus),* largemouth bass (MISA; *Micropterus salmoides*), American bullfrog (*Lithobates catesbeianus*), western mosquito fish (GAAF; *Gambusia affinis*), green sunfish (*Lepomis cyanellus*), and common carp (*Cyprinus carpio*). Arin conducted fish rescue for Santa Ana sucker (*Catostomus santaanae*) and arroyo chub (*Gila orcutti*) and handled numerous individuals.

Survey hours = 8

Miners Ravine Trail Repair Project, City of Roseville, Placer County, California, 2018
Biologist. Arin assisted with monitoring construction around Miners Ravine and implemented AMMs and CMs related to Chinook salmon (ONTS; *Oncorhynchus tshawytscha*) and California Central Valley steelhead (ONMY; *Oncorhynchus mykiss*). No special-status species were observed during monitoring.

Monitoring hours = 8

Fish Laboratory Field Study—University of California, Davis (UC Davis), Field Methods Course, Yolo County, California, 2018
While attending UC Davis, Arin attended a field trip to Putah Creek to learn methods for fish collection and processing. She participated in backpack electrofishing, beach seining, trapping, and processing fish.

Land Use Planning

San Francisco Housing Element 2022 Update Environmental Impact Report (EIR), San Francisco Planning Department, California, 2021–2022
Biologist. Arin assisted with preparation of the biological resources section of the administrative draft EIR for the proposed update of the adopted 2014 housing element of the San Francisco General Plan.,

Union City Station District Specific Plan EIR, City of Union City, Alameda County, California, 2022
Biologist. Arin assisted with preparation of the biological resources section of the administrative draft EIR for the specific plan. The specific plan is intended to ensure consistency with the Union City General Plan and provide additional guidance that will inform future development.

Environmental Standard Conditions of Approval, City of Millbrae, San Mateo County, California, 2021
Biologist. Arin prepared the biological resources section of the City of Millbrae's conditions of approval, which included objective standards for biological resources to facilitate ministerial approval of development projects proposed within the City.

Transportation

Merced Seismic Restoration Project, Caltrans District 10, Merced County, California, 2024-2025
Biologist. Arin provided biological monitoring, implemented AMMs and CMs related to SJKF, CTS, and nesting birds, and delivered Worker Environmental Awareness Program (WEAP) training specific to SJKF and CTS for seismic retrofit construction activities at five bridge locations in Merced County.

Monitoring hours = >200

Westley Safety Roadside Rest Area, Caltrans, Stanislaus County, California, 2024
Biologist. Monitored demolition of the rest stop facility. Presented worker environmental awareness program (WEAP) trainings specific to San Joaquin kit fox (SJKF; *Vulpes macrotis mutica*), California tiger salamander (CTS; *Ambystoma californiense*), California red-legged frog (CRLF; *Rana draytonii*), valley elderberry longhorn beetle (VELB; *Desmocerus californicus dimorphus*) and nesting bird species. Implemented avoidance and minimization measures (AMMs) and conservation measures (CMs) related to SJKF, CTS, CRLF, and VELB.

Monitoring hours = 20

Interstate 5 Protocol Blunt-Nosed Leopard Lizard Surveys, Caltrans District 10, Merced County, California, 2024
Biologist. Arin was part of a team of biologists conducting protocol blunt-nosed leopard lizard (BNLL; *Gambelia sila*) surveys for a 32-mile Caltrans project along Interstate 5 in Merced County. Surveys followed the *Revised Survey Methodology for the Blunt-nosed Leopard Lizard (Gambelia sila)* (California Department of Fish and Wildlife [CDFW] 2019). No BNLL were observed.

Survey hours = 40

San Benito State Route (SR) 156 Project, California Department of Transportation (Caltrans) District 5, San Benito County, California, 2021
Biologist. Arin performed hand excavation of OTBE burrows for potential CTS occupancy during a highway-widening project. She conducted inspections of wildlife exclusion fencing (WEF) around the project site. No CTS were found during excavations.

Survey hours = 40

Culvert Rehabilitation Project, Caltrans District 10, Alpine, Amador, and Tuolumne Counties, 2021
Biologist. Arin conducted protocol-level preconstruction great gray owl (GGOW; Strix nebulosa) and willow flycatcher (WIFL; *Empidonax traillii*surveys). Arin also conducted construction monitoring and implemented AMMs and CMs related to these species for culvert rehabilitation work along SR 16 and SR 88.

