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Description:	MONTHLY COMPLIANCE REPORT (MCR No. 3) - AUGUST 2025 - EVAPORATION POND LINING & BESS INTERCOMMECTION ACTIVITIES
Filer:	Anwar Ali
Organization:	Rincon Consultants
Submitter Role:	Commission Staff
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September 15, 2025
Project No: 24-16970

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

Subject: **Midway Pond Lining and Interconnection BESS Project within APN 027-060-91S in Unincorporated Fresno County, California (Docket No. 06-AFC-10C and Post Certification Amendments)**
43627 West Panoche Road, Firebaugh, California 93622
Monthly Compliance Report 3, Report Period: August 2025

Dear Dr. Ali:

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

The Midway Pond Lining Project was completed on August 27, 2025, and construction of the next California Energy Commission jurisdictional component, the Interconnect Project, does not have an anticipated construction start date until the second Quarter of 2026. As there is currently no active construction, and MCR reporting is only required during construction phases, MCR reporting for the Project will be paused moving forward until construction resumes.

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

Sincerely,
Rincon Consultants, Inc.

Ashley Quackenbush
Supervising Environmental Planner/Project Manager

Midway Pond Lining and BESS Interconnection Project

Monthly Compliance Report 3
Report Period: August 2025

prepared for

Midway Peaking LLC
43627 West Panoche Road
Firebaugh, California 93622

prepared by

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

August 2025

RINCON CONSULTANTS

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1 Current Project Status

This Monthly Compliance Report (MCR) has been prepared by Rincon Consultants, Inc. (Rincon) in accordance with the Conditions of Certification (CoC) issued by the California Energy Commission (CEC) as part of licensing and subsequent amendments (Docket No. 06-AFC-10C and Post-Certification Amendments) for the Midway Peaking Plant Project. This MCR is only applicable to the Midway Pond Lining and Interconnection Battery Energy Storage System (BESS) Project (Project). This is the third MCR for the Project as construction of the pond lining component commenced in June 2025. The reporting period covers August 1 through August 31, 2025.

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

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

The following provides a construction schedule consistent with Compliance-6 Requirement 1.[1] Pond Lining ground disturbance commenced on June 16, 2025. Construction activities for the month of August consisted of electrical work within vaults and pulling wire through existing conduit, excavation of new conduit trench, installation of conduit in trench, backfill of trench, and installation of electrical components to control a new pump installed inside a conex container. The Midway Pond Lining Project was completed on August 27, 2025, and construction of the next CEC jurisdictional component, the Midway Interconnect BESS Project, does not have an anticipated construction start date until the second Quarter of 2026. The most up to date schedule is attached to this MCR in Appendix B.

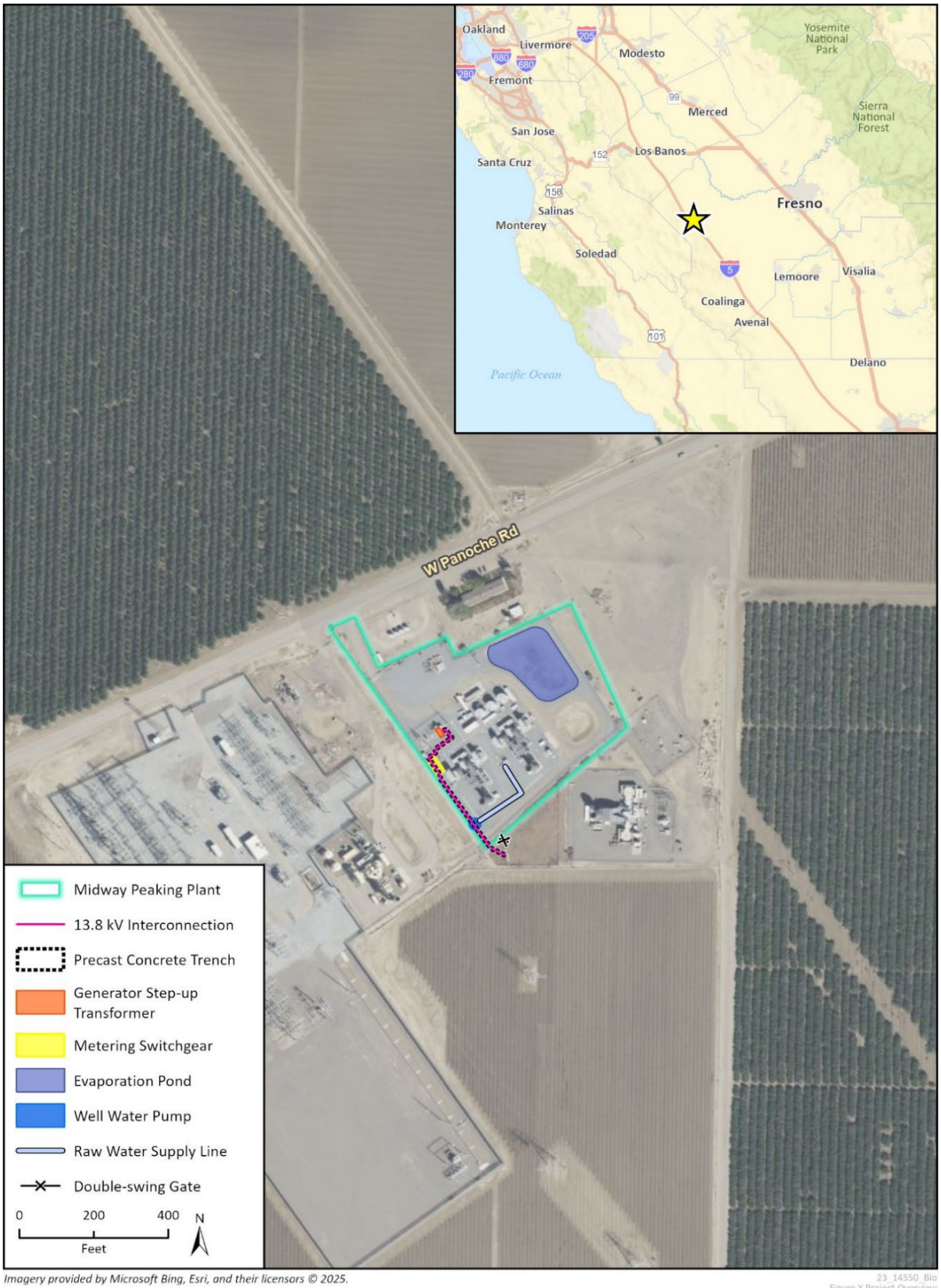
Biological resource monitoring was conducted for seven (7) days in August (August 4, 5, 6, 7, 14, 20, and 29, 2025). A Biologist conducted a preconstruction sweep for biological resources in all work areas prior to construction commenced. No compliance issues were observed during August. All biological monitoring records and the biological monthly compliance monitoring summary are attached in Appendix B.

Archaeological monitoring was conducted for one (1) day in August (August 5, 2025). No compliance issues were observed during August. The cultural resources monitoring monthly summary report and the daily monitoring log are attached in Appendix B.

Paleontological monitoring was conducted for two (2) days in August (August 4, and 5, 2025). No compliance issues were observed. The Paleontological Resources Report is attached in Appendix B.

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

Figure 1 Site Map



2 Compliance Matrix

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

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

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

3 Monthly Compliance Report Submittal Requirements

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

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

Table 1 Monthly Compliance Report Submittal Requirements, August 2025

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

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

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

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

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

Condition	Requirements	Documentation	Location within this MCR
GEN-3	The project owner shall make payments to the CBO for design review, plan check and construction inspection based upon a reasonable fee schedule to be negotiated between the project owner and the CBO. These fees may be consistent with the fees listed in the 2001 CBC [Chapter 1, Section 107 and Table 1-A, Building Permit Fees; Appendix Chapter 33, Section 3310 and Table A-33-A, Grading Plan Review Fees; and Table A- 33-B, Grading Permit Fees], adjusted for inflation and other appropriate adjustments; may be based on the value of the facilities reviewed; may be based on hourly rates; or may be as otherwise agreed by the project owner and the CBO. Verification: The project owner shall make the required payments to the CBO in accordance with the agreement between the project owner and the CBO. **The project owner shall send a copy of the CBO's receipt of payment to the CPM in the next Monthly Compliance Report indicating that the applicable fees have been paid.**	The project owner shall send a copy of the CBO's receipt of payment to the CPM in the next Monthly Compliance Report indicating that the applicable fees have been paid.	Appendix B
GEN-6	Prior to the start of an activity requiring special inspection, the project owner shall assign to the project, qualified and certified special inspector(s) who shall be responsible for the special inspections required by the 2001 CBC, Chapter 17 [Section 1701, Special Inspections; Section 1701.5, Type of Work (requiring special inspection)]; and Section 106.3.5, Inspection and observation program. All transmission facilities (lines, switchyards, switching stations and substations) are handled in conditions of certification in the Transmission System Engineering section of this document. The special inspector shall: 1. Be a qualified person who shall demonstrate competence, to the satisfaction of the CBO, for inspection of the particular type of construction requiring special or continuous inspection; 2. Observe the work assigned for conformance with the approved design drawings and specifications; 3. Furnish inspection reports to the CBO and RE. All discrepancies shall be brought to the immediate attention of the RE for correction, then, if uncorrected, to the CBO and the CPM for corrective action [2001 CBC, Chapter 17, Section 1701.3, Duties and Responsibilities of the Special Inspector]; and 4. Submit a final signed report to the RE, CBO, and CPM, stating whether the work requiring special inspection was, to the best of the inspector's knowledge, in conformance with the approved plans and specifications and the applicable provisions of the applicable edition of the CBC. A certified weld inspector, certified by the American Welding Society (AWS), and/or American Society of Mechanical Engineers (ASME) as applicable, shall inspect welding performed on-site requiring special inspection (including structural, piping, tanks and pressure vessels). Verification: At least 15 days (or project owner and CBO approved alternative timeframe) prior to the start of an activity requiring special inspection, the project owner shall submit to the CBO for review and approval, with a copy to the CPM, the name(s) and qualifications of the certified weld inspector(s), or other certified special inspector(s) assigned to the project to perform one or more of the duties set forth above. **The project owner shall also submit to the CPM a copy of the CBO's approval of the qualifications of all special inspectors in the next Monthly Compliance Report.** If the special inspector is subsequently reassigned or replaced, the project owner has five days in which to submit the name and qualifications of the newly assigned special inspector to the CBO for approval. The project owner shall notify the CPM of the CBO's approval of the newly assigned inspector within five days of the approval.	The project owner shall also submit to the CPM a copy of the CBO's approval of the qualifications of all special inspectors in the next Monthly Compliance Report.	Appendix B
GEN-7	If any discrepancy in design and/or construction is discovered in any engineering work that has undergone CBO design review and approval, the project owner shall document the discrepancy and recommend the corrective action required [2001 CBC, Chapter 1, Section 108.4, Approval Required; Chapter 17, Section 1701.3, Duties and Responsibilities of the Special Inspector; Appendix Chapter 33, Section 3317.7, Notification of Noncompliance]. The discrepancy documentation shall be submitted to the CBO for review and approval. The discrepancy documentation shall reference this condition of certification and, if appropriate, the applicable sections of the CBC and/or other LORS. Verification: **The project owner shall transmit a copy of the CBO's approval of any corrective action taken to resolve a discrepancy to the CPM in the next Monthly Compliance Report.** If any corrective action is disapproved, the project owner shall advise the CPM, within five days, of the reason for disapproval and the revised corrective action to obtain CBO's approval.	The project owner shall transmit a copy of the CBO's approval of any corrective action taken to resolve a discrepancy to the CPM in the next Monthly Compliance Report.	Not applicable
GEN-8	The project owner shall obtain the CBO's final approval of all completed work that has undergone CBO design review and approval. The project owner shall request the CBO to inspect the completed structure and review the submitted documents. The project owner shall notify the CPM after obtaining the CBO's final approval. The project owner shall retain one set of approved engineering plans, specifications and calculations (including all approved changes) at the project site or at another accessible location during the operating life of the project [2001 CBC, Section 106.4.2, Retention of Plans]. Electronic copies of the approved plans, specifications, calculations and marked-up as-builts shall be provided to the CBO for retention by the CPM. Verification: **Within 15 days of the completion of any work, the project owner shall submit to the CBO, with a copy to the CPM, in the next Monthly Compliance Report, (a) a written notice that the completed work is ready for final inspection, and (b) a signed statement that the work conforms to the final approved plans.** After storing final approved engineering plans, specifications and calculations as described above, the project owner shall submit to the CPM a letter stating that the above documents have been stored and indicate the storage location of such documents. Within 90 days of the completion of construction, the project owner shall provide to the CBO three sets of electronic copies of the above documents at the project owner's expense. These are to be provided in the form of "read only" adobe PDF 6.0 files, with restricted printing privileges (i.e. password protected), on archive quality compact discs.	Within 15 days of the completion of any work, the project owner shall submit to the CBO, with a copy to the CPM, in the next Monthly Compliance Report, (a) a written notice that the completed work is ready for final inspection, and (b) a signed statement that the work conforms to the final approved plans. After storing final approved engineering plans, specifications and calculations as described above, the project owner shall submit to the CPM a letter stating that the above documents have been stored and indicate the storage location of such documents.	Appendix B

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

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

Condition	Requirements	Documentation	Location within this MCR
MECH-2	For all pressure vessels installed in the plant, the project owner shall submit to the CBO and California Occupational Safety and Health Administration (Cal-OSHA), prior to operation, the code certification papers and other documents required by the applicable LORS. Upon completion of the installation of any pressure vessel, the project owner shall request the appropriate CBO and/or Cal-OSHA inspection of said installation [2001 CBC, Section 108.3, Inspection Requests]. The project owner shall: 1. Ensure that all boilers and fired and unfired pressure vessels are designed, fabricated and installed in accordance with the appropriate section of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, or other applicable code. Vendor certification, with identification of applicable code, shall be submitted for prefabricated vessels and tanks; and 2. Have the responsible design engineer submit a statement to the CBO that the proposed final design plans, specifications and calculations conform to all of the requirements set forth in the appropriate ASME Boiler and Pressure Vessel Code or other applicable codes. Verification: At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of on-site fabrication or installation of any pressure vessel, the project owner shall submit to the CBO for design review and approval, the above listed documents, including a copy of the signed and stamped engineer's certification, with a copy of the transmittal letter to the CPM. **The project owner shall transmit to the CPM, in the Monthly Compliance Report following completion of any inspection, a copy of the transmittal letter conveying the CBO's and/or Cal-OSHA inspection approvals.**	The project owner shall transmit to the CPM, in the Monthly Compliance Report following completion of any inspection, a copy of the transmittal letter conveying the CBO's and/or Cal-OSHA inspection approvals.	No approvals in August
ELEC-1	Prior to the start of any increment of electrical construction for electrical equipment and systems 480 volts and higher, listed below, with the exception of underground duct work and any physical layout drawings and drawings not related to code compliance and life safety, the project owner shall submit, for CBO design review and approval, the proposed final design, specifications and calculations [CBC 2001, Section 106.3.2, Submittal documents]. Upon approval, the above listed plans, together with design changes and design change notices, shall remain on the site or at another accessible location for the operating life of the project. The project owner shall request that the CBO inspect the installation to ensure compliance with the requirements of applicable LORS [2001 CBC, Section 108.4, Approval Required, and Section 108.3, Inspection Requests]. All transmission facilities (lines, switchyards, switching stations and substations) are handled in conditions of certification in the Transmission System Engineering section of this document. A. Final plant design plans to include: 1. one-line diagrams for the 13.8 kV, 4.16 kV and 480 V systems; and 2. system grounding drawings. B. Final plant calculations to establish: 1. short-circuit ratings of plant equipment; 2. ampacity of feeder cables; 3. voltage drop in feeder cables; 4. system grounding requirements; 5. coordination study calculations for fuses, circuit breakers and protective relay settings for the 13.8 kV, 4.16 kV and 480 V systems; 6. system grounding requirements; and 7. lighting energy calculations. C. The following activities shall be reported to the CPM in the Monthly Compliance Report: 1. Receipt or delay of major electrical equipment; 2. Testing or energization of major electrical equipment; and 3. A signed statement by the registered electrical engineer certifying that the proposed final design plans and specifications conform to requirements set forth in the Energy Commission Decision. Verification: At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of each increment of electrical construction, the project owner shall submit to the CBO for design review and approval the above listed documents. **The project owner shall include in this submittal a copy of the signed and stamped statement from the responsible electrical engineer attesting compliance with the applicable LORS, and shall send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.**	The following activities shall be reported to the CPM in the Monthly Compliance Report: 1. Receipt or delay of major electrical equipment; 2. Testing or energization of major electrical equipment; and 3. A signed statement by the registered electrical engineer certifying that the proposed final design plans and specifications conform to requirements set forth in the Energy Commission Decision. The project owner shall include in this submittal a copy of the signed and stamped statement from the responsible electrical engineer attesting compliance with the applicable LORS, and shall send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.	Not applicable

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

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

Condition	Requirements	Documentation	Location within this MCR
	Verification: No later than 90 days prior to start of site mobilization, the project owner shall submit a copy of the plan to Fresno County for review and comment. A copy shall be submitted to the CPM no later than 60 days prior to the start of site mobilization for review and approval. The CPM shall consider comments received from Fresno County. During construction, **the project owner shall provide an analysis in the monthly compliance report on the effectiveness of the drainage-, erosion- and sediment-control measures and the results of monitoring and maintenance activities**. Once operational, the project owner shall provide in the annual compliance report information on the results of monitoring and maintenance activities.		
WORKER SAFETY-3	The project owner shall provide a site Construction Safety Supervisor (CSS) who, by way of training and/or experience, is knowledgeable of power plant construction activities and relevant LORS, is capable of identifying workplace hazards relating to the construction activities, and has authority to take appropriate action to assure compliance and mitigate hazards. The CSS shall: ▪ Have over-all authority for coordination and implementation of all occupational safety and health practices, policies, and programs; ▪ Assure that the safety program for the project complies with Cal/OSHA and federal regulations related to power plant projects; ▪ Assure that all construction and commissioning workers and supervisors receive adequate safety training; ▪ Complete accident and safety-related incident investigations, emergency response reports for injuries, and inform the CPM of safety-related incidents; and ▪ Assure that all the plans identified in conditions of certification WORKER SAFETY-1 and -2 are implemented. Verification: At least 30 days prior to the start of site mobilization, the project owner shall submit to the CPM the name and contact information for the Construction Safety Supervisor (CSS). The contact information of any replacement (CSS) shall be submitted to the CPM within one business day of starting in the position. **The CSS shall submit in the Monthly Compliance Report a monthly safety inspection report** to include: ▪ Record of all employees trained for that month (all records shall be kept on site for the duration of the project); ▪ Summary report of safety management actions and safety-related incidents that occurred during the month; ▪ Report of any continuing or unresolved situations and incidents that may pose danger to life or health; and ▪ Report of accidents and injuries that occurred during the month.	The CSS shall submit in the Monthly Compliance Report a monthly safety inspection report to include: ▪ Record of all employees trained for that month (all records shall be kept on site for the duration of the project); ▪ Summary report of safety management actions and safety-related incidents that occurred during the month; ▪ Report of any continuing or unresolved situations and incidents that may pose danger to life or health; and ▪ Report of accidents and injuries that occurred during the month.	Appendix B

4 Project Compliance Requirements

4.1 Reporting Period

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

Table 2 Compliance Requirements Completed for August 2025 Reporting Period

Condition	Submittal Type	Date
AQ-SC3	Summary of Compliance and Complaints (AQCMM)	Appendix B
AQ-SC5	Summary of Compliance (Fuel and Equipment)	Appendix B
BIO-2	Biological resource monitoring logs and summaries.	Log(s): 8/4, 8/5, 8/6, 8/7, 8/14, 8/20, and 8/29. Appendix B.
BIO-5	Worker Environmental Awareness Program	WEAP Training Tracker provided in Appendix A
CUL-5	Worker Environmental Awareness Program	WEAP Training Tracker provided in Appendix A
CUL-6	Monthly summary report and logs	Log(s): 8/5. Appendix B
PAL-4	Worker Environmental Awareness Program	WEAP Training Tracker provided in Appendix A
PAL-5	Summary of paleontological activities	Appendix B
TRANS-4	Worker Traffic Safety Program (WTSP)	WTSP included in WEAP Training Tracker provided in Appendix A
GEN-3	CBO's receipt of payment	Appendix B
GEN-6	CBO's approval of the qualifications	Appendix B
GEN-8	CBO's approval of completed work (pond lining)	Appendix B
WORKER SAFETY-3	Worker Safety Monthly Summary	Appendix B

4.2 Missed Submittals

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

4.3 Two Month Look Ahead

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

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

Table 3 Compliance Requirements for September 2025 – October 2025

Condition	Submittal Type	Pond Lining and/or Interconnection	Date
BIO-8	Construction termination report	Pond Lining	Date: TBD
BIO-9	Construction termination report	Pond Lining	Date: TBD
CUL-4	Cultural close out report	Pond Lining	Date: TBD
PAL-7	Paleontological close out report	Pond Lining	Date: TBD

4.4 Filing or Permits Issued by Other Governmental Agencies

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

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

5 Delinquent Submittals

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

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

6 Changes to CoCs

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

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

7 Compliance File

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

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

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Appendix A

Worker Environmental Awareness Program (WEAP) Training

RINCON CONSULTANTS

24-16970 Midway Pond Lining and Interconnection BESS Project

Worker Environmental Awareness Program (WEAP) Training

Sign-in Sheet

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

Worker Environmental Awareness Program (WEAP) Training

Sign-in Sheet

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

Worker Environmental Awareness Program (WEAP) Training

Sign-in Sheet

	Name	Company	Phone	Email	Date
40	leonel Chavez	Performance Grading	559-217-4708		6/25/2025
41	Chris Messier	Welding Inspection	916-956-1231	Cdmessier@gmail.com	6/25/2025
42	Vance Cantu	Lighthouse Electric.	559-614-3760	vcantu@lighthouseelec.com	6/25/2025
43	Brian Jimenez	GPRS	408-529-3332	Brian.jimenez@gprsinc.com	6/25/2025
44	Morgan Craig	Rincon Consultants	559-341-3777	mcraig@rinconconsultants.com	7/1/2025
45	Sabdy Braathen	Rincon Consultants	559-205-4503	sbraathen@rinconconsultants.com	7/7/2025
46	Michael Salazar	RavenVolt		michael.salazar@ravenvolt.com	7/24/2025
47	William Gallaher	RavenVolt		william.gallaher@ravenvolt.com	7/24/2025
48	Sarah Barnes	RavenVolt		sarah.barnes@ravenvolt.com	7/24/2025
49	Ashley Handson	RavenVolt		ashley.hanson@ravenvolt.com	7/24/2025
50	Nathan Jones	RavenVolt		nathan.jones@ravenvolt.com	7/24/2025
51	Samuel Retzloff	RavenVolt	408-438-3055	samuel.retzloff@ravelvolt.com	7/24/2025
52	Nathaniel Acosta	Lighthouse electric	559-344-2134		7/31/2025
53	Robert Guardado	Rincon Consultants	909-472-2264	rguardado@rinconconsultants.com	8/4/2025
54	Robbert thompson	lighthouse electrical	252-259-1294	rthompson@lighthouseelec.com	8/4/2025
55	John Cordaway	Teichert	760-996-0236	Jcordaway@teichert.com	8/19/2025
56	Ted Coffin	Teichert	442-243-7139	Tcoffin@teichert.com	8/18/2025
57	Thomas Villarreal	RavenVolt	956-408-6755	Thomas.villarreal@ravenvolt.com	8/14/2025
58	Julian	Lighthouse Electrical	559-943-3816		8/14/2025
59	Wesley Sims	Contra Costa Electric	661-859-9169	wsims@emcor.net	8/28/2025

Appendix B

Required Midway Monthly Compliance Report Documentation

Required Midway MCR Documentation

Appendix	Documentation	CoC(s)
B1	Monthly summary, copies of complaints with air district, and other documents. Worker Safety Monthly Summary Report	AQ-SC3, AQ-SC5, WORKER SAFETY-3
B2	Biological Monitoring Reports and Biological Resource Monthly Monitoring Summary for August 2025	BIO-2, BIO-8, BIO-9
B3	Cultural Resources Monthly Monitoring Summary Report	CUL-6
B4	Paleontological Resources Monthly Monitoring Summary Report	PAL-5
B5	Chief Building Official (CBO) schedule updates	GEN-2
B6	CBO's receipt of payment and CBO's approval of the qualifications	GEN-3, GEN-6
B7	CBO's approval of complete work (pond lining)	GEN-8

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Appendix B1

Monthly summary, copies of complaints with air district, and other documents. Worker Safety Monthly Summary Report (AQ-SC3, AQ-SC5, WORKER SAFETY-3)

Outlook

[EXT] RE: Outstanding Items Needed for Midway August MCR

From Matthew Tedesche <mjtedesche@patchservices.com>
Date Fri 9/12/2025 12:57
To Melanie Jensen <mjensen@rinconconsultants.com>; THaining <THaining@ttsconstruction.com>
Cc Robert Ray <rray@patchservices.com>; Jon Boyer <jboyer@mrpgenco.com>; Christopher Lopez <clopez@mrpgenco.com>; Ashley Quackenbush <aquackenbush@rinconconsultants.com>

1 attachment (867 KB)
WA-04_Inspection Final_2025-09-02.pdf;

Attached is the final inspection report.

- **AQ-SC3:** Summary of compliance actions, any air district complaints, and related documentation.

  - All heavy equipment is maintained in accordance with the air quality management plan for the month of August
    - There have been no complaints related to dust for the month of August
    - The air quality and dust management for August was as follows

      Traffic was limited to essential vehicles only.
      Non-essential vehicles were restricted to designated parking areas outside of the work area.
      Speed limit of 5 miles per hour was enforced.
      Most of the property is covered by several inches of 1-inch crushed granite gravel.
      Signage was placed on the plant gate with contact information for noise and dust complaints.
      The valve removal excavation did not require dust control due to the moisture content of the soil.

- **AQ-SC5:** Summary of compliance actions, diesel fuel purchase records, list of heavy equipment used (with owner info), and maintenance letters from owners.

  - All diesel fuel was purchased in compliance with the air quality management plan for the month of August
  - For the month of August no heavy equipment was used

- **WORKER SAFETY-3**: Monthly safety inspection report, including: Training records for the month, summary of safety incidents/actions, any unresolved safety issues, and accident/injury reports.

    - Safety training has been provided for all personnel on site including WEAP training and there are daily tail board meetings in order to ensure compliance with all safety requirements on site
    - As of august 31st 2025 there have been no safety incidents accidents or injuries

Matthew Tedesche P.E.
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Suite 210
Suisun City, CA 94585
Mobile: 916-597-6324
Email:mjtedesche@patchservices.com
Visit us at: www.patchservices.com

Appendix B2

Biological Monitoring Reports and Biological Resource Monthly Monitoring Summary for August 2025 (BIO-2, BIO-8, and BIO-9)

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

September 15, 2025

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

Subject: Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP) Monthly Compliance Monitoring Summary for the Midway Pond Lining and Interconnection BESS Project within APN 027-060-91S in Unincorporated Fresno County, California (Docket No. 06-AFC-10C and Post Certification Amendments)

The following is a summary of the biological monitoring activities conducted by the Designated Biologist and Approved Biological Monitor(s) for activities between August 1, 2025, and August 31, 2025. Should you have any questions regarding the information contained in this summary, please contact Rincon's project manager, Ryan Wardle, at 775-636-4066 or rwardle@rinconconsultants.com.

Total Daily Monitoring Logs: 7

Non-compliance Events: 0

Monitoring Activity Occurring this Month:

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

During weeks when no ground disturbance occurred and no trenches were open, weekly biological spot checks were conducted resulting in a minimum of one monitoring visit per week. Biological Monitoring results are summarized in Table 1. Daily Monitoring logs are included in Attachment 1.

Work occurring this month included:

- Electrical work within vaults and pulling wire through existing conduit
- Excavation of new conduit trench, installation of conduit in trench, and backfill of trench
- Installation of electrical components for controlling new pump within conex

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

- Four additional house finch (*Haemorrhous mexicanus*; HOFI) nests were discovered during August. HOFI nests within the project site were designated with a letter (A-G). All nest locations are shown in Figure 1. The HOFI nest initially discovered in June was assigned as nest A and the HOFI nest initially observed in July was assigned nest B.
- A new HOFI nest (C) was located on August 4 on the southern side of the facility, located approximately 5 feet high on a row of gas canister valves (see Figure 1). The nest was active and in the incubation phase with the female observed incubating. Electrical crews were working nearby at the time of discovery, and a 50-foot no work buffer was established around the nest and work was relocated outside of the avoidance buffer. The HOFI female remained incubating even while crews worked nearby prior to establishment of the buffer, however, the female bird appeared to be in poor health and was noted to appear lethargic. On August 5, the female bird was observed to be incubating within the nest while work continued outside of the avoidance buffer. On August 6 the female house finch was observed dead within the nest. The observed poor condition of the bird upon discovery suggests disease or another disorder was present prior to discovery that resulted in mortality.
- Another HOFI nest (D) was located on August 4 approximately three feet northeast of nest C, along the same row of gas canister valves; however no eggs, nestlings, or other nesting activity were ever observed within this nest. The nest was covered in fecal material suggesting this nest was likely old and fledged prior to discovery.
- A third HOFI nest (E) was discovered on August 5 inside of the conex /shipping container used to house pump controls. The door to the conex was secured permanently open. The nest was located on the south side of the conex, approximately seven feet above the floor of the container on top of an electrical junction box. On August 6 the nest was confirmed active with two nestlings, estimated to be approximately 5-6 days old. Upon confirmation of the active nest, crews were instructed to exit the conex and pause work. While work was paused, both HOFI adults were observed making food carries and nest visits approximately every 20-30 minutes and appeared tolerant to ongoing nearby activities. The Biologist monitored the nest and worked with crews to resume work while avoiding disturbance to the nest. The crews completed some conduit installation while the HOFI adults made regular visits to nest with no observed agitation.
- While the Biologist was monitoring HOFI Nest E, an additional active HOFI nest (F) was observed. HOFI Nest F was located within the north side of the conex, approximately 9 feet above the floor on top of a pipe running near the ceiling. The Biologist confirmed Nest F had one egg and one nestling, likely one or two days old. All remaining work within the conex was stopped until nests were confirmed inactive. An approximately 25-foot no work buffer was established around the open conex door. Following cessation of work within the conex, ongoing food carries to Nest E and female incubation of Nest F were observed. On August 7 ongoing food carries to nest E and female incubation of nest F were observed, confirming active status of both nests. No work occurred within the conex. Backfill of a small trench occurred the morning of August 6, with food carries and incubation confirmed during and after work. No additional work occurred between August 6 and August 25, following confirmation of inactivity at both nests E and F.
- On August 14 a weekly spot check was conducted to assess the status of HOFI Nests E and F. Nest E was observed to have one large nestling, near fledge age, with the other nestling presumed fledged as it was within the standard age range for fledge and not uncommon for HOFI nestlings to fledge on separate dates. HOFI adult food carries were observed to continue to Nest E. No activity, including incubation or food carries, was observed at Nest F for greater than four hours. The nest was observed to have one egg. On August 20 a weekly spot check was conducted to

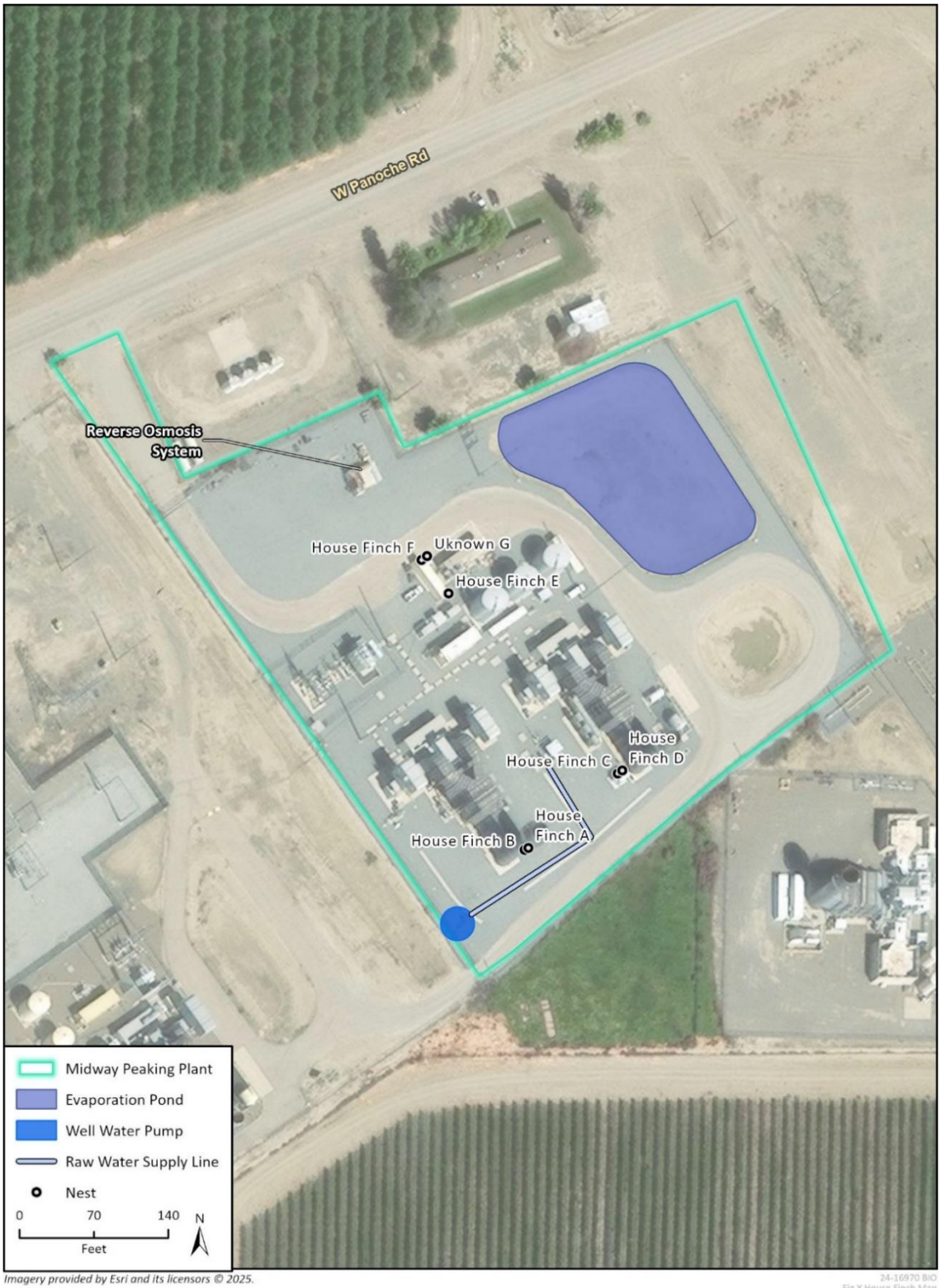
assess the status of Nests E and F. Nest E was observed empty and presumed fledged. Nest F was unchanged from the prior visit on August 14 with one egg and no activity observed at the nest. Since initial observation of the egg on August 6, a complete incubation period had occurred, confirming that the egg was non-viable. Nest F was determined to have failed and was inactive. Following confirmation of inactivity at both nests, work was cleared to resume within the conex. The Biologist recommended the crew close the door to deter future nesting.

- On August 14 an unknown species nest (G) was located inside a closed, onsite portable restroom. The nest was discovered incidentally with no activity or other behavior to indicate presence. The nest contained three white eggs, cracked and discolored. This nest was determined to be old and inactive given the lack of observed bird activity and the damaged eggs.
- Additionally, on August 14 an adult loggerhead shrike (*Lanius ludovicianus*; LOSH; California Species of Special Concern) was observed perched on the plant's barbed wire security fence.
- On August 29 a post-construction survey was conducted noting the completion of all work and compliance with all biological measures. No nests remained active on-site and all flagging materials were removed from site.
- No work-related impacts to biological resources nor compliance issues were observed during this month. Additional monitoring details are included in daily monitoring logs (Attachment 1).

Table 1 Biological Monitoring Results

Date	Monitor	Violation?	Location	Activities Monitored
August 4, 2025	Morgan Craig	No	Midway Peaker Plant	Surveyed work area, 200-ft buffer, and laydown. Monitored electrical work near HOFI nest (C).
August 5, 2025	Grace Meyers	No	Midway Peaker Plant	Surveyed work area, 200-ft buffer, and laydown. Monitored excavation of conduit trench and electrical work.
August 6, 2025	Ryan Wardle	No	Midway Peaker Plant	Surveyed work area, 200-ft buffer, and laydown. Monitored installation of the conduit in trench and the electrical work in the conex.
August 7, 2025	Ryan Wardle	No	Midway Peaker Plant	Surveyed work area, 200-ft buffer, and laydown. Monitored backfill of conduit trench and conducted nest checks on HOFI nests within conex.
August 14, 2025	Morgan Craig	No	Midway Peaker Plant	Surveyed work area, 200-ft buffer, and laydown. Conducted nest checks of HOFI nests within container.
August 20, 2025	Emma Kirstchen	No	Midway Peaker Plant	Surveyed work area, 200-ft buffer, and laydown. Conducted nest checks of HOFI nests within container. Nests were both inactive and work cleared to continue.
August 29, 2025	Emma Kirstchen	No	Midway Peaker Plant	Surveyed work area, 200-ft buffer, and laydown. Remaining electrical work within conex completed on August 27, 2025. Conducted post-construction assessment of entire project area.

Figure 1


W Panoche Rd
Reverse Osmosis System
House Finch F
Uknown G
House Finch E
House Finch C
House Finch D
House Finch B
House Finch A
Midway Peaking Plant
Evaporation Pond
Well Water Pump
Raw Water Supply Line
Nest
0
70
140
Feet
N
Imagery provided by Esri and its licensors © 2025.
24-16970 BIO
Fig X House Finch Map

Attachment 1

Daily Monitoring Logs

Daily Monitoring Report

Project Name: Midway-Panoche BESS	**Location:** Firebaugh	
Monitor(s): Morgan Craig	**Date:** August 4, 2025	
Start Time: 0838	**Stop Time:** 1257	**Total Hours Worked:** 4.25
Temp (F): 73/86 **Start / Stop**	**Cloud Cover (%):** 0%/ 0% **Start / Stop**	**Wind (mph):** 5/6 **Start / Stop**

Environmental Education Provided: ☑ No ☐ Yes

Crew had all taken WEAP training prior to site visit.

Summary of Day's Activities and Progress of Work Completed To Date: Prepping for trenching for utilities and hydrovac.

Upcoming Planned Construction Activities' Forecast: Trenching for utilities planned for Tuesday 8/5. Backfilling planned for Wednesday 8/6.

Important Communications: A new HOFI nest was observed inside the plant. A 50-foot buffer was installed today, 8/4. All crew and plant members were notified that no work should occur in the buffer without a biologist present.

Critical Action Items To Follow Up On: None.

Compliance Measures: Biological monitoring.

Special-Status Species Observations: None.

Nesting Bird Observations: One HOFI nest. Previously identified HOFI nests were considered inactive.

Wildlife Observations: CORA, EUCD, MODO, HOFI

Wildlife Relocations: None.

Additional Pertinent Notes:

Daily Activities in Time – Activity Format:

0838: Rincon biologist Morgan Craig checked in with Midway plant manager John Clingpeel, construction manager Dan Johnson, and the electrical crew from Lighthouse Electrical at the plant office. Work plans involved trenching for utilities and using a hydrovac truck.

1015: The crew waited for the hydrovac truck to be on site before trenching. The electrical crew started working on above ground electrical work in a new work area.

1020: The biologist surveyed the new work area and discovered an active house finch (*Haemorhous mexicanus*) nest nearby. The nest was located in a cluster of staged cylinders, sitting along the outside of one of the plant structures (photo #2 below). A female house finch was incubating, and eggs were visibly present in the nest. The house finch looked lethargic at first (from external factors prior to construction work) but tilted her head and moved her eyes to look at the biologist. The biologist notified the Rincon PM, the crew on site, the Patch construction manager, and the plant manager. A 50-foot buffer was added around the nest and the biologist carefully monitored the construction activities (photos #4 and #5 below). The biologist notified the crew that work would be stopped if the bird showed any signs of distress from the work. The bird did not fly out of the nest or show any signs of distress from the low impact construction work and continued to incubate inside the nest.

A second nest was discovered next to the active nest and was not observed to be in use (photo #3 below). The two previously observed HOFI nests did not show any sign of activity or change from the last few site visits. Both nests were deemed inactive.

Daily Monitoring Report

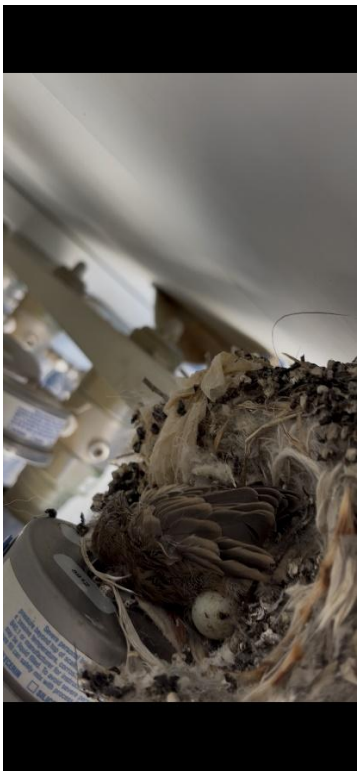
1125: The hydrovac truck was canceled for the day. Work would only consist of the low impact utility work above ground. The Rincon PM suggested that the biologist depart the site if no work was going to take place inside the buffer.

1238: The biologist confirmed with the crew that no work would occur inside the buffer and checked out with John at the main office.

1257: The biologist departed the site.

Above-ground utility work.

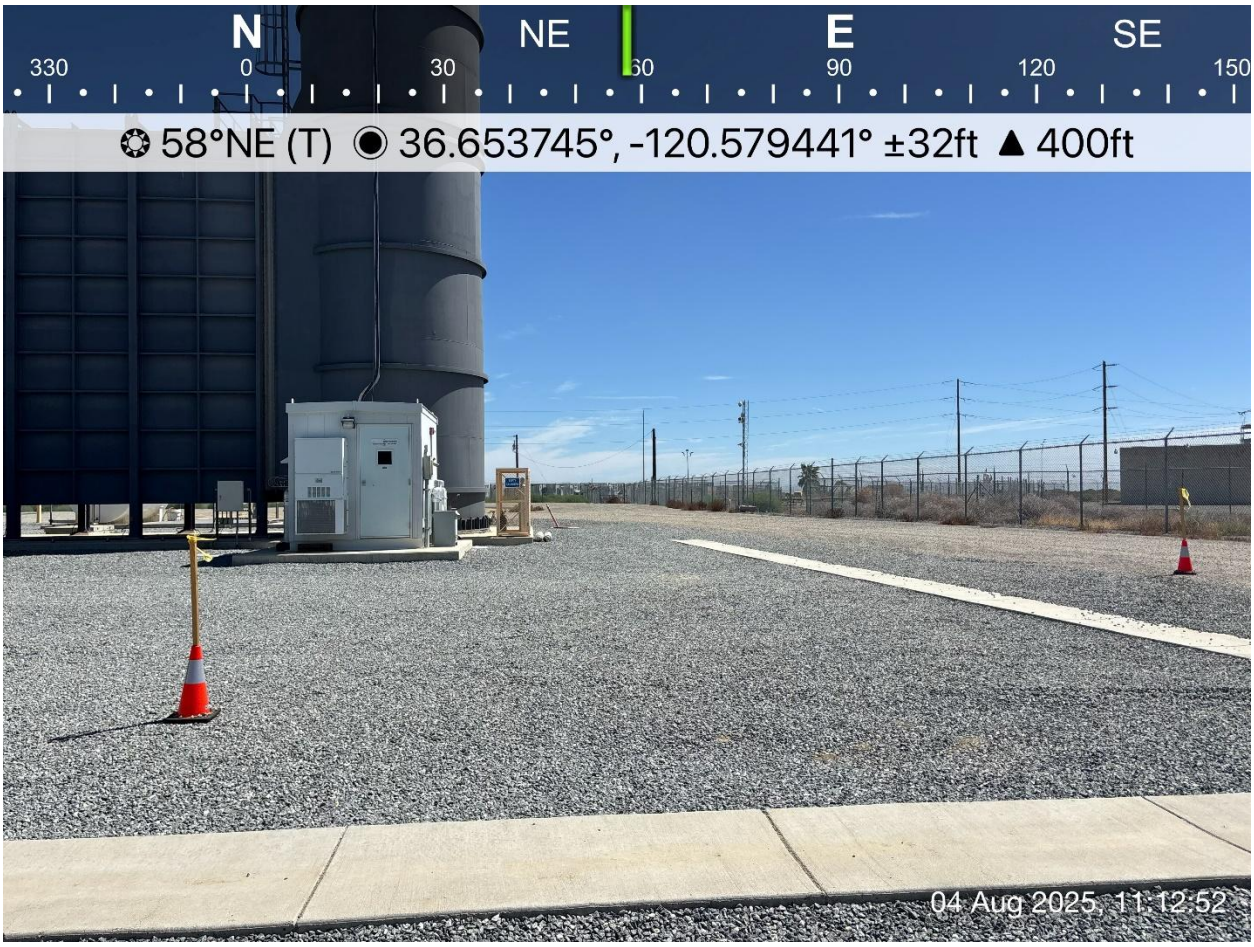
Daily Monitoring Report



New active HOFI nest observed inside plant.

New inactive nest observed inside plant.

Daily Monitoring Report



New 50-foot buffer established for HOFI nest.

Electrical work occurring outside of 50-foot buffer.

Daily Monitoring Report

Project Name: Midway	**Location:** Firebaugh, CA	
Monitor(s): Grace Myers	**Date:** August 5, 2025	
Start Time: 07:00	**Stop Time:** 16:20	**Total Hours Worked:** 9.33
Temp (F): 63/92 **Start / Stop**	**Cloud Cover (%):** 0/0 **Start / Stop**	**Wind (mph):** 0-2/0 **Start / Stop**

Environmental Education Provided: ☑ No ☐ Yes

Summary of Day's Activities and Progress of Work Completed To Date: Hydrovac trenching and conduit installation

Upcoming Planned Construction Activities' Forecast: Finishing conduit installation and backfilling

Important Communications: The electrical crew worked within the nest buffer. I asked them to move their work outside the buffer, which they complied with.

Critical Action Items To Follow Up On:

Compliance Measures:

Special-Status Species Observations: Swainson's hawk flying northeast of site

Nesting Bird Observations: HOFI and possibly EUCD/MODO

Wildlife Observations: MODO, HOFI, AMGO, CORA, AMCR, SWHA, BLPH

Wildlife Relocations:

Additional Pertinent Notes:

Daily Activities in Time – Activity Format:

08:15 - Electrical crew (Lighthouse) arrived on site with hydrovac equipment

09:28 - Hydrovac work started to dig small conduit trench approximately 20 feet long and 18 inches deep.

10:10 - Hydrovac work completed

10:10 - Crew tried to dump spoils on site but opted to dump offsite instead.

12:47 - Crew started conduit installation in the trench

13:15 - Crew was observed working in HOFI nest buffer. Biologist asked them to move outside of the nest buffer, which they complied with.

13:30 - Biologist checked on status of HOFI nest. Female was observed on nest incubating.