Survey hours = 40; monitoring hours = 40

Merced Pavement Anchor Project, Caltrans District 10, Merced County, California, 2021
Biologist. Arin conducted reconnaissance-level field surveys for special-status wildlife along approximately 12 miles proposed for repair and improvements along SR 59. She assisted a senior biologist with a focused special-status amphibian and reptile habitat assessment for CTS, CRLF, western spadefoot (*Spea hammondii*), GGS, BNLL, and WPT. Arin also conducted a raptor nest search to identify active Swainson's hawk (SWHA; *Buteo swainsoni*) and other nesting bird activity in the study area.

Survey hours = 16

Blunt Nosed Leopard Lizard Surveys, Caltrans, Kern County, California, 2019
Biologist. Assisted with protocol-level blunt nosed leopard lizard (BNLL; *Gambelia sila*) surveys along SR 58 as a Level I surveyor.

Survey hours = 40

Interchange Improvements at Interstate 580 (I-580) and I-205, Caltrans, San Joaquin County, California, 2019
Biologist. Arin assisted a senior biologist in the field with conducting habitat assessments for special-status wildlife, including land cover delineations to identify and map suitable habitat for CRLF, CTS, western spadefoot (*Spea hammondii*), BUOW, LOSH, Townsend's big-eared bat (*Corynorhinus townsendii*), and SWHA.

Survey hours = 16

Water and Wastewater

Upper Swanston Ranch Irrigation and Fish Passage Project, California Department of Water Resources (DWR), Yolo County, California, 2025-Ongoing
Biologist. Conducted nesting bird surveys and protocol-level SWHA surveys, monitored construction, supervised installation of wildlife exclusion fence (WEF) and maintained WEF throughout project construction, and implemented AMMs and CMs to ensure compliance with all project permits with respect to special-status species, including GGS, WPT, SWHA, and listed fish. Arin also took water quality measurements during construction. Observations include adult dark morph and intermediate morph SWHA, along with active nesting and chick maturation.

Survey hours = 20; monitoring hours = >100

Delta Conveyance Plan, California Department of Water Resources, Sacramento, California, 2019–2022
Biologist. Arin assisted with preparing the terrestrial biological resources chapter of the EIR/EIS and sections of the federal (BA) and state (2081) permit application, including preparing species accounts for more than 50 special-status species.

Del Puerto Canyon Reservoir, Del Puerto Water District, Stanislaus County, California, 2019
Biologist. Arin conducted habitat assessments for special-status species, including conducting land cover delineations to identify and map suitable habitat for SJKF, BUOW, valley elderberry longhorn beetle (VELB; *Desmocerus californicus dimorphus*), CRLF, western spadefoot (*Spea hammondii*), tricolored blackbird (TRBL; *Agelaius tricolor*), SWHA, bats, and vernal pool species. She also monitored geotechnical boring work to ensure environmental compliance and assisted in preparing the biological resources chapter of the EIR for the project.

Survey hours = 40; monitoring hours = 40

Additional Projects

Burrowing Owl Trapping and Banding Training, Talon Ecological Research Group, Santa Clara County, California, 2025
Biologist. Attended training session conducted by Talon Ecological Research Group. Training group captured morphometric data for 21 juvenile and adult BUOW (14 in enclosures, 7 in the wild) and observed the banding process. Observed various designs for artificial burrows and trapping techniques, including Winchell walk-in traps, bubble nets, one-way doors, and bow nets. Arin handled two juvenile and one adult BUOW under the supervision of Talon biologist Ryan Phillips.

Training hours = 6

Boreal Toad Conservation Team, Denver Zoo, Colorado, 2023
Volunteer. Arin conducted boreal toad (*Bufo boreas boreas*) surveys in potential wetland habitat and evaluated habitat quality to support research on the species' status in Colorado. No boreal toads were observed during surveys.

Survey hours = 16

Colorado Pika Project, Rocky Mountain Wild and Denver Zoo, Colorado, 2022
Volunteer. Arin conducted American pika (*Ochotona princeps*) surveys at long-term monitoring sites in Rocky Mountain National Park. Collected data on pika presence and habitat characteristics to support research on impacts to pika from climate change. Numerous pika and pika sign (hay piles and scat) were observed during surveys.