16:00 - HOFI was observed flying in and out of conex/ storage container used to house pump controls. Biologist went to check if there was an active nest. A nest was present in the southwest corner of the storage container, but unable to view into nest cup to confirm status. Biologist relayed information about presence of the potentially active nest to the project Designated Biologist and Project Manager, Ryan Wardle, to follow up on.

16:05 - A Eurasian collared dove (*Streptopelia decaocto*) was flushed from an open semi-truck trailer used to house reverse osmosis equipment. A stick nest was observed on top of an electrical box within the semi. No eggs were observed in nest and determined to be inactive. Trailer was confirmed to not be related to work with no project activities occurring inside of trailer.

16:15 - Biologist asked that the open conduit within the trench be capped and that a wildlife escape ramp be placed in the trench overnight. Both compliance items were completed.

16:20 - Work was complete for the day and both the crew and biologist left the site.

Photo 1: Wooden board used as wildlife escape ramp in trench and conduit capped.

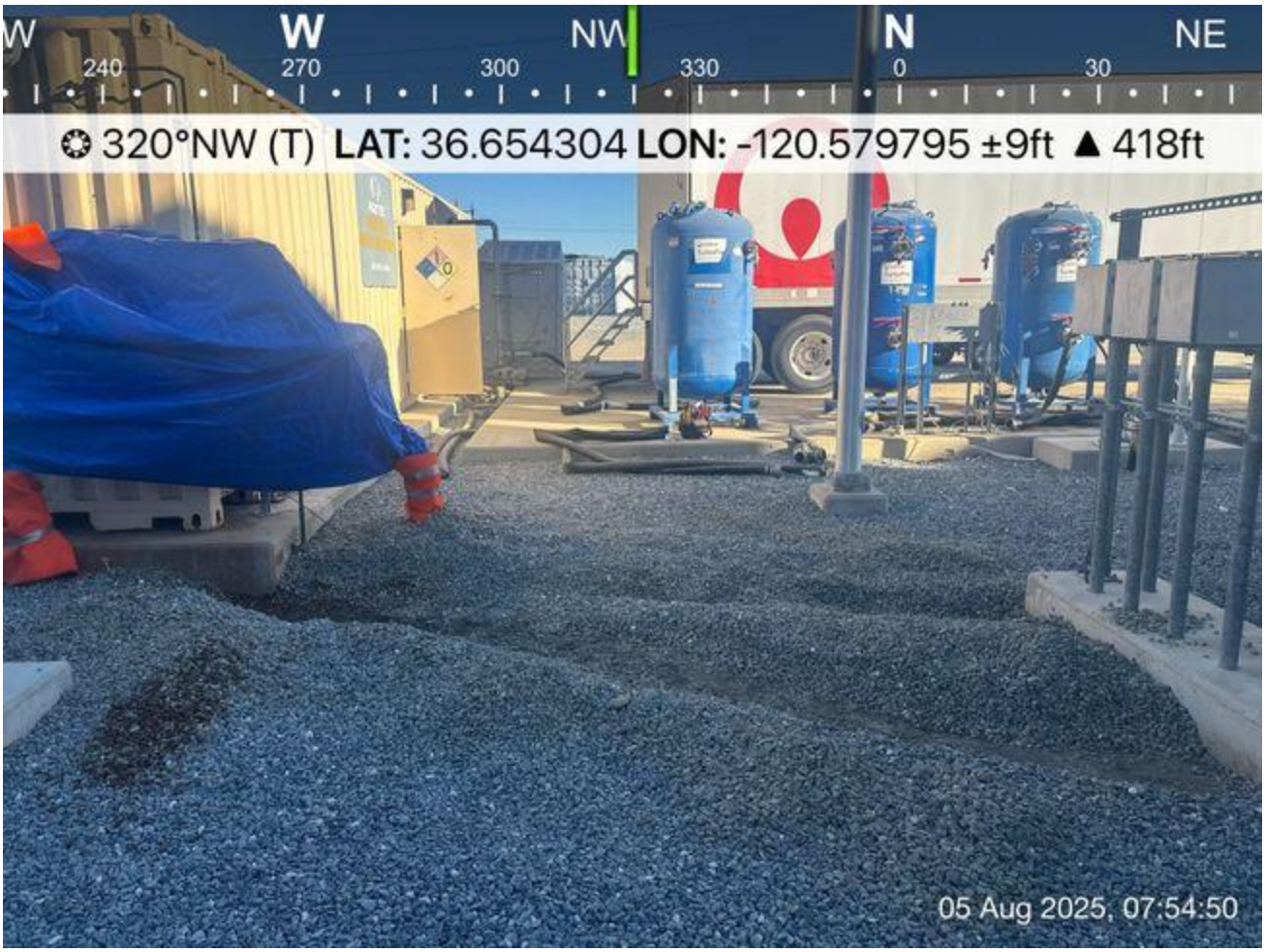


Photo 2: Conduit trench area prior to start of work.

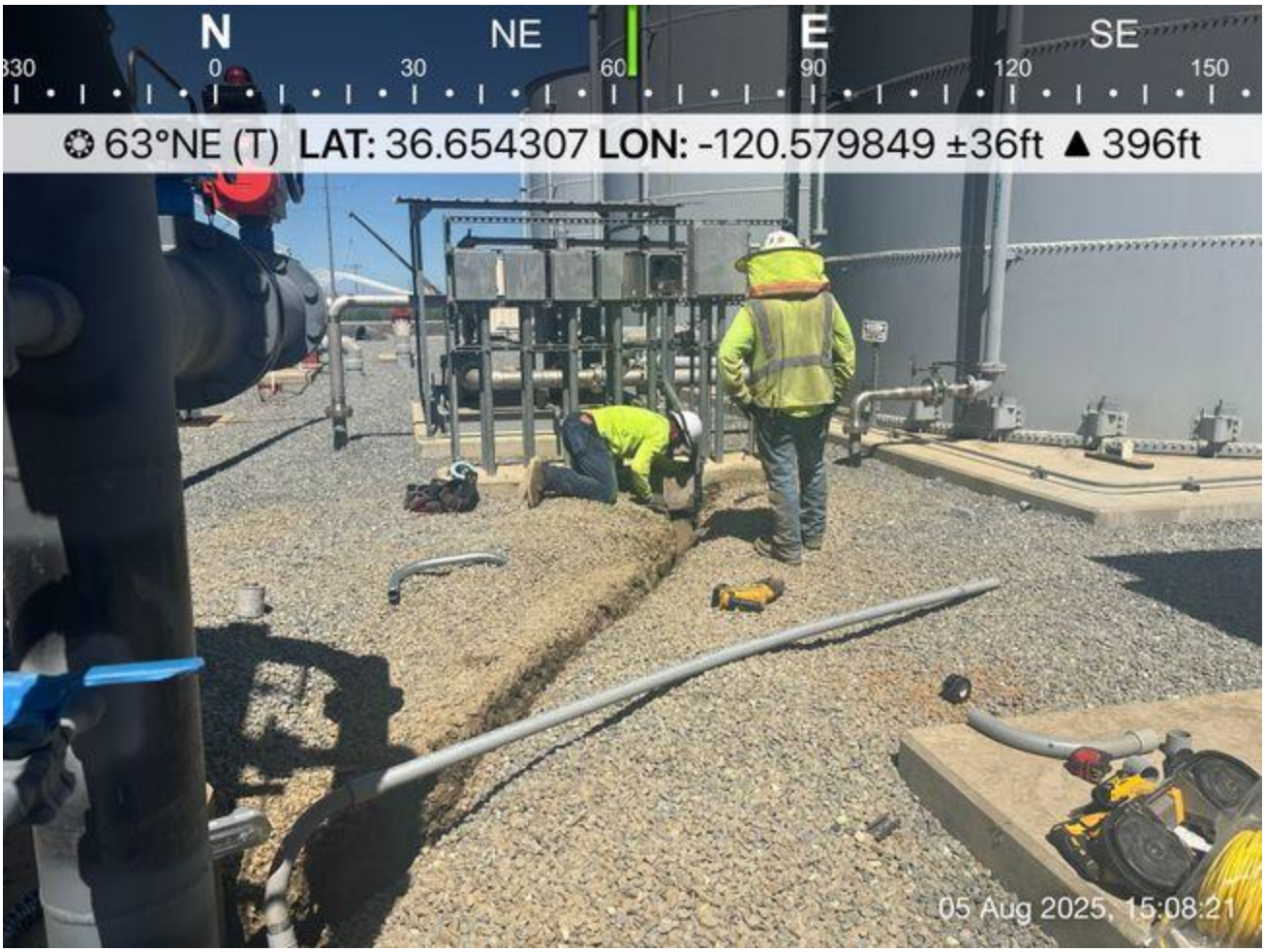


Photo 3: Crew excavation conduit trench.

Photo 4: hydrovac spoils partially deposited onsite before determining to haul off site.

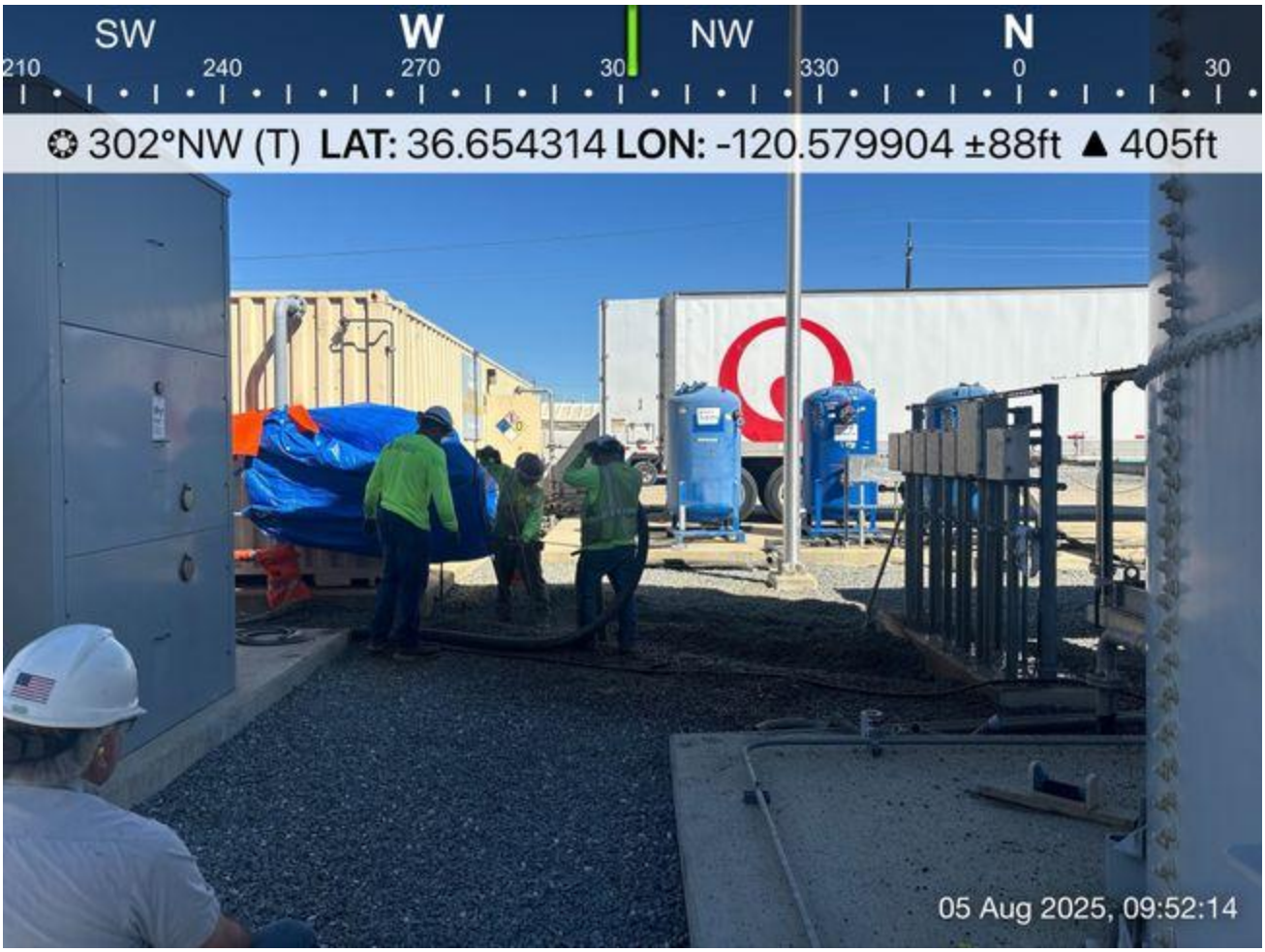


Photo 5: Crews excavation trench using hydrovac.

Daily Monitoring Report

Project Name: Midway	**Location:** Firebaugh	
Monitor(s): Ryan Wardle	**Date:** August 06, 2025	
Start Time: 0630	**Stop Time:** 1600	**Total Hours Worked:** 9.5
Temp (F): 68/99 **Start / Stop**	**Cloud Cover (%):** 0%/ 0% **Start / Stop**	**Wind (mph):** 1-2/2-3 **Start / Stop**

Environmental Education Provided: ☑ No ☐ Yes

All crews previously attended WEAP training.

Summary of Day's Activities and Progress of Work Completed To Date: Biological spot check and water valve inspection. Planned backfill of small trench for conduit, and conduit placement inside of conex.

Upcoming Planned Construction Activities' Forecast: Plan to finish conduit trench backfill 8/7, remaining work within conex on hold until post nest fledge (see below).

Important Communications: See below summary.

Critical Action Items To Follow Up On: Monitor house finch (*Haemorrhous mexicanus*; HOFI) nests within conex and estimated potential fledge date.

Compliance Measures: BIO-2, BIO-6, and BIO-9

Special-Status Species Observations: Loggerhead shrike (*Lanius ludovicanius*; LOSH; California Species of Special Concern) perched on southern fence line of plant.

Nesting Bird Observations: Two active HOFI nests located within conex. See details below.

Wildlife Observations: LOSH, WEKI, EUCD, MODO, HOFI, RTHA, GREG, EUST

Wildlife Relocations: None.

Additional Pertinent Notes:

Daily Activities in Time – Activity Format:

0630: Rincon biologist, Ryan Wardle, arrived on-site at Midway peaker plant and signed in with plant manager John Clingpeel and Patch construction manager Dan Johnson. Confirmed plan was to finish conduit and backfill of small trench. No wildlife within trench, pipes capped with escape ramp in place. Total depth of trench was approximately 18 inches and therefor no temporary fencing was installed.
0720: Biologist inspected HOFI nest located on 8/4. Adult female observed in nest, however bird is dead. Did not move or react upon approach, no movement visible, looked in general bad shape and sallow eyes. Approached closer and photographed with no movement. Lightly touched on bill, no reaction or movement. Female appears dead and nest inactive. Confirmed with Morgan Craig who located the nest on 8/4 that the bird was moving and blinking on discovery, but overall lethargic and looked in poor condition, appearing potentially dead except for minor head movements, did not flush, fly or other movement, so likely sick or in bad condition and deteriorated prior to determination of death today. A buffer was established around the nest on 8/4 with no work occurring nearby since, and no logical mechanism by which work activities could have resulted in death of a HOFI adult in the nest, so presumed illness or other unrelated cause of death.
0800: Biologist located a new HOFI nest within the conex, observed yesterday by Grace Myers, but who was unable to determine the status, and bio confirmed it to be active HOFI, 2 nestlings approximately 6 days old, suspected fledge date in 12 days, Aug 18. Nest was in the top left corner when viewed from conex door, approximately 9ft high. Crews plan to run conduit up interior container wall within 1-2 feet of nest at approximately nest height, mounting 4 brackets estimated to take 15-minutes each to install. Biologist relays information regarding nest and work to Rincon PIC and Patch/ MRP environmental team to discuss risks and potential options. Crew placed on hold for time being until plan was determined. HOFI male and female both observed making FCs to nest when

crews are not present within container. Work on conduit within trench continues, HOFI FC to nest not impacted by activities in trench. Bio proposed working in short bouts then letting birds make FC between bracket mounts.

0830: LOSH observed in SW corner of plant on pole.
1000: Rincon and Patch conducted a call to discuss plan for routing conduit near nest and come up with plan to work in bursts within conex then allow HOFI to return and feed given high disturbance tolerance of birds to workers within area as observed due to FC while work occurred nearby and workers had been in and out of the conex during the morning with HOFI observed entering between work.

1040: HOFI female observed making FC to nest within a few minutes of crews exiting area. Nestling audible from outside of conex.
1130: HOFI female returned for FC to nest, nestlings audible begging from outside of container. Approximate time within container less than 1 minute. Average duration of FC interval without work in area is every 20-30 minutes, will proceed with 20 minute work intervals. Rincon, Patch, and MRP team determined work plan of minor bouts with downtime for HOFI adults to make FC between, as directed by biologist would be sufficient, with biologist able to call off work at any point if risk to nestlings or parental abandonment was heightened.
1200: BIO instructed crew on timeline and procedure and risks to project, indicated stop work may be required if nest looks like potential for impacts.
1220: Crew started work within conex for 20min interval. HOFI pair alert on tower outside of conex, did not appear agitated. Similar behavior to earlier in day prior to approaching nest, waiting for quiet period.
1240 Crews exit conex. HOFI male attempted approach while crews were working, returned to nest door within two minutes of crew exiting. Appears alert but not agitated. HOFI male entered and nestling begging audible, confirming visit to nest. Female FC possible but not confirmed.
1245: HOFI pair observed together on fence not approaching. Female HOFI entered and perched on loose wire within conex, not approaching nest just perched. Unclear behavior did not appear agitated, but may simply be taking advantage of shade given high heat. Gaping observed, bird flew out of conex with no visit to nest observed.
1310: Next 20 minute work period started
1320: During work within the conex on the opposite side corner as the first HOFI nest a second nest was located by audible nestling peeping. Nest is on a black pipe nearly touching the container ceiling and difficult to observe. One egg and one small nestling, pink, likely only 1-2 days old was present. Crews left conex and bio observed for HOFI activity and notified Rincon and Patch personnel of new nest. Given small size nestling will require brooding and frequent feedings. Conex should be left as was prior to today and buffer established for no work in the conex until anticipated fledge date of both nests. Risk of impacts to second nest heightened due to need for incubation/ brooding of remaining egg and small nestling for prolonged duration versus infrequent FC to endothermic nestlings.
1400: HOFI perched nearby but have not tended nest since last work round.
1415: Crew indicated open double doors of conex had been left closed for majority of project only opened today to avoid 1st HOFI nest. Bio asked crew if they can close double doors to return area around second nest to normal as had been for prior weeks. No HOFI incubation observed which would be expected given one egg and small nestling, potentially kept off nest by activity today with unknown incubation duration. Crews instructed to stay out of conex for now pending determination from MRP
1430: HOFI approached door but did not enter and flew to fence line. Suspect second nest female based on perch on fence versus water tower. Seemingly different approach routes observed through morning, now likely indicative of two pairs. Additionally, a more yellow male and redder male both were observed within the vicinity, now believed to be the two various pairs' males. HOFI female entered conex, unclear which nest. Audible begging so confirmed visit to first nest for FC. HOFI exit not observed so unclear may have been returning to incubate second nest.
Unusual behavior of bird observed perched within conex makes more sense now as female approaching second nest and uncertain given open doors.
1455: Second nest checked, audible peeping but no female incubating. Female perched on water tower is possibly this female and deterred from entry.
1530: Bio entered conex, and HOFI female flushed off nest 2, confirmed still incubating and had returned. Perched within conex and bio quickly exited to hopefully allow for return to nest without fully flushing bird.

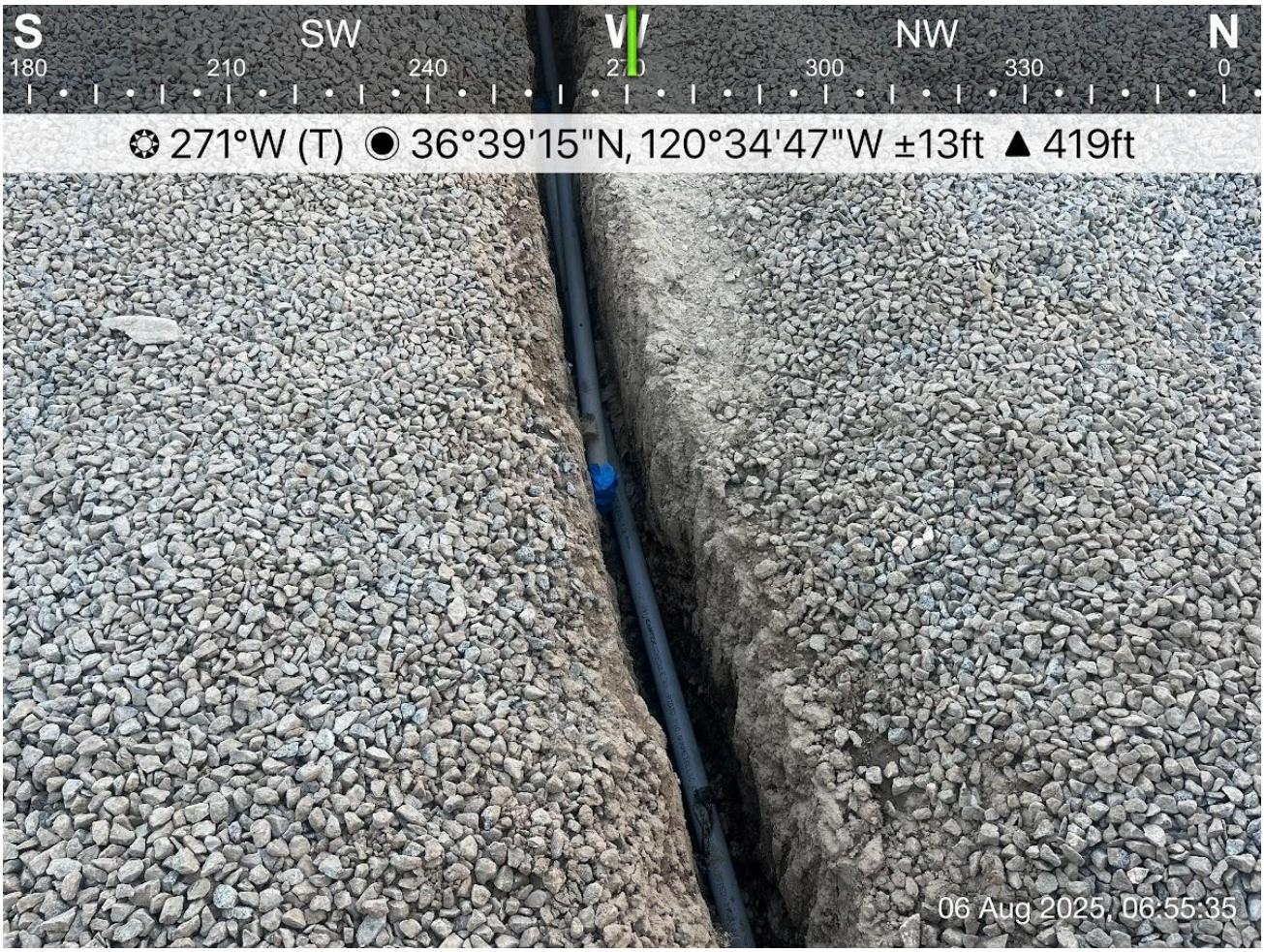
1600: Bio discussed avoidance of entering conex or working or lingering around open door and that side conex door was to remain open and double end doors was to remain closed until nests had fledged. Due to lack of disturbance during morning work within the trench, continued backfilling of trench was planned for tomorrow so as to eliminate potential tripping hazard or wildlife entrapment hazard. Cones with stakes and flagging were placed around the conex opening to indicate the avoidance area, approximately 25 feet, in all directions from the door. HOFI pairs

had been observed entering the conex to tend nests with workers at this distance. Biologist discussed upcoming work plans with CM Dan and notified him of plan for weekly spot checks to assess nestling development and potential fledge date, with plans to finish work within conex scheduled for after fledge of both nests.

1630: Crews and biologist departed site.

Conduit trench planned for backfill.

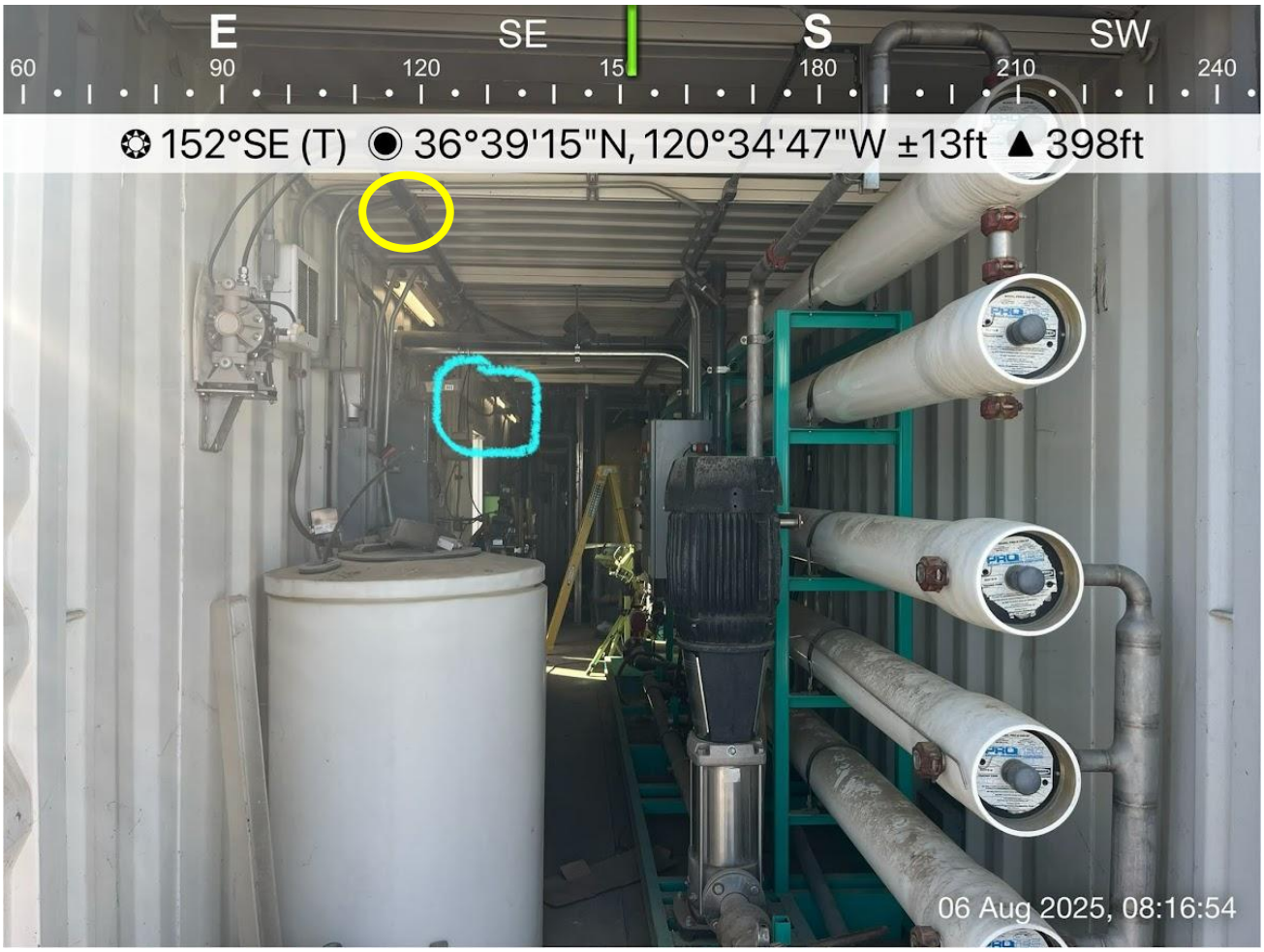
Daily Monitoring Report



Conduit within trench capped to prevent wildlife entry overnight.

Daily Monitoring Report

Dead HOFI female found in nest.



Interior view of conex with first HOFI nest circled in blue and second nest circled in yellow. Open side door visible on left side.

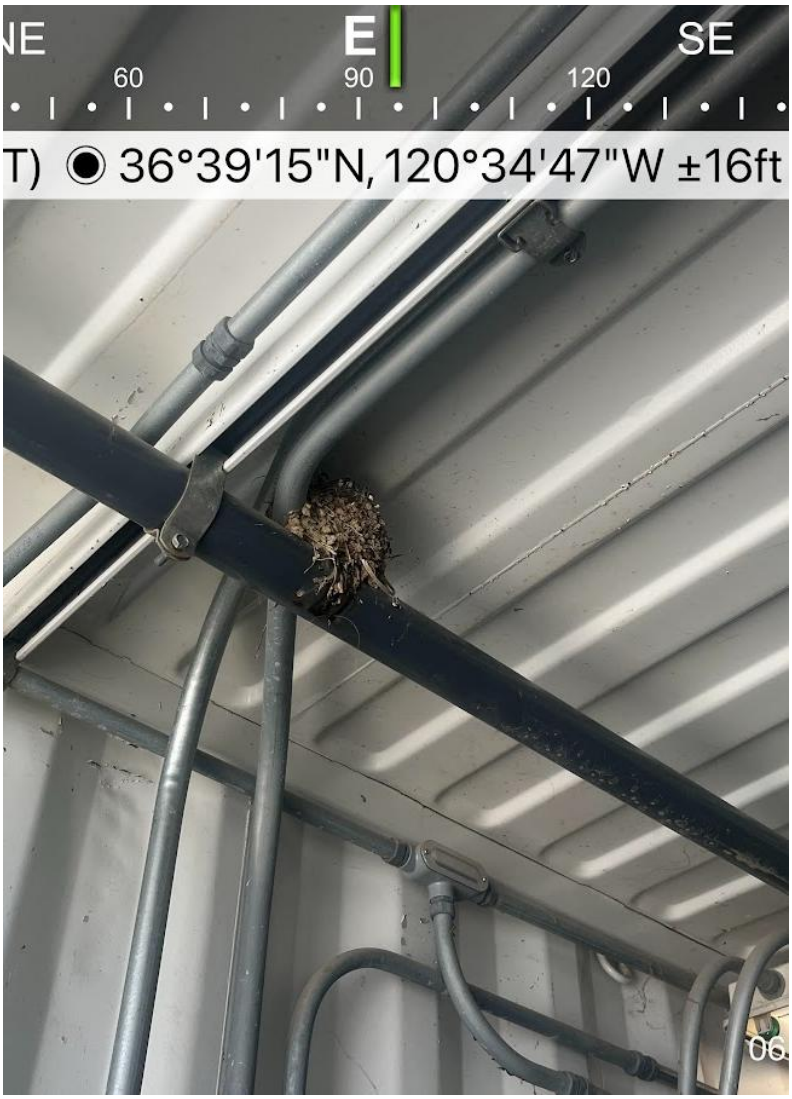
Daily Monitoring Report

First HOFI nest within conex, nestlings with emerging pin feathers, eyes barely open, minor down, estimated at approximately 5-6 days old.

Daily Monitoring Report

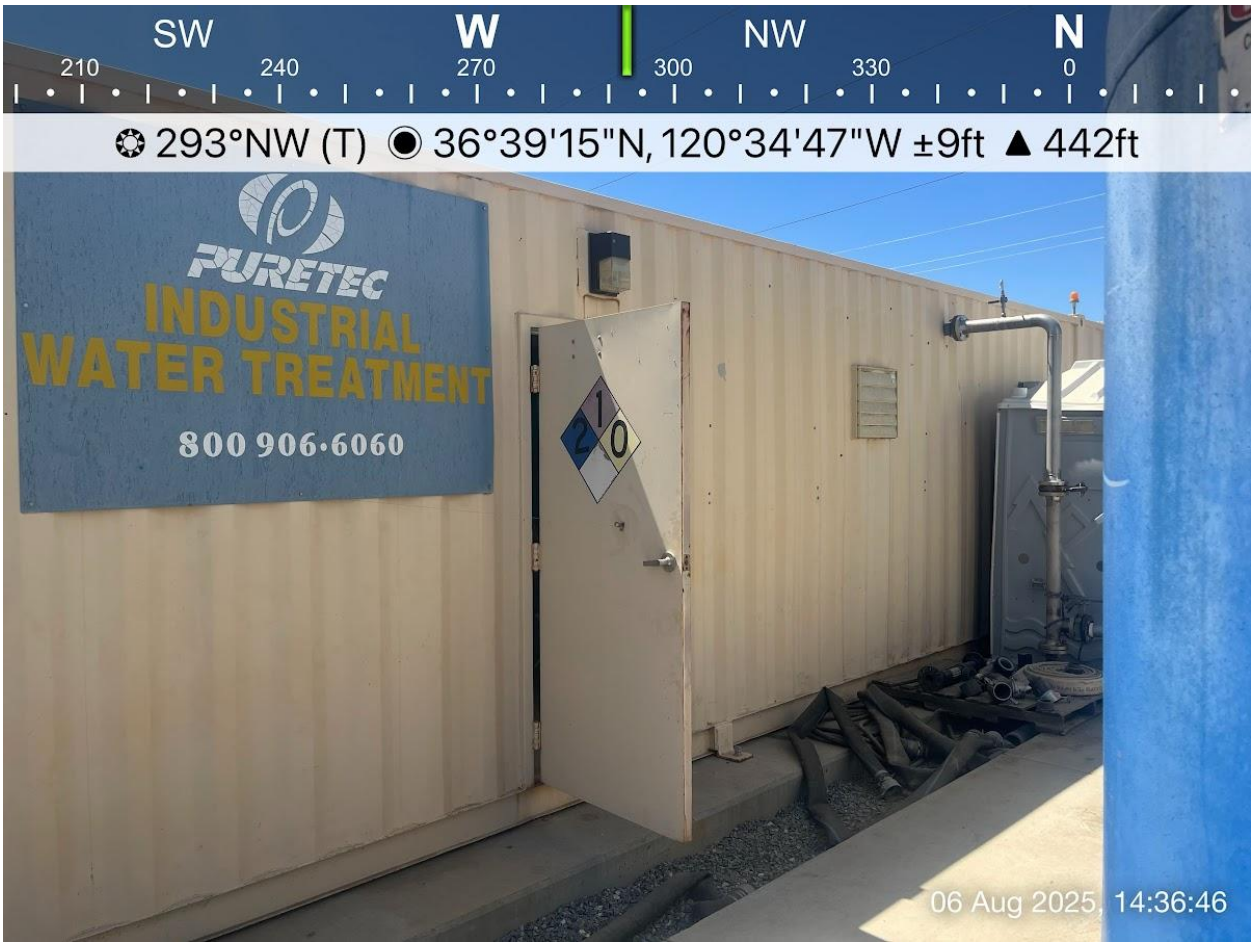
Second HOFI nest, difficult to observe given close proximity to ceiling with one egg and at least one small nestling, pink, unfeathered, estimated at 1 day old.

Daily Monitoring Report



View of second HOFI nest near ceiling. Appears potentially to be built on top of an old black phoebe nest of unknown timing or outcome.

Daily Monitoring Report



View of conex door, secured open with no work buffer established at area access points.

View of conduit trench at end of day with wooden post used as wildlife escape ramp.

Daily Monitoring Report

Project Name: Midway	**Location:** Firebaugh	
Monitor(s): Ryan Wardle	**Date:** August 07, 2025	
Start Time: 0630	**Stop Time:** 0915	**Total Hours Worked:** 2.75
Temp (F): 68/80 **Start / Stop**	**Cloud Cover (%):** 0%/ 0% **Start / Stop**	**Wind (mph):** 1-2/2-3 **Start / Stop**

Environmental Education Provided: ☑ No ☐ Yes

All crews previously attended WEAP training.

Summary of Day's Activities and Progress of Work Completed To Date: Backfill of conduit trench completed.

Upcoming Planned Construction Activities' Forecast: Remaining work within conex on hold until post nests fledge. No remaining work planned between now and completion of work within conex.

Important Communications: See below summary.

Critical Action Items To Follow Up On: Monitor house finch (*Haemorrhous mexicanus*; HOFI) nests within conex and estimated potential fledge date.

Compliance Measures: BIO-2, BIO-6, and BIO-9

Special-Status Species Observations: None

Nesting Bird Observations: Two active HOFI nests located within conex. See details below.

Wildlife Observations: WEKI, EUST, MODO, ECDO, NOMO, HOSP, HOFI

Wildlife Relocations: None.

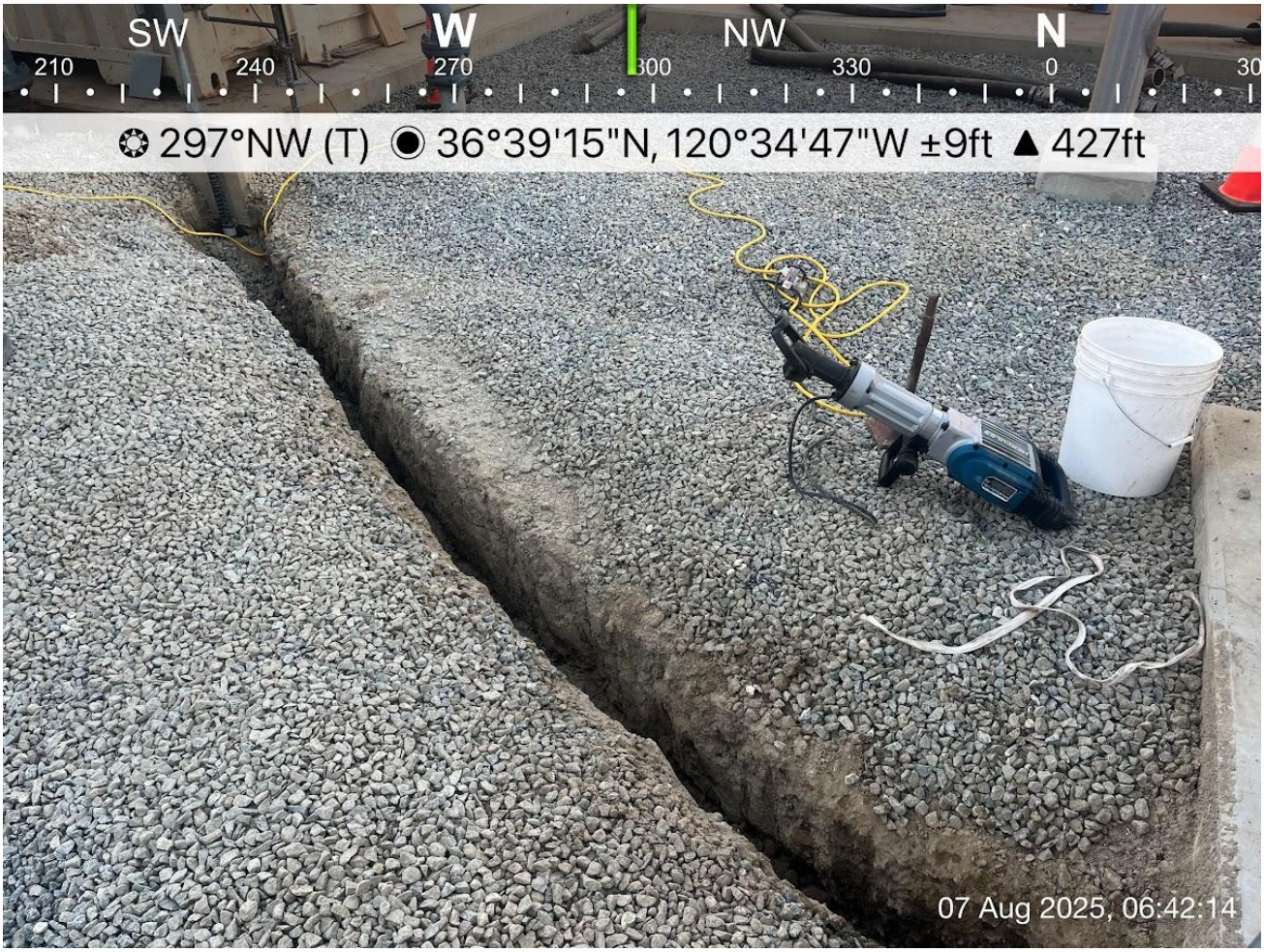
Additional Pertinent Notes:

Daily Activities in Time – Activity Format:

0630: Rincon biologist, Ryan Wardle, arrived on-site at Midway peaker plant and signed in with plant manager John Clingpeel and Patch construction manager Dan Johnson. Confirmed plan was to finish conduit and backfill of small trench. No wildlife within trench, pipes capped with escape ramp in place. Total depth of trench was approximately 18 inches and therefore no temporary fencing was installed.
0640: Biologist checked nests in conex, female HOFI incubating second nest, flushed out of conex but confirmed to have returned to nest and resumed incubating following work yesterday. Additional HOFI activity on water tanks was presumed waiting to approach conex.
Within small conduit trench, no wildlife entrapment issues were observed, and crew planned to compact and backfill trench. Crew was also working on painting the pipe on the outside of conex. Crew was painting prior to nest check confirming incubation not disturbed by light work outside of conex.
0650: HOFI female entered the conex with no begging audible, presumed returning to incubate second nest but do not want to check and disturb.
0655: Crew began using jack hammer to compact conduit trench. Nestling begging was audible and female HOFI exited conex, confirming feeding to nest and not disturbed by conduit trench work.
0705: Jackhammer footing was not compatible and did not work. CM began calling around to find footing.
0715: Crew attempted to modify footing with grinder to fit with jack hammer
0725: HOFI observed entering conex.
0735: Crew fixed jack hammer and began compaction. Bio observed prior nests. "Left" nest remained empty and "right" nest had 7 eggs, appears same as before but assumed miscounted prior for 6 due to bad imagery. Other nest opposite remained with dead HOFI female in nest.
0750: Female HOFI observed incubating second nest in conex, confirmed to be on nest during compaction.
0810: HOFI nestling begging audible while crew backfilled and compacted confirming FC to nest.
0830: crew completed backfill of trench and replaced gravel.

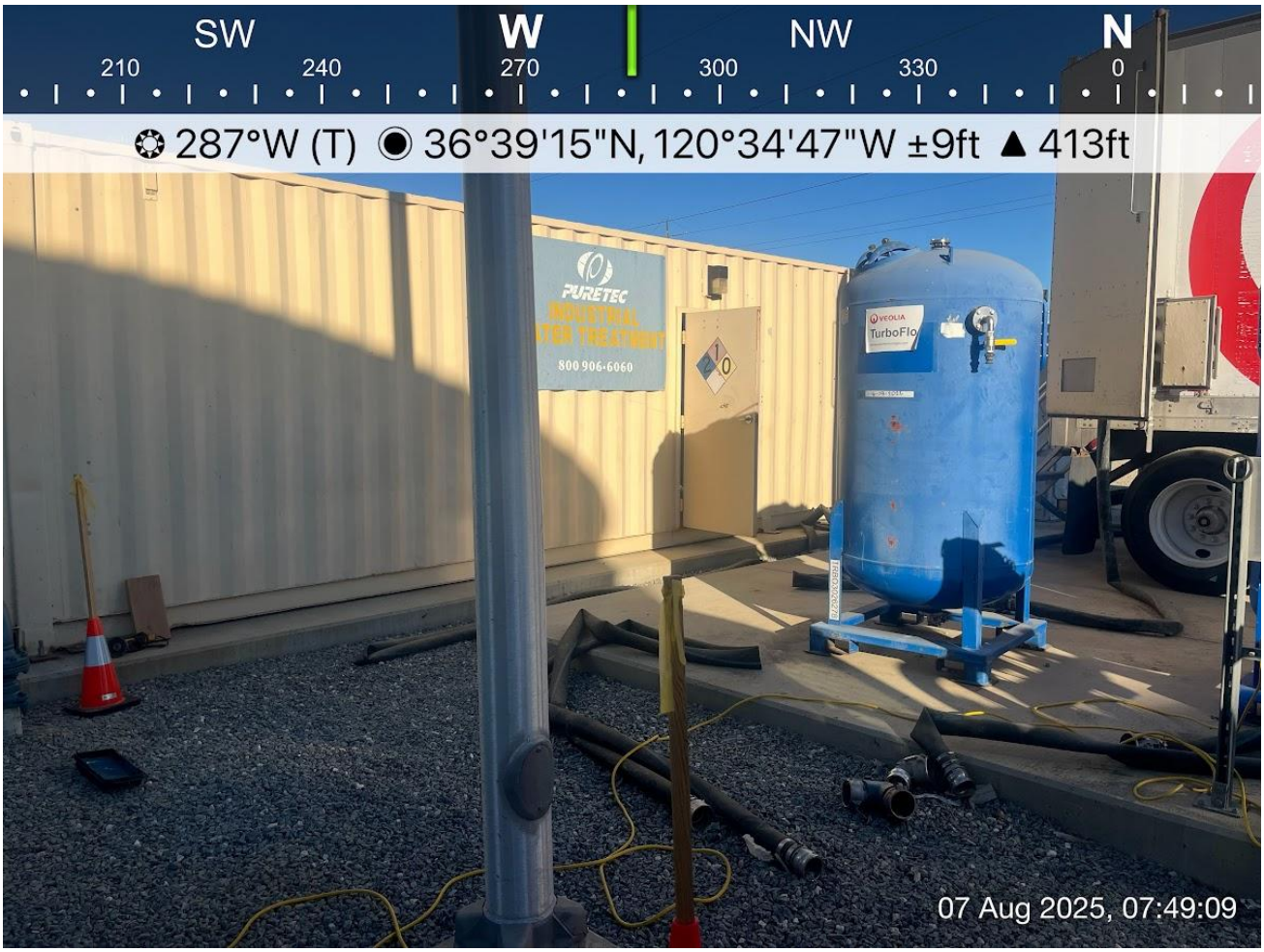
Daily Monitoring Report

0900: Bio discussed upcoming work with Dan and reminded him of nest buffer around door and avoid work and pass through. HOFIs observed food carrying and incubating during morning work, so determined to be tolerant to site activity and buffer would be suitable with no work near conex door or inside. Discussed timing of weekly spot checks to observe nest status and would coordinate on future work once nests were near fledge.
0915: BIO departed site.



Conduit trench planned for backfill.

Daily Monitoring Report



Conex door propped open with buffer established for exclusion of work or staging.

Daily Monitoring Report

Conduit trench after completion of backfill.

Daily Monitoring Report

Project Name: Midway-Panoche BESS	**Location:** Firebaugh	
Monitor(s): Morgan Craig	**Date:** August 14, 2025	
Start Time: 0913	**Stop Time:** 1430	**Total Hours Worked:** 5
Temp (F): 69/88 **Start / Stop**	**Cloud Cover (%):** 0%/ 0% **Start / Stop**	**Wind (mph):** 3/5 **Start / Stop**

Environmental Education Provided: ☑ No ☐ Yes

Summary of Day's Activities and Progress of Work Completed To Date: No work occurring

Upcoming Planned Construction Activities' Forecast: N/A

Important Communications: No work occurring. Biologist on site for weekly spot check and nest checks.

Critical Action Items To Follow Up On: Nest activity inside storage container.

Compliance Measures: Biological monitoring.

Special-Status Species Observations: None.

Nesting Bird Observations: Two HOFI nests.

Wildlife Observations: LOSH, AMCR, EUCD, MODO, HOFI, NOMO

Wildlife Relocations: None.

Additional Pertinent Notes: N/A

Daily Activities in Time – Activity Format:

0913: Rincon biologist Morgan Craig checked in with Midway plant manager John Clingenpeel. No work was occurring.