Survey hours = 16

California Tiger Salamander Larval Surveys, Dave Cook, Santa Rosa Plain, Sonoma County, California, 2019
Volunteer. Arin dip-netted for CTS at several vernal pools on the Santa Rosa Plain and collected CTS tissue samples for a genetic study. She observed numerous CTS larvae and handled more than 50 CTS larvae.

Survey hours = 8

California Tiger Salamander and Vernal Pool Tadpole Shrimp Aquatic Surveys, Don Edwards National Wildlife Refuge (NWR), Alameda County, California, 2019
Volunteer. Arin dip-netted for CTS and vernal pool tadpole shrimp (VPTS; *Lepidurus packardi*) at several vernal pools in the Warm Springs unit of Don Edwards NWR. She observed and handled multiple VPTS, vernal pool fairy shrimp (VPFS; *Branchinecta lynchi*), and CTS eggs and larvae.

Survey hours = 8

Ridgway's Rail Training, ICF, Alameda County, California, 2018
Biologist. Arin attended a training session conducted by biologist Matt Ricketts {(10(a)1(A)] Permit No. TE61177B-0) in Martin Luther King, Jr. Regional Shoreline Park to learn to identify Ridgway's rail (RIRA; *Rallus obsoletus*) and its habitat. She visually observed three RIRA at close distance, and heard various call types (i.e., duet, clatter, kek, and squawk) from 12 to 15 RIRA around approximately 10 calling centers.

Survey hours = 4

Wood Duck Project, UC Davis, Yolo County, California, 2017
Field Technician Intern. While attending UC Davis, Arin interned in the Eadie Laboratory on the Wood Duck (WODU; *Aix sponsa*) Project, a study on wood duck breeding ecology. She monitored wood duck nest boxes and recorded data on hens, hatchlings, eggs, and nest conditions. Arin handled numerous wood duck eggs and assisted in handling hatchlings to be PIT-tagged and banded.

Golden Gate Raptor Observatory, Golden Gate Raptor Observatory, Marin County, California, 2016
Volunteer. Arin assisted a biologist in the field with trapping, banding, and measuring raptors, including merlin (MERL; *Falco columbarius*) and red-shouldered hawk (RSHA; *Buteo lineatus*).

Salt Marsh Harvest Mouse Conservation and Management Project, UC Davis and California Department of Fish and Wildlife (CDFW), Solano County, California, 2015–2016
Volunteer. While attending UC Davis, Arin volunteered under the supervision of CDFW employee Katie Smith on a joint research project between UC Davis and CDFW. She conducted quarterly radio telemetry surveys of radio-collared SMHM in Suisun Marsh. Arin

also assisted with approximately 300 trap nights in the field, setting and checking live traps for SMHM and other small rodents. She assisted with measuring and ear tagging western harvest mice (WHM; *Reithrodontomys megalotis*), California voles, (MICA, *Microtis californicus*) and house mice (MUMU; *Mus musculus*), recorded data in the field, entered data into an online database, and reviewed entries from other volunteers to check for errors and consistency.

Survey hours = 60

Owl Burrow Monitoring, Friends of the Burrowing Owls, Yolo County, California, 2015
Volunteer. While attending UC Davis, Arin joined Friends of the Burrowing Owls, a group organized by UC Davis School of Veterinary Medicine Doctors Lisa Tell and Janet Foley. Arin served on the burrow monitoring team; under the direction of Janet Foley, Arin conducted burrow surveys and attended field meetings to observe BUOW in the wild. Several adult BUOW were observed during field meetings. She also collected roadkill to be tested for anticoagulant rodenticides.

Survey hours = 20

Crow Study, Ryan Ecological Consulting/Los Angeles Audubon, Los Angeles County, California, 2013–2014
Volunteer. Arin assisted with American crow (AMCR; *Corvus brachyrhynchos*) mark-recapture surveys in a study evaluating the crow population around a least tern colony in Marina del Rey. She participated in California least tern (CALT; *Sternula antillarum browni*) colony clean-ups.

APPENDIX 5-A: CULTURAL RESOURCES RECORDS SEARCH REPORTS

This Appendix is filed under a request for confidential designation

APPENDIX 5-B: SITE RECORD P-48-000177

This Appendix is filed under a request for confidential designation