0940: Ms. Craig conducted a biological sweep inside the plant and checked on the activity of previously identified nests. One loggerhead shrike (LOSH; *Lanius ludovicianus*) was perched on a telephone pole near the battery storage area. Two of the previously noted house finch (HOFI; *Haemorhous mexicanus*) nests that were considered inactive had been pulled down and were left on the ground. A buffer that was installed by the biologist was still set in place for the nests. Rincon did not authorize the construction team or plant team to pull down the nests. Ms. Craig asked John Clingenpeel about the nests. Mr. Clingenpeel said he did not know they were on the ground but indicated that the plant was frequented by feral cats (*Cattus domesticus*) and raccoons (*Procyon lotor*) which could have potentially knocked nests down.

1010: The biologist checked the storage container that had two previously identified active HOFI nests. The southern HOFI nest had one large nestling on the nest the biologist observed multiple food carries from the adult. This indicates that one nestling had already fledged the nest, with the second likely to fledge within the next week. No food carries or bird activity was observed at the northern HOFI nest during the site visit. Ms. Craig checked inside the nest and saw one egg and one buried nestling (possibly no longer alive). The biologist continued to monitor for any bird activity for four and a half hours, with multiple breaks of greater than one hour to allow incubation to resume in case the birds were flushed from the biologist. No nest activity was observed. The nest status is undetermined and will require a follow up check to confirm if the eggs have hatched or if the nest has been abandoned.

1330: The biologist continued to monitor the HOFI nests and sweep the work area. One new nest was observed inside of the portable toilet inside the plant. No activity was observed at the nest or within the vicinity during the site visit. Eggs inside the nest were cracked and discolored. The nest appears to have been inactive for a while and could have been built prior to construction work on site.

1430: The biologist left the plant at the same time as the plant team. Activity at the northern HOFI nest was not confirmed and will need to be revisited during the next biological sweep.

Biological sweep inside Midway plant. 50-foot buffer still in place for old inactive HOFI nest.

Old HOFI nest observed on ground.

Daily Monitoring Report

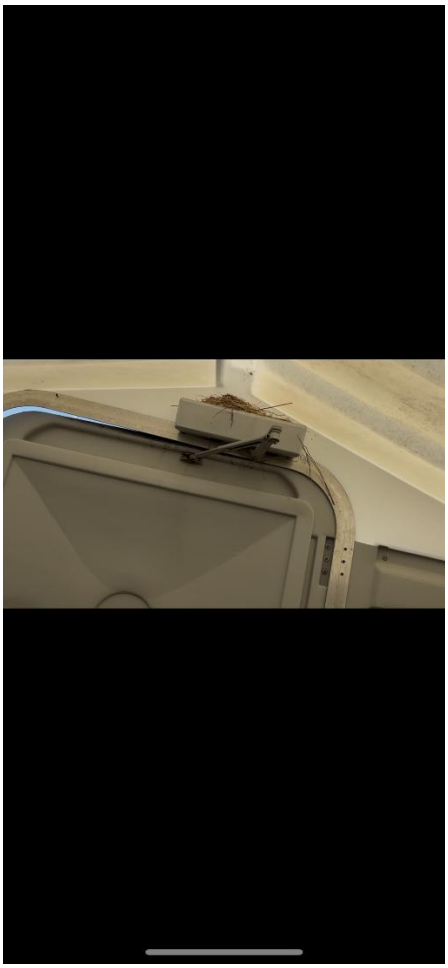
Second old HOFI nest observed on ground.

Daily Monitoring Report

Southern HOFI nest inside storage container. One large nesting was left in the nest.

Northern HOFI nest inside storage container. One egg and possible nestling on the nest.

Daily Monitoring Report



One newly identified nest inside the portable bathroom in the plant.

Daily Monitoring Report

Nest inside the portable bathroom has eggs that were discolored and cracked. No bird activity was observed at the nest or in the vicinity during the sweep.

Daily Monitoring Report

Project Name: Midway-Panoche	**Location:** Chaney Ranch	
Monitor(s): Emma Kirschten	**Date:** August 20, 2025	
Start Time: 10:12	**Stop Time:** 13:05	**Total Hours Worked:** 2.88
Temp (F): 78/89 **Start / Stop**	**Cloud Cover (%):** 0/0 **Start / Stop**	**Wind (mph):** 5/8 **Start / Stop**

Environmental Education Provided: ☑ No ☐ Yes

No crew onsite

Summary of Day's Activities and Progress of Work Completed To Date: Biologist checked on status on the two HOFI nests found inside the conex container on the site. Both appeared inactive. Biologist conducted a full sweep of the project worksite, no new bio resources observed. Bio then removed inactive nests.

Upcoming Planned Construction Activities' Forecast:

Important Communications:

Critical Action Items To Follow Up On:

Compliance Measures:

Special-Status Species Observations:

Nesting Bird Observations:

Wildlife Observations: Common crow. Eurasian collared dove.

Wildlife Relocations:

Additional Pertinent Notes:

Daily Activities in Time – Activity Format:

10:13 - Biologist arrived onsite to monitor for HOFI activity around Conex container where two nests were previously found.

10:28 - Biologist observed outside for 20 minutes before entering the Conex. No birds flushed upon entry. No sounds or signs of bird presence within the Conex. Biologist inspected both known nests.

11:20 - Nest inspection complete. Nest on the left (south) was empty, nest on the right (north) still had a singular unhatched egg. Designated Biologist / project manager was informed about the status of the HOFI nests.

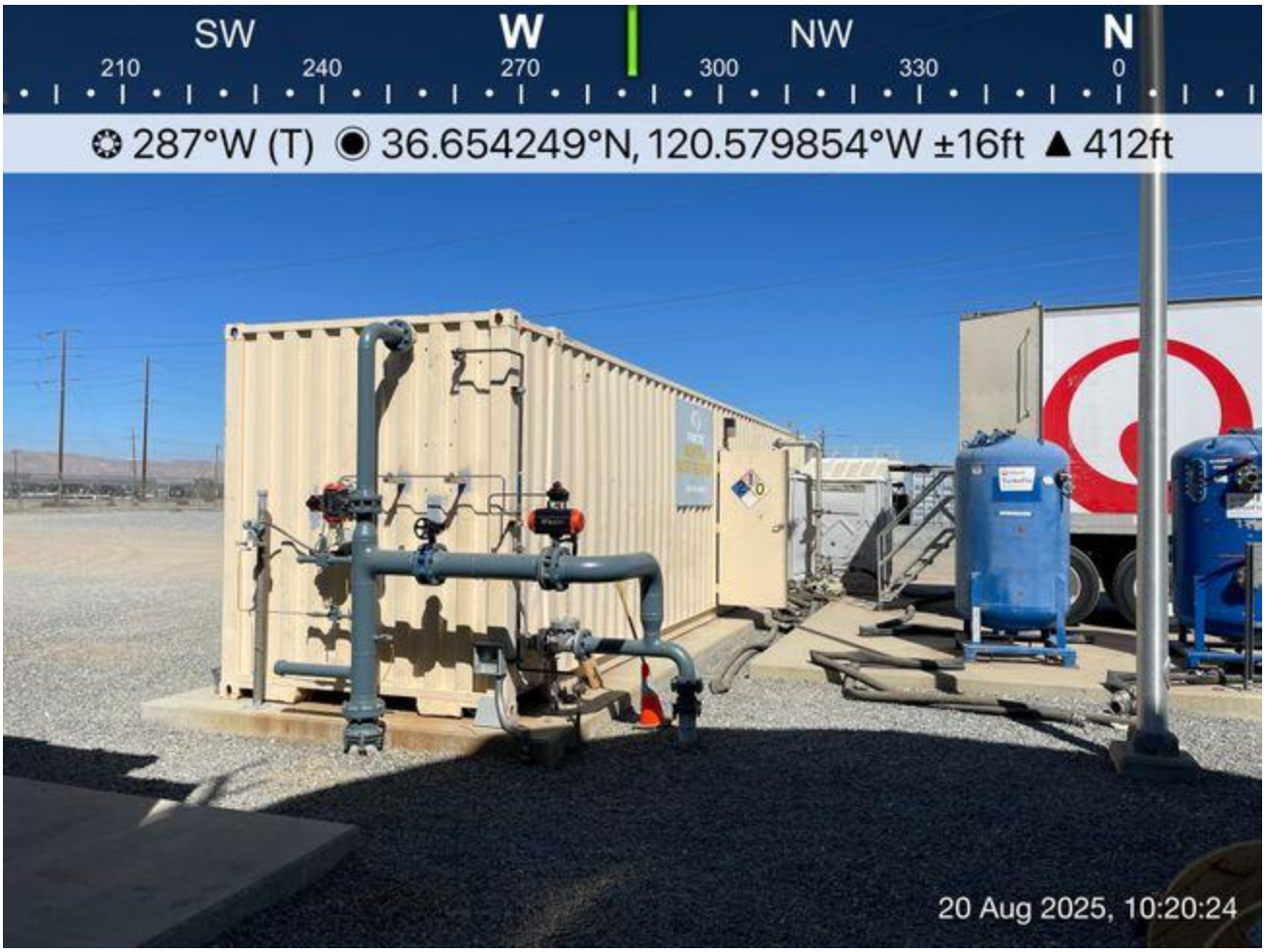
11:34 - Biologist compeleted a full sweep of the worksite and examined all other former nest sites.

11:40 - Biologist left the site for lunch.

12:40 - Biologist returned to site to remove the two inactive nests within the Conex as confirmed with designated biologist that both nests were inactive. Both removed to deter any further nesting attempts. Biologist recommended to the plant manager that the door to the Conex be closed to prevent further use of that space by wildlife.

13:05 - Biologist left the site.

Conex container with HOFI nests

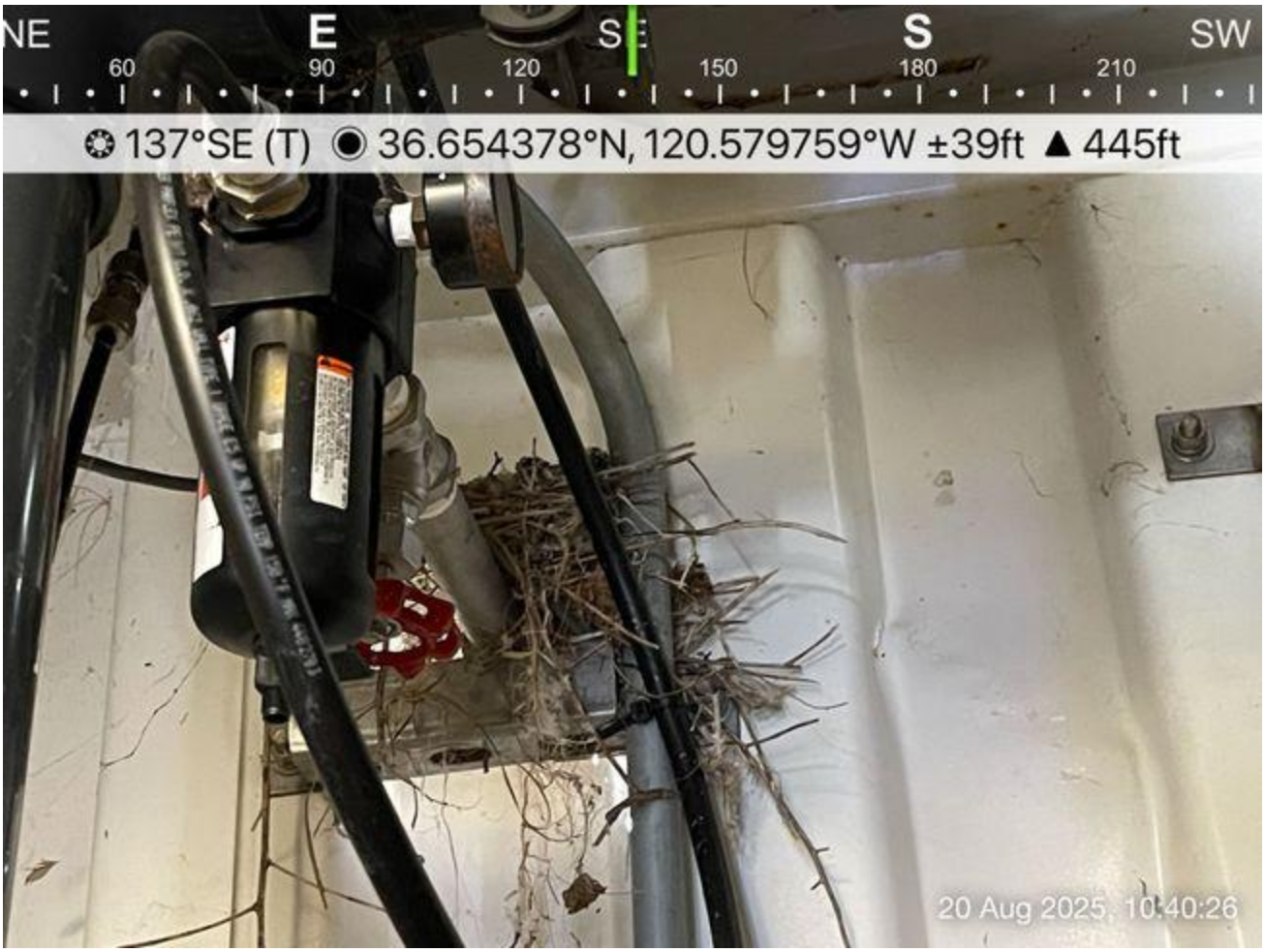


Outside of container with HOFI nests

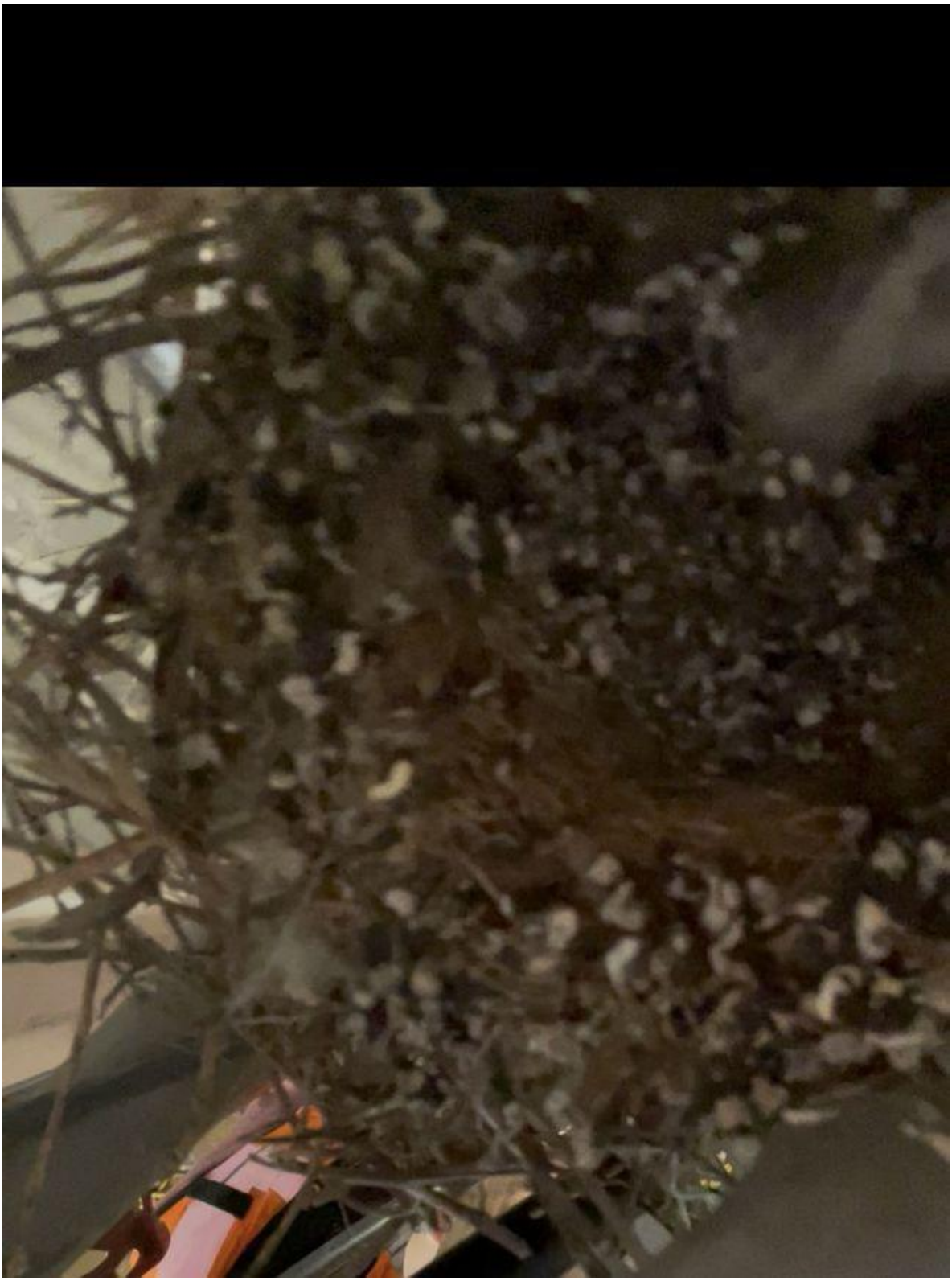
Daily Monitoring Report

No activity observed at northern nest

Daily Monitoring Report



No activity at southern nest



HOFI nest on the south side of Conex.

HOFI nest on the right side of the Conex.

Daily Monitoring Report

Project Name: Midway-Panoche	**Location:** Chaney Ranch	
Monitor(s): Emma Kirschten	**Date:** August 29, 2025	
Start Time: 09:05	**Stop Time:** 09:55	**Total Hours Worked:** 0.83
Temp (F): 70/68 **Start / Stop**	**Cloud Cover (%):** 25/25 **Start / Stop**	**Wind (mph):** 6/6 **Start / Stop**

Environmental Education Provided: ☑ No ☐ Yes

Summary of Day's Activities and Progress of Work Completed To Date: Biologist conducted weekly spot check of the project site. No special status species or nesting birds observed. Cones and stakes delineating nesting bird exclusion zones were removed. No compliance concerns observed.

Upcoming Planned Construction Activities' Forecast:

Important Communications:

Critical Action Items To Follow Up On:

Compliance Measures:

Special-Status Species Observations:

Nesting Bird Observations:

Wildlife Observations: Eurasian collared dove, common raven, black phoebe

Wildlife Relocations:

Additional Pertinent Notes:

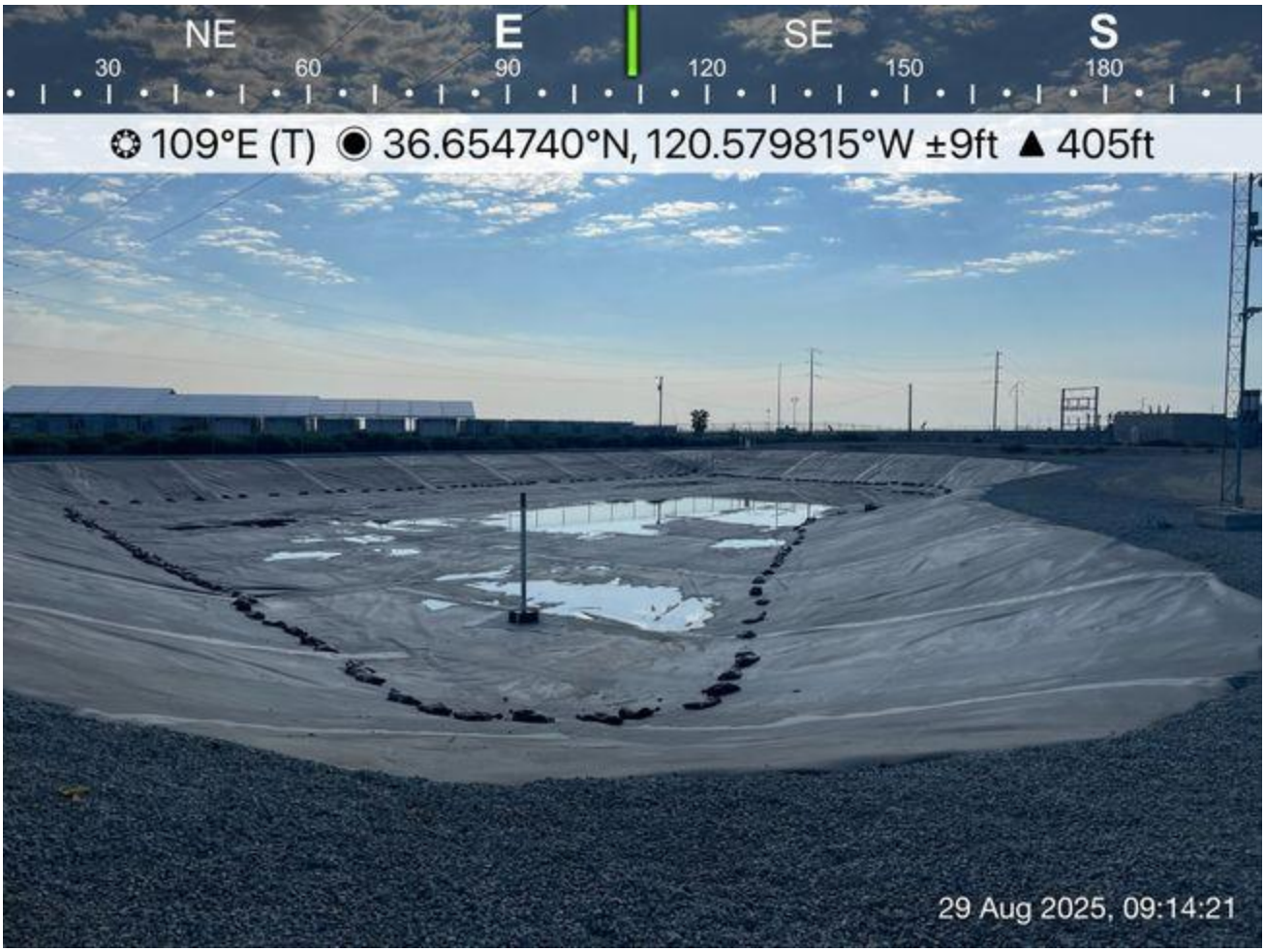
Daily Activities in Time – Activity Format:

09:05 – Biologist arrived onsite and checked in with plant manager, John, to inform him of final spot check taking place.

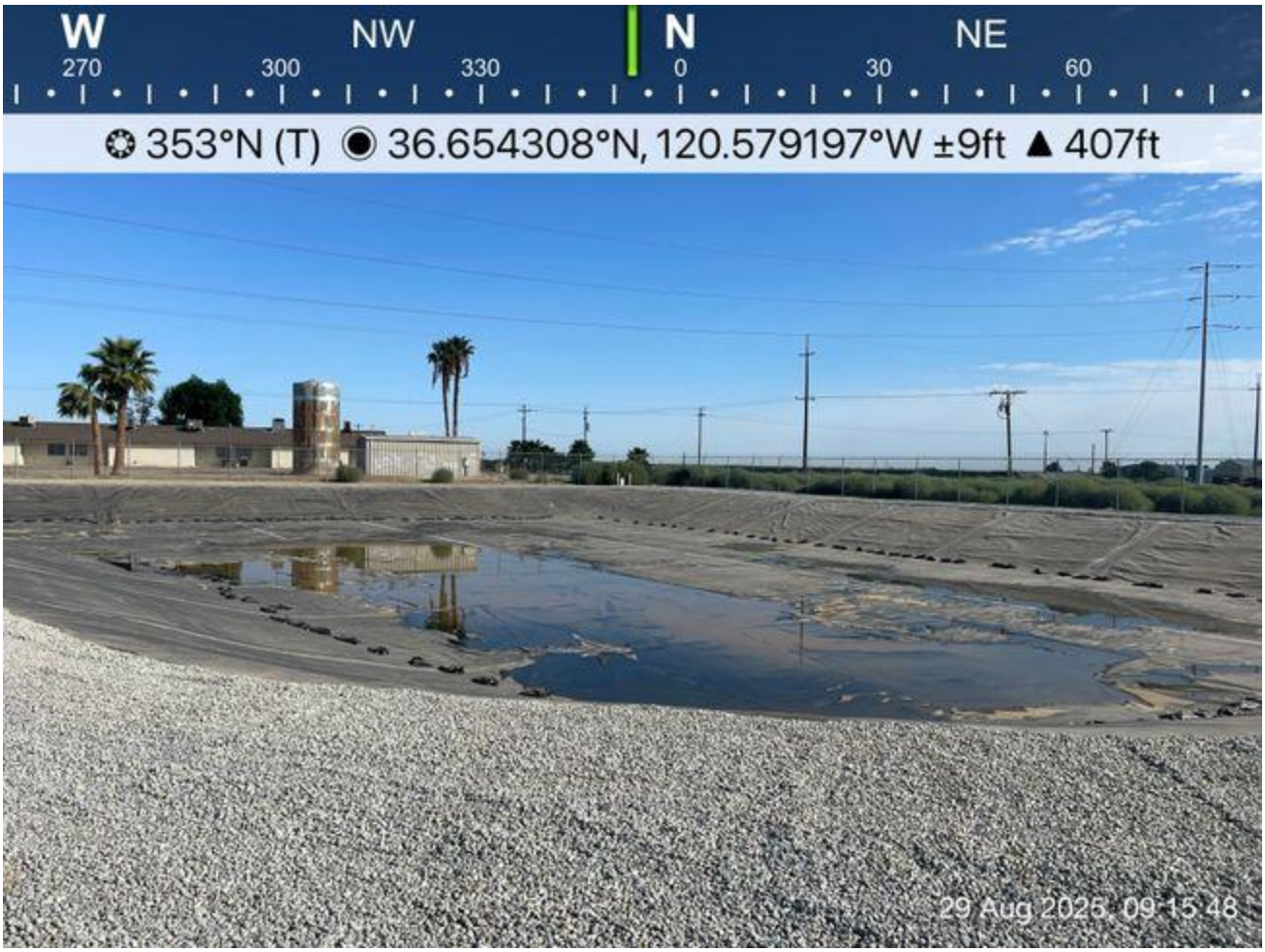
09:13 - Biologist entered the plant to conduct the weekly spot check and post construction survey as all project related work was completed on August 27, and indicated by CM Dan Johnson.

09:45 - Biologist completed the weekly spot check, and removed all nest buffer materials from the work site.

09:55 - Biologist checked out with the plant manager and stored exclusion buffer cones and stakes onsite, behind the main office.



Completed pond lining

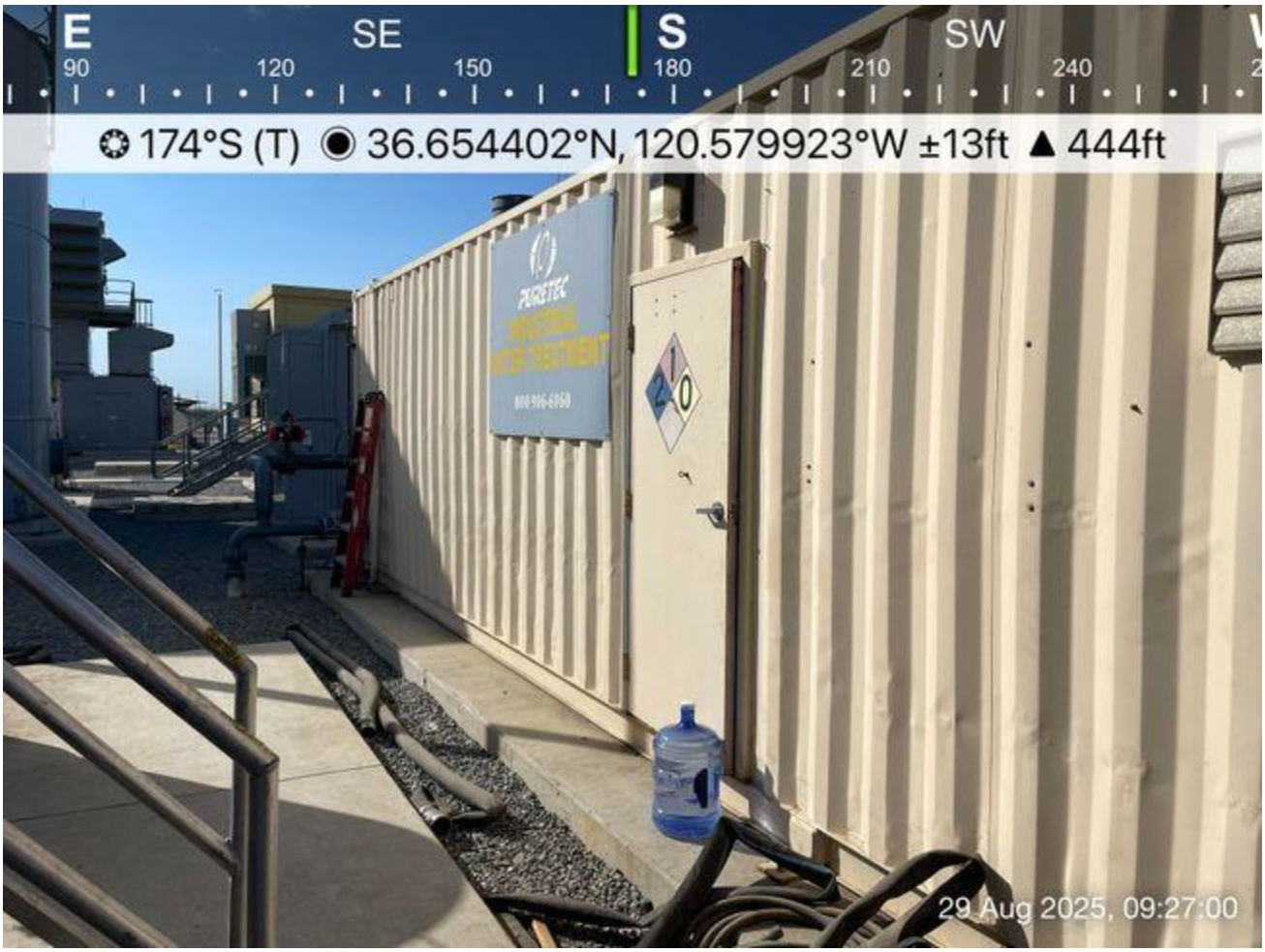


Pond lining overview.

Overview of Midway plant

HOFI nest buffer before removal

Waterline upgrade worksite and conex, with door closed.



Conex box with doors kept closed

Waterline valve former excavation site.

Appendix B3

Cultural Resources Monthly Monitoring Summary Report (CUL-6)

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

September 15, 2025
Project No: 24-16970

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

Subject: Cultural Resources Monitoring Report, August 2025, Midway Pond Lining and Interconnection BESS Project within APN 027-060-91S in Unincorporated Fresno County, California (Docket No. 06-AFC-10C and Post Certification Amendments)

Dear Dr. Ali:

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

Worker Environmental Awareness Program

In accordance with CUL-5, the project owner shall provide the Worker Environmental Awareness Program (WEAP) Training Acknowledgement forms of personnel who have completed the training in the prior month and a running total of all personnel who have completed training to date. The cumulative list of all employees WEAP trained using the pre-recorded video has been included in Appendix A.

Monitoring Methods and Results

In accordance with CUL- 6, Rincon's on-site Cultural Resource Monitor (CRM) Robert Guardado, BA, conducted archaeological monitoring on August 5, 2025; monitoring did not occur on any other day in August. The Rincon CRM was present during project-related, ground-disturbing activities, including excavation and trenching activities associated with monitoring for the raw water supply upgrade. During ground-disturbing activities, the monitor examined exposed soils for precontact artifacts (e.g., chipped stone tools and production debris, stone milling tools), historic period debris (e.g., metal, glass, ceramics), or soil discoloration that might indicate the presence of an archaeological feature. The CRM documented field observations on Daily Monitoring Logs (Attachment 1). No cultural resources were identified during the week of August 4, 2025.

Conclusions

A cultural resource monitor was present for one day of scheduled ground disturbance in accordance with CUL-6 of the project's Conditions of Certification for the month of August 2025. No artifacts, archaeological deposits, or archaeological features were identified during the monitoring of ground-disturbing construction activities, and no non-compliances occurred during monitoring. Based on the results of the monitoring effort, the ground-disturbing activities that occurred on August 5, 2025, did not impact cultural resources. Any future excavations within previously undisturbed/native soils associated with the project will require full-time archaeological monitoring.

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

Sincerely,
Rincon Consultants, Inc.

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

Attachments

Attachment 1 Daily Monitoring Log

Attachment 1

Daily Monitoring Log

Daily Monitoring Report

Project Number: 24-16970		**Project Name:** Midway Panoche BESS
Monitor: Robert Guardado		
Date: August 5, 2025	**Start Time (24 hour):** 07:00	**Stop Time (24 hour):** 11:37
Weather (Temperature, wind speed, cloud cover, precipitation): 80 ° F, <2 mph mph, 0 %, None		
Start Location: Zone 10S 716325E 4059247N		

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

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

07:09 - Gravel pushing

Type of Monitoring: Continuous Monitoring

Additional Notes: Crew is clearing about 4 inches of gravel to expose dirt.

Location: 10S 716325E 4059247N

Depth of Ground Disturbance: 0

Soils/Lithology Description: Tan silt loam, highly compacted, well sorted.

07:09 Facing northwest
Prepping work area.

09:33 - Excavation by hydrovac

Type of Monitoring: Continuous Monitoring

Additional Notes: Crew is conducting Hydro Vac excavation for one trench measuring 8 inches wide by 18 inches deep, and approximately 15 feet long.

Location: 10S 716323E 4059253N

Depth of Ground Disturbance: 18 inches

Soils/Lithology Description: Highly compacted, well sorted, silt loam.

Daily Monitoring Report

09:33 Facing east
Start of soil removal with hydrovac

Summary of project related communications:

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

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

Native American Monitor present? ☐ Yes ☑ No

Archaeological Discovery Made? ☐ Yes ☑ No

Safety Concerns? ☐ Yes ☑ No

Appendix B4

Paleontological Resources Monthly Monitoring Summary Report (PAL-5)

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

September 15, 2025
Project No: 24-16970

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

Subject: Paleontological Resources Summary Report, August 2025, Midway Pond Lining and Interconnection BESS Project within APN 027-060-91S in Unincorporated Fresno County, California (Docket No. 06-AFC-10C and Post Certification Amendments)

Dear Dr. Ali:

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

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

- **Worker Environmental Awareness Program (WEAP).** The CEC-approved WEAP video presentation was provided to all construction personnel who begin working onsite in August 2025.
- **Monitoring.** Full-time paleontological monitoring was conducted by paleontological monitor Katerina Alexis-Konstantinidis (Bargas Environmental Consulting) in areas where construction activity occurred in previously undisturbed sedimentary geologic units with high paleontological sensitivity. Paleontological monitoring occurred on two (2) days in August 2025 (8/4–8/5).
- **Discoveries.** No fossils were observed during monitoring.
- **Compliance.** No non-compliance activities were observed.
- **Look ahead.**. Any future excavations within previously undisturbed/native soils associated with the project will require full-time paleontological monitoring.

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

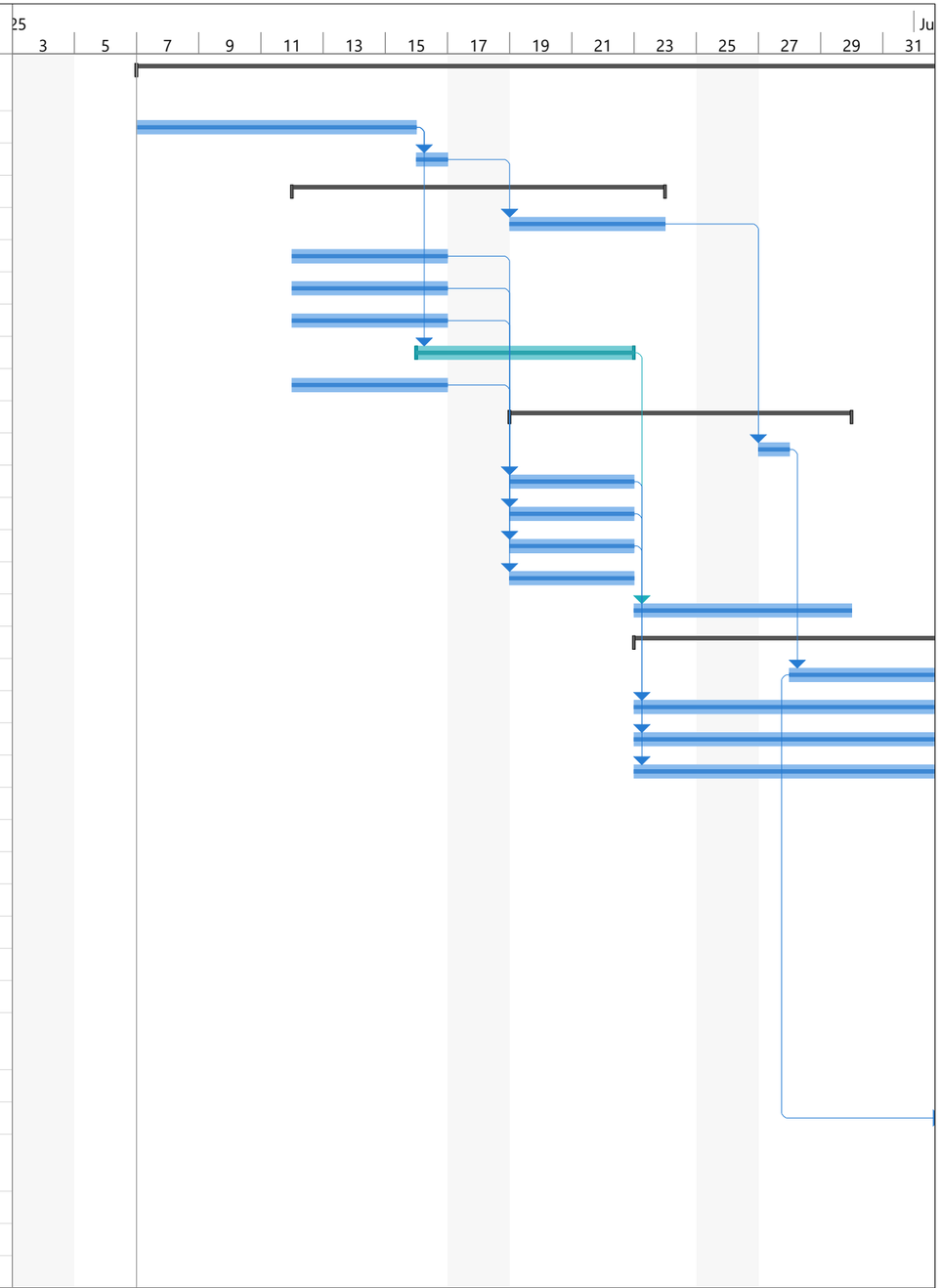
Sincerely,
Rincon Consultants, Inc.

Andrew McGrath, PhD
Midway Pond Lining and Interconnection BESS Project
Paleontological Resource Specialist

Appendix B5

Chief Building Official (CBO) schedule updates (GEN-2)

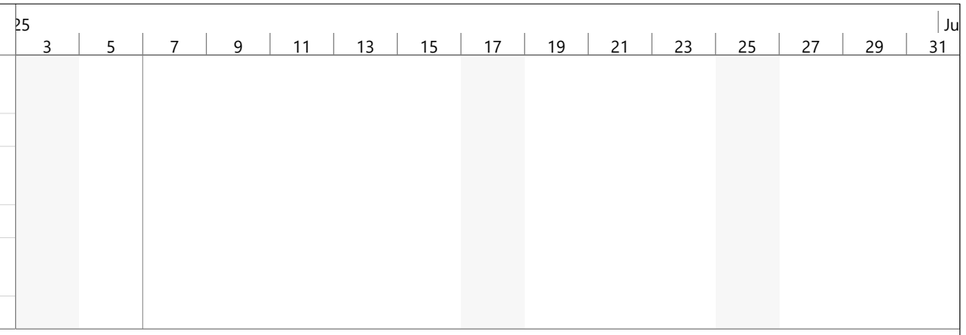
ID	Task Mode	Task Name	Duration	Start	Finish	Predecessors	% Complete	Resource Names
1		**Midway Pond Liner & Raw Water Improvements**	**68 days**	**Wed 5/7/25**	**Tue 8/12/25**		**75%**	
2		Subcontract Negotiations	7 days	Wed 5/7/25	Thu 5/15/25		100%	
3		NTP	1 day	Fri 5/16/25	Fri 5/16/25	2	100%	
4		**Submittals**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



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

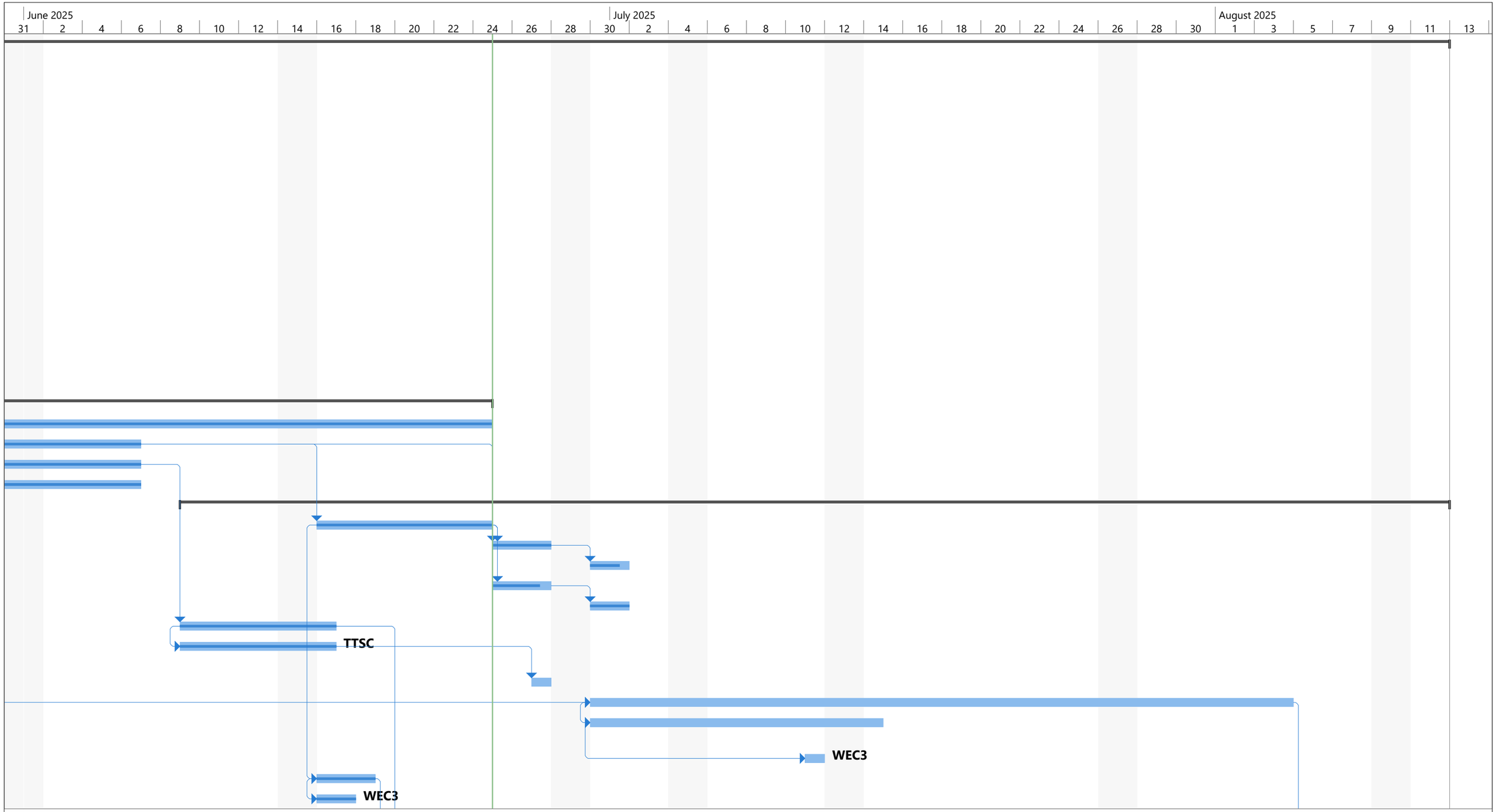
Task	Project Summary	Manual Task	Start-only	Deadline
Split	Inactive Task	Duration-only	Finish-only	Progress
Milestone	Inactive Milestone	Manual Summary Rollup	External Tasks	Manual Progress
Summary	Inactive Summary	Manual Summary	External Milestone	

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



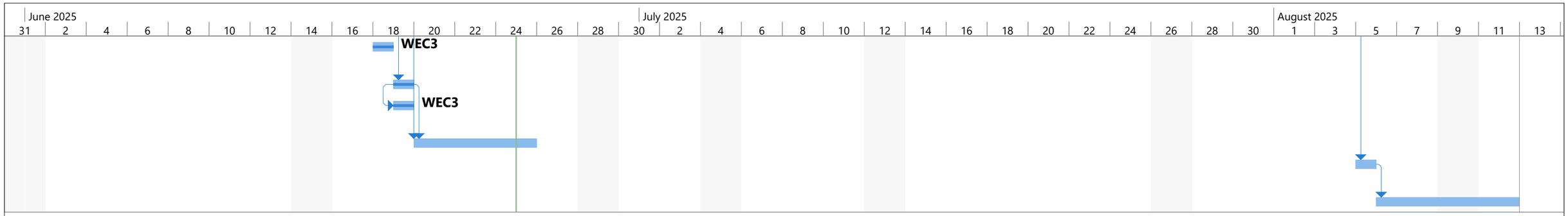
Project: Baseline Schedule
Date: Wed 6/25/25

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



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

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



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

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

Appendix B6

CBO’s receipt of payment (GEN-3) and CBO’s approval of the qualifications (GEN-6)

Outlook

[EXT] FW: Midway CEC paymet

From: Jon Boyer <jboyer@mrpgenco.com>
Sent: Thursday, August 7, 2025 1:39 PM
To: Ashley Quackenbush <aquackenbush@rinconconsultants.com>
Cc: Robert Ray <rray@patchservices.com>
Subject: [EXT] FW: Midway CEC paymet

This was paid today, should probably be in next months compliance report for midway.

Jon Boyer I Director of Environmental, Health, and Safety I Middle River Power I C: 760.912.3007

From: Joan Amaral <jamaral@mrpgenco.com>
Sent: Thursday, August 7, 2025 1:32 PM
To: Jon Boyer <jboyer@mrpgenco.com>
Subject: Midway CEC paymet

Jon,
Inv #4233 for $567.00 was paid by ACH today:

⊟	CALIFORNIA ENERGY COMM	CALIF06	121000358	1436680644	No	567.00	N	None	History

Receiver Name	Receiver ID	Routing & Transit Number (R/T)	Bank Name
CALIFORNIA ENERGY COMM	CALIF06	121000358	
Receiver Account	**Account Type**	**Default Amount**	**Discretionary Data**
1436680644	Checking	$567.00	N/A
Email Address		**Addenda**	
N/A		N/A	
Hold / Prenote	**Lock**		
None	No		

Joan Amaral
Middle River Power, LLC
4350 Executive Dr., Suite 320
San Diego, CA 92121
(O) 619-229-7615
(C)619-972-5977

MIDDLE RIVER POWER

Outlook

Re: Exemption for Concrete testing

From Doug Smith <dougs@wc-3.com>
Date Wed 8/13/2025 16:30
To Jon Boyer <jboyer@mrpgenco.com>
Cc Anthony Scott <ascott@thequalityfirm.com>; David Leckie <davidl@wc-3.com>

Thanks Jon for providing these credentials of the special inspector for WA-04. We are good with this inspector providing the necessary concrete-related inspections. Thanks!

Sincerely,

Doug Smith
Energy Division Manager
ICC Master Code Professional/CBO

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

Teaming With Your Community to Make a Difference

On Wed, Aug 13, 2025 at 4:57 PM Jon Boyer <jboyer@mrpgenco.com> wrote:

> Doug,
>
> Please see attached resume from the Quality Firm for special inspections on the Midway Peaking pond liner project.
>
> Get Outlook for iOS
>
> ---
>
> **From:** Anthony Scott <ascott@thequalityfirm.com>
> **Sent:** Wednesday, August 13, 2025 3:55 PM
> **To:** Matthew Tedesche <mjtedesche@patchservices.com>; Jon Boyer <jboyer@mrpgenco.com>; Dan Johnson <djohnson@patchservices.com>
> **Cc:** Ramiro Gonzalez <ramiro.gonzalez@mrpgenco.com>; dispatch <dispatch@thequalityfirm.com>
> **Subject:** Re: Exemption for Concrete testing
>
>

reason to doubt the authenticity of this message, contact IT before you open or click on anything.

See attached resume, he is available to come up tomorrow.

Thanks,

Anthony Scott
Vice President of
Infrastructure
THE QUALITY FIRM
Expectations Redefined

DBE-SBE-MBE-LBE-LSBE

177 University Pkwy
Pomona, CA 91768
909.532.1576
562-386-7131

ascott@TheQualityFirm.com
TheQualityFirm.com

Pomona – Signal Hill – San Diego – San Jose

Appendix B7

CBO’s approval of completed work (GEN-8)

Outlook

[EXT] Midway Peaking Project-Evap Pond Improvements (WA-04), Final Inspection

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From: Doug Smith <dougs@wc-3.com>
Sent: Thursday, September 4, 2025 10:37 AM
To: Dan Johnson <djohnson@patchservices.com>
Cc: Ali, Anwar@Energy <Anwar.Ali@energy.ca.gov>; Andrew Tankel <atankel@mrpgenco.com>; Joe Rossbach <joer@wc-3.com>; David Leckie <davidl@wc-3.com>; Jon Boyer <jboyer@mrpgenco.com>; Matthew Tedesche <mjtedesche@patchservices.com>; Ramiro Gonzalez <ramiro.gonzalez@mrpgenco.com>
Subject: Midway Peaking Project-Evap Pond Improvements (WA-04), Final Inspection

Hello Dan,

Thank you and your team for coordinating with our inspector Joe Rossbach for the final inspection (virtual) this week on September 2nd for Midway Peaking Project-Evap Pond Improvements Project (WA-04). Attached is our **Final Inspection** report explaining Joe's observations during the inspection. All previous inspection items have now been verified as complete.

Also, in order to close out the project, please provide any as-built plans (if changes to the project were made), all special inspection reports, and any commissioning or final reports you have for the project.

For the others copied on this email this inspection report has also been uploaded to our project portal at: https://plans.wc-3.com/submittals/all/110678

Please feel free to call with any questions.

Sincerely,

Doug Smith
Energy Division Manager
ICC Master Code Professional/CBO

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

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ON-CALL DELEGATE CHIEF BUILDING OFFICIAL SERVICES

CONSTRUCTION COMPLIANCE & INSPECTION REPORT

WA-04: Midway Peaking Project-Evap Pond Improvements

WA-04: Inspection #3 Final

Project Name	Evaporation Pond Improvements-			**Inspection Date**	09/02/2025
Project Location	43627 W. Panoche Road, Firebaugh, CA 92029			**Beginning of Inspection**	12:30 pm
Project Owner	Middle River Power			**End of Insp**	1:00 pm
Project Contractor	TTS Construction			**Temperature**	107 Deg
Project Manager	Jon Boyer	**Contact#**	760 912-3007	**Rain yes/no**	No
WC3 Inspector	Joe Rossbach	**Contact#**	650.640.6222	**Cloudy / Sunny**	Sunny
CEC WAM	Dr, Anwar Ali	**Contact#**	916-698-7498	**Winds**	5mph
Project Completion Percentage %	Prior to inspection		99%	After this inspection	100%

Inspection Report and Activity

1. Purpose of this inspection:

Final inspection.

Video inspection verifying connection of site ground ring for switchgear MCC#5 and MCC#6 as well as manual transfer switch.

2. Safety briefing and or meeting notes:

Video inspection.

3. Construction documents and referenced standards used for each element or area of this inspection:

Approved plans were available online.

4. Personnel and special inspection staff present for this inspection:

Joe Rossbach, WC³ Remote Inspector

5. Elements and areas observed and Inspected:

Verified labeling of cabinets and associated conductors.

Verified connection of switchgear cabinets for breakers MCC#6, MCC#5, and manual transfer switch to continuous ground ring at air compressor pad.

6. Planned or required revisions to the accepted construction documents or proposed RFIs:

None.

7. "At risk" inspections performed and resolution plan:

None performed.

8. Changes or additions to approved GEN-06 staff (special inspectors) that need to be submitted:

None required.

9. Planned, scheduled future work activities until the next inspection:

No further inspections required. Provide all closeout paperwork. Provide all third-party testing reports.

10. Next inspection date and scope:

No further inspections required.

11. Inspection summary, determination, and outcome:

Project is completed per approved plans. Please provide all documentation, special inspection, and commissioning reports along with any required close out paperwork.

12. Photographs:

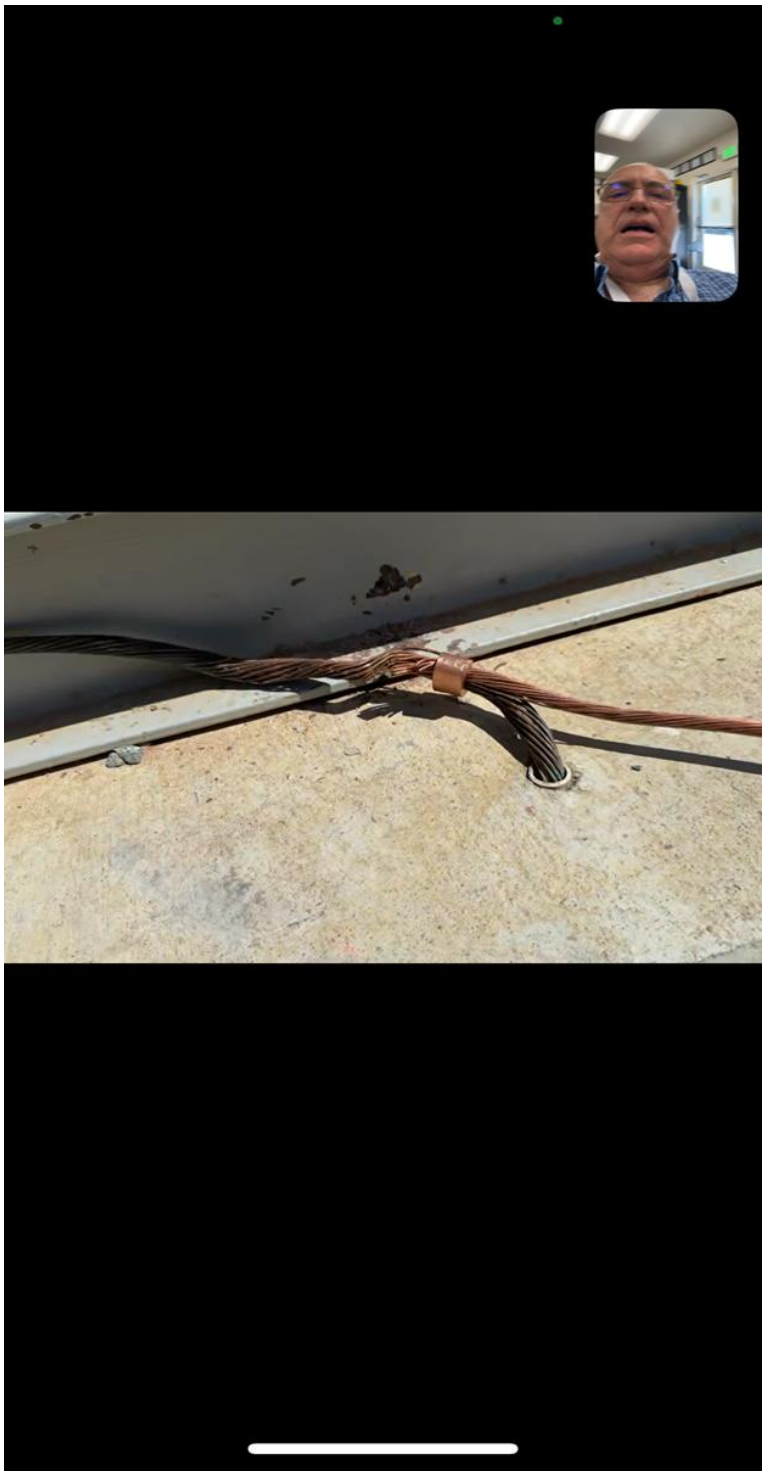
Photograph #1: Labeled MCC#6

Photograph #2&3: MTS Breaker Labeling at MCC#5 andMCC#6

Photograph #4: Labeling of conductors inside Transfer switch

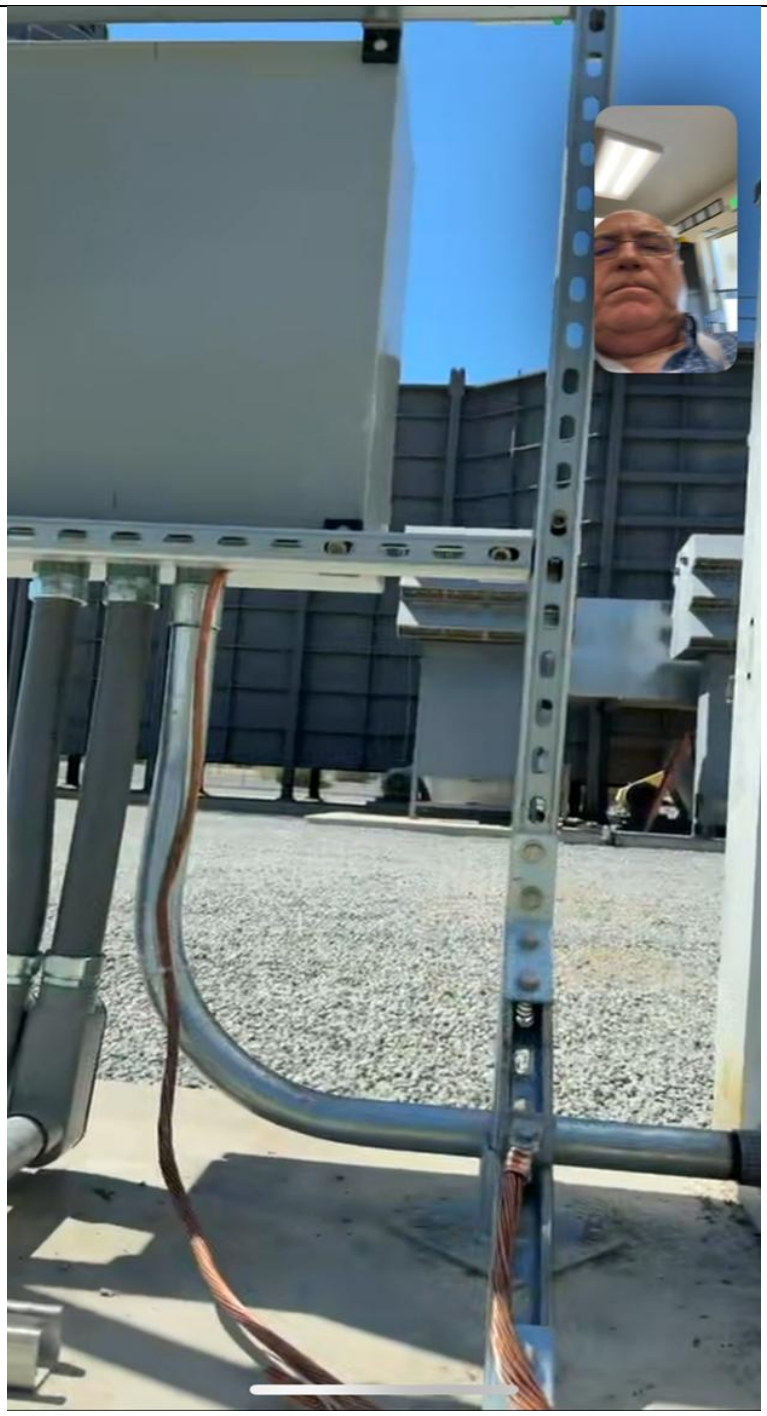
Photograph #5: Labeling of Load side conductors to well head disconnect

Photograph #6: Labeling of Manual Transfer Switch



Photograph #7: Crimp connection of cabinet bonding wire to air compressor whip to ground ring

Photograph #8: MCC#5 Cabinet and whip to Transfer Switch



Photograph #9: Bonding at MTS Cabinet and Frame

End of Report.

Outlook

Midway Peaking Project-Evap Pond Improvements (WA-04), Inspection #1

From Doug Smith <dougs@wc-3.com>
Date Mon 8/4/2025 09:33
To Dan Johnson <djohnson@patchservices.com>
Cc Jon Boyer <jboyer@mrpgenco.com>; David Leckie <davidl@wc-3.com>; Matthew Tedesche <mjtedesche@patchservices.com>; Andrew Tankel <atankel@mrpgenco.com>; Ramiro Gonzalez <ramiro.gonzalez@mrpgenco.com>; Ali, Anwar@Energy <Anwar.Ali@energy.ca.gov>; Joe Rossbach <joer@wc-3.com>

1 attachment (5 MB)
WA-04_Inspection #1_2025-07-31.pdf;

Hello Dan,

Thank you and your team for coordinating with our inspector Joe Rossbach to be on site on July 31st for the inspection of the Midway Peaking Project-Evap Pond Improvements Project (WA-04). Attached is our **inspection #1** report explaining Joe's observations during the inspection. As your team and Joe discussed, since the trenching for control wire is minor work in nature, please coordinate with him for a virtual (video) inspection of the trench when that work is ready. As for the next full on site inspection, that will be the final inspection at the completion of the project.

For the others copied on this email this inspection report has also been uploaded to our project portal at: https://plans.wc-3.com/submittals/all/110678

Please feel free to call with any questions.

Sincerely,

Doug Smith
Energy Division Manager
ICC Master Code Professional/CBO
West Coast Code Consultants, Inc. (WC³)
Layton Regional Office
O: 801.547.8133 | **C:** 801.550.7630
E: DougS@WC-3.com | www.WC-3.com

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Appendix C

Midway California Energy Commission Compliance Matrix

Midway Pond Lining Project
Environmental Construction and Compliance Matrix

Condition of Certification	Title/Short Summary	Phase	Activity Description	Full CoC Text	Submittal Requirements	Applicable Y/N	Responsibility	Submittal Date	Status
AQ-SC1	Air Quality Construction Mitigation Manager	Pre-construction	Designate AQCMM	Air Quality Construction Mitigation Manager (AQCMM): The project owner shall designate and retain an on-site AQCMM who shall be responsible for directing and documenting compliance with conditions AQ-SC3, AQ-SC4 and AQ-SC5 for the entire project site and linear facility construction. The on-site AQCMM may delegate responsibilities to one or more AQCMM Delegates. The AQCMM and AQCMM Delegates shall have full access to all areas of construction on the project site and linear facilities, and shall have the authority to stop any or all construction activities as warranted by applicable construction mitigation conditions. The AQCMM and AQCMM Delegates may have other responsibilities in addition to those described in this condition. The AQCMM shall not be terminated without written consent of the CPM. Verification: At least 60 days prior to the start of ground disturbance, the project owner shall submit to the CPM for approval, the name, resume, qualifications, and contact information for the on-site AQCMM and all AQCMM Delegates. The AQCMM and all Delegates must be approved by the CPM before the start of ground disturbance.	60 days prior to the start of ground disturbance	Yes	MRP to provide, Rincon to submit	4/11/2025	Complete 4/28/25
AQ-SC2	Air Quality Construction Mitigation Plan	Pre-Construction	Submit AQCMP	Air Quality Construction Mitigation Plan (AQCMP): The project owner shall provide an AQCMP, for approval, which details the steps that will be taken and the reporting requirements necessary to ensure compliance with conditions AQ-SC3, AQ-SC4 and AQ-SC5. Verification: At least 60 days prior to the start of any ground disturbance, the project owner shall submit the AQCMP to the CPM for approval. The CPM will notify the project owner of any necessary modifications to the plan within 30 days from the date of receipt. The AQCMP must be approved by the CPM before the start of ground disturbance.	60 days prior to the start of ground disturbance	Yes	Rincon	4/11/2025	Complete 4/28/25
AQ-SC3	Construction Fugitive Dust Control	Construction	Submit compliance with construction fugitive dust control in MCR	Construction Fugitive Dust Control: **The AQCMM shall submit documentation to the CPM in each Monthly Compliance Report (MCR) that demonstrates compliance with the following mitigation measures for the purposes of preventing all fugitive dust plumes from leaving the project site and linear facility routes.** Any deviation from the following mitigation measures shall require prior CPM notification and approval. a.All unpaved roads and disturbed areas in the project and linear construction sites shall be watered as frequently as necessary to comply with the dust mitigation objectives of AQ-SC4. The frequency of watering may be reduced or eliminated during periods of precipitation. b.No vehicle shall exceed 10 miles per hour within the construction site. c.The construction site entrances shall be posted with visible speed limit signs. d.All construction equipment vehicle tires shall be inspected and washed as necessary to be cleaned free of dirt prior to entering paved roadways. e.Gravel ramps of at least 20 feet in length must be provided at the tire washing/cleaning station. f.All unpaved exits from the construction site shall be graveled or treated to prevent track-out to public roadways. g.All construction vehicles shall enter the construction site through the treated entrance roadways, unless an alternative route has been submitted to and approved by the CPM. h.Construction areas adjacent to any paved roadway shall be provided with sandbags or other measures as specified in the Storm Water Pollution Prevention Plan (SWPPP) to prevent run-off to roadways. i.All paved roads within the construction site shall be swept at least twice daily (or less during periods of precipitation) on days when construction activity occurs to prevent the accumulation of dirt and debris. j.At least the first 500 feet of any public roadway exiting from the construction site shall be swept at least twice daily (or less during periods of precipitation) on days when construction activity occurs or on any other day when dirt or runoff from the construction site is visible on the public roadways. k.All soil storage piles and disturbed areas that remain inactive for longer than 10 days shall be covered, or shall be treated with appropriate dust suppressant compounds. l.All vehicles that are used to transport solid bulk material on public roadways and that have the potential to cause visible emissions shall be provided with a cover, or the materials shall be sufficiently wetted and loaded onto the trucks in a manner to provide at least two feet of freeboard. m.Wind erosion control techniques (such as windbreaks, water, chemical dust suppressants, and/or vegetation) shall be used on all construction areas that may be disturbed. Any windbreaks installed to comply with this condition shall remain in place until the soil is stabilized or permanently covered with vegetation. n.The main travel route(s) through the site will be graveled and/or paved prior to the completion of the initial grading/site preparation phase of construction. To the extent feasible onsite traffic will be limited to these graveled/paved travel routes. Verification: **The project owner shall include in the MCR:** 1.a summary of all actions taken to maintain compliance with this condition, 2.copies of any complaints filed with the air district in relation to project construction, and 3.any other documentation deemed necessary by the CPM and AQCMM to verify compliance with this condition. Such information may be provided via electronic format or disk at the project owner's discretion.	N/A	Yes	Rincon	4/11/2025	AQCMM Complete 4/28/25 Monthly reporting provided in MCRs
AQ-SC4	Dust Plume Response Requirement	Pre-construction	Include requirement in AQCMP	Dust Plume Response Requirement: The AQCMM or an AQCMM Delegate shall monitor all construction activities for visible dust plumes. Observations of visible dust plumes that have the potential to be transported: 1.off the project site or 2.200 feet beyond the centerline of the construction of linear facilities or 3.within 100 feet upwind of any regularly occupied structures not owned by the project owner indicate that existing mitigation measures are not resulting in effective mitigation. The AQCMM or Delegate shall implement the following procedures for additional mitigation measures in the event that such visible dust plumes are observed: Step 1The AQCMM or Delegate shall direct more intensive application of the existing mitigation methods within 15 minutes of making such a determination. Step 2The AQCMM or Delegate shall direct implementation of additional methods of dust suppression if Step 1 specified above fails to result in adequate mitigation within 30 minutes of the original determination. Step 3The AQCMM or Delegate shall direct a temporary shutdown of the activity causing the emissions if Step 2 specified above fails to result in effective mitigation within one hour of the original determination. The activity shall not restart until the AQCMM or Delegate is satisfied that appropriate additional mitigation or other site conditions have changed so that visual dust plumes will not result upon restarting the shutdown source. The owner/operator may appeal to the CPM any directive from the AQCMM or Delegate to shut down an activity, provided that the shutdown shall go into effect within one hour of the original determination, unless overruled by the CPM before that time. Verification: The AQCMP shall include a section detailing how the additional mitigation measures will be accomplished within the time limits specified.	N/A	Yes	Rincon	4/11/2025	Complete 4/28/25

AQ-SC5	Diseel-Fueled Engines Control	Construction	Submit compliance in MCR	Diesel-Fueled Engines Control: **The AQCMM shall submit to the CPM, in the MCR, a construction mitigation report that demonstrates compliance with the following mitigation measures for the purposes of controlling diesel construction-related emissions.** Any deviation from the following mitigation measures shall require prior CPM notification and approval. a.All diesel-fueled engines used in the construction of the facility shall be fueled only with ultra-low sulfur diesel, which contains no more than 15 ppm sulfur. b.All diesel-fueled engines used in the construction of the facility shall have clearly visible tags issued by the on-site AQCMM showing that the engine meets the conditions set forth herein. c.All construction diesel engines, which have a rating of 100 hp or more, shall meet, at a minimum, the Tier 2 California Emission Standards for Off-Road Compression-Ignition Engines as specified in California Code of Regulations, Title 13, section 2423(b)(1) unless certified by the on-site AQCMM that such engine is not available for a particular item of equipment. In the event a Tier 2 engine is not available for any off-road engine larger than 100 hp, that engine shall be equipped with a Tier 1 engine. In the event a Tier 1 engine is not available for any off-road engine larger than 100 hp, that engine shall be equipped with a catalyzed diesel particulate filter (soot filter), unless certified by engine manufacturers or the on-site AQCMM that the use of such devices is not practical for specific engine types. For purposes of this condition, the use of such devices is "not practical" if, among other reasons: 1.There is no available soot filter that has been certified by either the California Air Resources Board or U.S. Environmental Protection Agency for the engine in question; or 2.(The construction equipment is intended to be on-site for ten (10) days or less. 3.The CPM may grant relief from this requirement if the AQCMM can demonstrate that they have made a good faith effort to comply with this requirement and that compliance is not possible. d.The use of a soot filter may be terminated immediately if one of the following conditions exists, provided that the CPM is informed within ten (10) working days of the termination: 1.The use of the soot filter is excessively reducing normal availability of the construction equipment due to increased downtime for maintenance, and/or reduced power output due to an excessive increase in backpressure. 2.The soot filter is causing or is reasonably expected to cause significant engine damage. 3.The soot filter is causing or is reasonably expected to cause a significant risk to workers or the public. 4.Any other seriously detrimental cause which has the approval of the CPM prior to the termination being implemented. e.All heavy earthmoving equipment and heavy duty construction related trucks with engines meeting the requirements of (c) above shall be properly maintained and the engines tuned to the engine manufacturer's specifications. f.All diesel heavy construction equipment shall not remain running at idle for more than five minutes, to the extent practical. **Verification: The project owner shall include in the MCR:** 1.a summary of all actions taken to maintain compliance with this condition, 2.copies of all diesel fuel purchase records, 3.a list of all heavy equipment used on site during that month, including the owner of that equipment and a letter from each owner indicating that equipment has been properly maintained, and 4.any other documentation deemed necessary by the CPM and AQCMM to verify compliance with this condition. Such information may be provided via electronic format or disk at the project owner's discretion.	N/A	Yes	Rincon	4/11/2025	AQCMM Complete 4/28/25 Monthly reporting provided in MCRs
AQ1 - AQ86	Air Quality Conditions of Certification	N/A	N/A	All AQ COCs that are not applicable to Project. Compiled into one row for visual appeal.	N/A	No	N/A	N/A	N/A
BIO-1	Designate Biologist Selections	Construction	Submit DB	The project owner shall assign a Designated Biologist to the project. The project owner shall submit the resume of the proposed Designated Biologist, with at least 3 references and contact information, to the Energy Commission compliance project manager (CPM) for approval. The Designated Biologist must have at least the following minimum qualifications: 1. A Bachelor's Degree in biological sciences, zoology, botany, ecology, or a closely related field; and 2. Three years of experience in field biology or current certification of a nationally recognized biological society, such as The Ecological Society of America or The Wildlife Society; and 3. At least one year of field experience with biological resources found in or near the project area. In lieu of the above requirements, the resume shall demonstrate to the satisfaction of the CPM, that the proposed Designated Biologist or alternate Designated Biologist has the appropriate training and background to effectively implement the Conditions of Certification. Verification: The project owner shall submit the specified information at least 90 days prior to the start of any site (or related facilities) mobilization. No site or related facility activities shall commence until an approved Designated Biologist is available to be on site. If a Designated Biologist needs to be replaced, the specified information of the proposed replacement must be submitted to the CPM at least ten working days prior to the termination or release of the preceding Designated Biologist. In an emergency, the project owner shall immediately notify the CPM to discuss the qualifications and approval of a short-term replacement while a permanent Designated Biologist is proposed to the CPM for consideration.	at least 90 days prior to the start of any site (or related facilities) mobilization.	Yes	Rincon	2/12/2025	Complete 3/5/25
BIO-2	DB duties	Construction, Operation	Biological reporting in MCR, and Annual Compliance Report	The project owner shall ensure that the Designated Biologist performs the following during any site (or related facilities) mobilization, ground disturbance, grading, construction, operation, and closure activities. The Designated Biologist may be assisted by the approved biological monitor(s), but remains the contact for the project owner and CPM. The Designated Biologist shall: 1.advise the project owner's construction and operation managers on the implementation of the biological resources Conditions of Certification; 2.consult on the preparation of the Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP), to be submitted by the project owner; 3.be available to supervise, conduct, and coordinate mitigation, monitoring, and other biological resources compliance efforts, particularly in areas requiring avoidance or containing sensitive biological resources, such as special-status species or their habitat; 4.clearly mark sensitive biological resource areas and inspect these areas at appropriate intervals for compliance with regulatory terms and conditions; 5.inspect active construction areas where animals may have become trapped prior to construction commencing each day. At the end of the day, inspect for the installation of structures that prevent entrapment or allow escape during periods of construction inactivity. Periodically inspect areas with high vehicle activity (i.e., parking lots) for animals in harm's way; 6.notify the project owner and the CPM of any noncompliance with any biological resources condition of certification; 7.respond directly to inquiries of the CPM regarding biological resource issues; 8.maintain written records of the tasks specified above and those included in the BRMIMP. Summaries of these records shall be submitted in the monthly compliance report and the annual report; and 9.train the biological monitors as appropriate, and ensure their familiarity with the BRMIMP, worker environmental awareness program (WEAP) training, and all permits. Verification**: The Designated Biologist shall submit in the monthly compliance report to the CPM copies of all written reports and summaries that document biological resources activities.** If actions may affect biological resources during operation, a Designated Biologist shall be available for monitoring and reporting. During project operation, the Designated Biologist shall submit record summaries in the annual compliance report unless their duties are ceased as approved by the CPM.	MCR	Yes	Rincon	Monthly	Ongoing
BIO-3	Biological Monitoring Qualifications	Pre-Construction, Construction	Submit Biological Monitor Resumes	The project owner's CPM-approved Designated Biologist shall submit the resume, at least 3 references, and contact information of the proposed biological monitors to the CPM for approval. The resume shall demonstrate to the satisfaction of the CPM, the appropriate education and experience to accomplish the assigned biological resource tasks. Biological monitor(s) training by the Designated Biologist shall include familiarity with the Conditions of Certification and the Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP), Worker Environmental Awareness Program (WEAP), and all permits. Verification: The project owner shall submit the specified information to the CPM for approval at least 30 days prior to the start of any site (or related facilities) mobilization. The Designated Biologist shall submit a written statement to the CPM confirming that individual biological monitor(s) have been trained including the date when training was completed. If additional biological monitors are needed during construction, the specified information shall be submitted to the CPM for approval 10 days prior to their first day of monitoring activities.	30 days prior to the start of any site (or related facilities) mobilization	Yes	Rincon	2/21/2025	Complete 3/5/25

BIO-4	DB and Biological Monitor Authority	Construction	Authority to halt	The project owner's construction and operation manager shall act on the advice of the Designated Biologist and biological monitor(s) to ensure conformance with the biological resources Conditions of Certification. If required by the Designated Biologist and biological monitor(s), the project owner's construction and operation manager shall halt all site mobilization, ground disturbance, grading, construction, and operation activities in areas specified by the Designated Biologist. The Designated Biologist shall: 1.require a halt to all activities in any area when determined that there would be an unauthorized adverse impact to biological resources if the activities continued; 2.inform the project owner and the construction and operation manager when to resume activities; and 3.notify the CPM if there is a halt of any activities, and advise the CPM of any corrective actions that have been taken, or will be instituted, as a result of the work stoppage. If the Designated Biologist is unavailable for direct consultation, the biological monitor shall act on behalf of the Designated Biologist. Verification: The project owner shall ensure that the Designated Biologist or biological monitor notifies the CPM immediately (and no later than the following morning of the incident, or Monday morning in the case of a weekend) of any noncompliance or halt of any site mobilization, ground disturbance, grading, construction, and operation activities. The project owner shall notify the CPM of the circumstances and actions being taken to resolve the problem. Whenever corrective action is taken by the project owner, a determination of success or failure will be made by the CPM within five working days after receipt of notice that corrective action is completed, or the project owner will be notified by the CPM that coordination with other agencies will require additional time before a determination can be made.	within five working days after receipt of notice that corrective action is completed	Yes	Rincon	N/A	As-needed/Ongoing
BIO-5	WEAP	Pre-Construction, Construction	WEAP Record Keeping	The project owner shall develop and implement a CPM-approved worker environmental awareness program (WEAP) in which each of its employees, as well as employees of contractors and subcontractors who work on the project site or any related facilities during site mobilization, ground disturbance, grading, construction, operation and closure, are informed about sensitive biological resources associated with the project. The WEAP must: •be developed by or in consultation with the Designated Biologist and consist of an onsite or training center presentation in which supporting written material and electronic media are made available to all participants; •discuss the locations and types of sensitive biological resources on the project site and adjacent areas; •present the reasons for protecting these resources; •present the meaning of various temporary and permanent habitat protection measures; •identify whom to contact if there are further comments and questions about the material discussed in the program; and •include a training acknowledgment form to be signed by each worker indicating that they received training and shall abide by the guidelines. The specific program can be administered by a competent individual(s) acceptable to the Designated Biologist. Verification: At least 60 days prior to the start of any site (or related facilities) mobilization, the project owner shall provide to the CPM two (2) copies of the proposed WEAP and all supporting written materials and electronic media prepared or reviewed by the designated biologist and a resume of the person(s) administering the program. **The project owner shall provide in the monthly compliance report the number of persons who have completed the training in the prior month and a running total of all persons who have completed the training to date.** At least 10 days prior to site and related facilities mobilization submit two copies of the CPM approved materials. The signed training acknowledgement forms from construction shall be kept on file by the project owner for a period of at least six months after the start of commercial operation. During project operation, signed statements for active project operational personnel shall be kept on file for six months following the termination of an individual's employment.	At least 10 days prior to site and related facilities mobilization	Yes	Rincon	4/21/2025	WEAP approved 4/29/25 WEAP records provided in MCRs
BIO-6	Biological Resources Mitigation Implementation and Monitoring Plan	Pre-Construction, Construction	Monthly Compliance Reporting BRMIMP	The project owner shall submit two copies of the proposed biological resources mitigation implementation and monitoring plan (BRMIMP) to the CPM (for review and approval) and to CDFG and USFWS (for review and comment) and shall implement the measures identified in the approved BRMIMP. The BRMIMP shall be prepared in consultation with the designated biologist and shall identify: 1.all biological resource mitigation, monitoring, and compliance measures proposed and agreed to by the project owner; 2.all biological resources Conditions of Certification identified as necessary to avoid or mitigate impacts; 3.all biological resource mitigation, monitoring, and compliance measures required in federal agency terms and conditions, such as those provided in the USFWS Biological Opinion; 4.all biological resources mitigation, monitoring, and compliance measures required in local agency permits, such as site grading and landscaping requirements; 5.all sensitive biological resources to be impacted, avoided, or mitigated by project construction, operation, and closure; 6.all required mitigation measures for each sensitive biological resource; 7.required habitat compensation strategy, including provisions for acquisition, enhancement, and management for any temporary and permanent loss of sensitive biological resources; 8.a detailed description of measures that shall be taken to avoid or mitigate temporary disturbances from construction activities; 9.all locations on a map, at an approved scale, of sensitive biological resource areas subject to disturbance and areas requiring temporary protection and avoidance during construction; 10.aerial photographs, at an approved scale, of all areas to be disturbed during project construction activities — one set prior to any site or related facilities mobilization disturbance and one set subsequent to completion of project construction. Include planned timing of aerial photography and a description of why times were chosen; 11.duration for each type of monitoring and a description of monitoring methods and frequency; 12.performance standards to be used to help decide if and when proposed mitigation is or is not successful; 13.all performance standards and remedial measures to be implemented if performance standards are not met; 14.a preliminary discussion of biological resources-related facility closure measures; 15.a restoration and revegetation plan; 16.a process for proposing plan modifications to the CPM and appropriate agencies for review and approval; and 17.a copy of all biological resources-related permits obtained. Verification: The project owner shall provide the specified document at least 60 days prior to start of any site (or related facilities) mobilization. The CPM, in consultation with the CDFG, the USFWS, and any other appropriate agencies, will determine the BRMIMP's acceptability within 45 days of receipt. If there are any permits that have not yet been received when the BRMIMP is first submitted, these permits shall be submitted to the CPM, the CDFG, and USFWS within five (5) days of their receipt, and the BRMIMP shall be revised or supplemented to reflect the permit condition within 10 days of their receipt by the project owner. Ten days prior to site and related facilities mobilization, the revised BRMIMP shall be resubmitted to the CPM. The project owner shall notify the CPM no less than five working days before implementing any modifications to the approved BRMIMP to obtain CPM approval. Any changes to the approved BRMIMP must also be approved by the CPM in consultation with CDFG, the USFWS, and appropriate agencies to ensure no conflicts exist. Implementation of BRMIMP measures will be reported in the monthly compliance reports by the Designated Biologist (i.e., survey results, construction activities that were monitored, species observed). Within thirty (30) days after completion of project construction, the project owner shall provide to the CPM, for review and approval, a written construction closure report identifying which items of the BRMIMP have been completed, a summary of all modifications to mitigation measures made during the project's site mobilization, ground disturbance, grading, and construction phases, and which mitigation and monitoring items are still outstanding.	At least 60 days prior to start of any site (or related facilities) mobilization Within thirty (30) days after completion of project construction	Yes	Rincon	4/3/2025	Complete
BIO-7	Closure Plan Measures	N/A	N/A	Deleted (Refer to General Conditions)	N/A	No	N/A	N/A	N/A

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

BIO-11	Evaporation Pond Monitoring	Pre-Operation	Monitoring Reporting Evaporation Pond Monitoring Plan	Following the start of operations, the evaporation pond shall be monitored twice monthly (once every two weeks), for two hours for wildlife usage and water quality by the Designated Biologist or biological monitor. Monitoring is not required if the pond does not contain water. If a substantial number of birds and other wildlife are using the pond and water quality is poor, remedial actions to reduce wildlife use shall be implemented. An evaporation pond monitoring plan shall be developed prior to the start of operations and evaporation pond monitoring reports shall be submitted after the start of operations. Evaporation Pond Monitoring Plan. Prior to the start of operations, the project owner shall develop an evaporation pond monitoring plan that shall include wildlife survey and water quality testing methods and specific remedial actions in the case that wildlife usage thresholds are exceeded. The wildlife usage thresholds shall also be defined in coordination with USFWS and CDFG and included in the plan. Elements to be tested shall include selenium, mercury, uranium, boron, arsenic, and vanadium. All wildlife use and water quality indices, thresholds, and remedial actions to be taken must be approved by the CPM, in consultation with USFWS and CDFG. Evaporation Pond Monitoring Report. The project owner shall submit an evaporation pond monitoring report to the CPM once every three months after the start of operations. Records shall include the date, time, bird species, number of individuals, and behavior. The reports shall contain all records of monitoring dates, data collected, certified lab results, and any corrective actions taken. This monitoring shall occur for the first two years of plant operation, and depending on the results, could be discontinued after consultation with the CPM and USFWS and CDFG or continue as needed. A request to lessen or stop monitoring before the end of the second year of operation must be submitted in writing to the CPM, and to USFWS and CDFG for consideration. Verification: No less than thirty (30) days prior to the start of power plant operations, the project owner shall provide copies of the evaporation pond monitoring plan and all supporting materials to the CPM for approval. The project owner shall submit copies of the evaporation pond monitoring report to the CPM, USFWS, and CDFG four times each year (once every three months).	No less than thirty (30) days prior to the start of power plant operations	No	N/A	N/A	N/A
BIO-12	Habitat Compensation	Pre-Construction		The project owner shall provide habitat compensation for temporary and permanent impacts to San Joaquin kit fox habitat at a location and amount approved by USFWS. Verification: No less than 30 days prior to the start of any site or related facilities mobilization activities, the project owner shall submit written verification to the CPM and USFWS that the transaction for habitat compensation has occurred.	No less than 30 days prior to the start of any site or related facilities mobilization activities	No	N/A	N/A	N/A
CUL-1	Cultural Resources Specalist, monitors, resource techncial specalists	Pre-Construction	Submit Resumes	Prior to the start of preconstruction site mobilization; construction ground disturbance; construction grading, boring, and trenching; and construction, the project owner shall obtain the services of a Cultural Resources Specialist (CRS), and one or more alternates, if alternates are needed. The CRS shall manage all monitoring, mitigation, curation and reporting activities required in accordance with the Conditions of Certification (Conditions). The CRS may elect to obtain the services of Cultural Resources Monitors (CRMs) and other technical specialists, if needed, to assist in monitoring, mitigation, and curation activities. The project owner shall ensure that the CRS makes recommendations regarding the eligibility for listing in the California Register of Historical Resources (CRHR) of any cultural resources that are newly discovered or that may be affected in an unanticipated manner (Discovery). No preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction shall occur prior to CPM approval of the CRS, unless specifically approved by the CPM. Approval of a CRS may be denied or revoked for non-compliance on this or other projects. CULTURAL RESOURCES SPECIALIST The resumes for the CRS and alternate(s) shall include information demonstrating to the satisfaction of the CPM that their training and backgrounds conform to the U.S. Secretary of Interior's Professional Qualifications Standards, as published in the Code of Federal Regulations, 36 CFR Part 61. In addition, the CRS shall have the following qualifications: 1.The CRS's qualifications shall be appropriate to the needs of the project and shall include a background in anthropology, archaeology, history, architectural history, or a related field; and 2.At least three years of archaeological or historic, as appropriate, resources mitigation and field experience in California. 3.At least one year of experience in a decision-making capacity on cultural resources projects in California and the appropriate training and experience to knowledgably make recommendations regarding the significance of cultural resources. The resumes of the CRS and alternate CRS shall include the names and telephone numbers of contacts familiar with the work of the CRS/alternate CRS on referenced projects and demonstrate to the satisfaction of the CPM that the CRS/alternate CRS has the appropriate training and experience to effectively implement the Conditions of Certification. CULTURAL RESOURCES MONITORS CRMs shall have the following qualifications: 1.a BS or BA degree in anthropology, archaeology, historical archaeology or a related field and one year experience monitoring in California; or 2.an AS or AA degree in anthropology, archaeology, historical archaeology or a related field, and four years experience monitoring in California; or 3.enrollment in upper division classes pursuing a degree in the fields of anthropology, archaeology, historical archaeology or a related field, and two years of monitoring experience in California. CULTURAL RESOURCES TECHNICAL SPECIALISTS The resume(s) of any additional technical specialists, e.g., historical archaeologist, historian, architectural historian, and/or physical anthropologist, shall be submitted to the CPM for approval. Verification: At least 45 days prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, the project owner shall submit the resume for the CRS, and alternate(s) if desired, to the CPM for review and approval. At least 10 days prior to a termination or release of the CRS, or within 10 days after the resignation of a CRS, the project owner shall submit the resume of the proposed new CRS to the CPM for review and approval. At the same time, the project owner shall also provide to the approved new CRS the AFC and all cultural documents, field notes, photographs, and other cultural materials generated by the project. At least 20 days prior to preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, the CRS shall provide a letter naming anticipated CRMs for the project and stating that the identified CRMs meet the minimum qualifications for cultural resources monitoring required by this Condition. If additional CRMs are obtained during the project, the CRS shall provide additional letters to the CPM identifying the CRMs and attesting to the qualifications of the CRMs, at least five days prior to the CRMs beginning on-site duties. At least 10 days prior to beginning tasks, the resume(s) of any additional technical specialists shall be provided to the CPM for review and approval. At least 10 days prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction, the project owner shall confirm in writing to the CPM that the approved CRS will be available for onsite work and is prepared to implement the cultural resources Conditions.	At least 45 days prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction At least 20 days prior to preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction At least 10 days prior to the start of preconstruction site mobilization, construction ground disturbance, construction grading, boring and trenching, and construction	Yes	Rincon	3/20/25 6/4/25	Complete 3/21/25 6/10/25

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

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

GEN-1	Facility Desgin Conditions of Certification	Post-Construction		The project owner shall design, construct and inspect the project in accordance with the 2007 California Building Standards Code (CBSC) (also known as Title 24, California Code of Regulations), which encompasses the California Building Code (CBC), California Building Standards Administrative Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Energy Code, California Fire Code, California Code for Building Conservation, California Reference Standards Code, and all other applicable engineering laws, ordinances, regulations and standards (LORS) in effect at the time initial design plans are submitted to the Chief Building Official (CBO) for review and approval. (The CBSC in effect is that edition that has been adopted by the California Building Standards Commission and published at least 180 days previously.) The project owner shall insure that all the provisions of the above applicable codes be enforced during any construction, addition, alteration, moving, demolition, repair, or maintenance of the completed facility [2001 CBC, Section 101.3, Scope]. All transmission facilities (lines, switchyards, switching stations and substations) are handled in conditions of certification in the Transmission System Engineering section of this document. In the event that the initial engineering designs are submitted to the CBO when a successor to the CBSC is in effect, the 2007 CBSC provisions identified herein shall be replaced with the applicable successor provisions. Where, in any specific case, different sections of the code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. The project owner shall insure that all contracts with contractors, subcontractors and suppliers shall clearly specify that all work performed and materials supplied on this project comply with the codes listed above. Verification: Within 30 days after receipt of the Certificate of Occupancy, the project owner shall submit to the Compliance Project Manager (CPM) a statement of verification, signed by the responsible design engineer, attesting that all designs, construction, installation and inspection requirements of the applicable LORS and the Energy Commission's Decision have been met in the area of facility design. The project owner shall provide the CPM a copy of the Certificate of Occupancy within 30 days of receipt from the CBO [2007 CBC, Section 109 – Certificate of Occupancy]. Once the Certificate of Occupancy has been issued, the project owner shall inform the CPM at least 30 days prior to any construction, addition, alteration, moving, demolition, repair, or maintenance to be performed on any portion(s) of the completed facility which may require CBO approval for the purpose of complying with the above stated codes. The CPM will then determine the necessity of CBO approval on the work to be performed.	30 days prior to any construction, addition, alteration, moving, demolition, repair, or maintenance to be performed on any portion(s) of the completed facility	Yes	MRP/RavenVolt	TBD	Post-construction
GEN-2	Facility Desgin Conditions of Certification	Pre-construction	Design, master drawing and master specs lists submittal	Prior to submittal of the initial engineering designs for CBO review, the project owner shall furnish to the CPM and to the CBO a schedule of facility design submittals, a Master Drawing List and a Master Specifications List. The schedule shall contain a list of proposed submittal packages of designs, calculations and specifications for major structures and equipment. To facilitate audits by Energy Commission staff, the project owner shall provide specific packages to the CPM when requested. Verification: At least 60 days (or project owner and CBO approved alternative timeframe) prior to the start of rough grading, the project owner shall submit to the CBO and to the CPM the schedule, the Master Drawing List and the Master Specifications List of documents to be submitted to the CBO for review and approval. These documents shall be the pertinent design documents for the major structures and equipment listed in Facility Design Table 2 below. Major structures and equipment shall be added to or deleted from the table only with CPM approval. **The project owner shall provide schedule updates in the Monthly Compliance Report.** [Table]	60 days (or project owner and CBO approved alternative timeframe) prior to the start of rough grading	Yes	MRP/RavenVolt		Complete for pond lining Schedule provided in MCR
GEN-3	Facility Desgin Conditions of Certification	Pre-construction	Payment for design review	The project owner shall make payments to the CBO for design review, plan check and construction inspection based upon a reasonable fee schedule to be negotiated between the project owner and the CBO. These fees may be consistent with the fees listed in the 2001 CBC [Chapter 1, Section 107 and Table 1-A, Building Permit Fees; Appendix Chapter 33, Section 3310 and Table A-33-A, Grading Plan Review Fees; and Table A- 33-B, Grading Permit Fees], adjusted for inflation and other appropriate adjustments; may be based on the value of the facilities reviewed; may be based on hourly rates; or may be as otherwise agreed by the project owner and the CBO. Verification: The project owner shall make the required payments to the CBO in accordance with the agreement between the project owner and the CBO. **The project owner shall send a copy of the CBO's receipt of payment to the CPM in the next Monthly Compliance Report indicating that the applicable fees have been paid.**	N/A	Yes	MRP/RavenVolt		Complete
GEN-4	Facility Desgin Conditions of Certification	Pre-Construction	Registered Engineer resume	Prior to the start of rough grading, the project owner shall assign a California registered architect, structural engineer or civil engineer, as a resident engineer (RE), to be in general responsible charge of the project [Building Standards Administrative Code (Cal. Code Regs., tit. 24, § 4- 209, Designation of Responsibilities)]. All transmission facilities (lines, switchyards, switching stations and substations) are handled in conditions of certification in the Transmission System Engineering section of this document. The RE may delegate responsibility for portions of the project to other registered engineers. Registered mechanical and electrical engineers may be delegated responsibility for mechanical and electrical portions of the project, respectively. A project may be divided into parts, provided each part is clearly defined as a distinct unit. Separate assignment of general responsible charge may be made for each designated part. The RE shall: 1.Monitor construction progress of work requiring CBO design review and inspection to ensure compliance with LORS; 2.Ensure that construction of all the facilities subject to CBO design review and inspection conforms in every material respect to the applicable LORS, these conditions of certification, approved plans, and specifications; 3.Prepare documents to initiate changes in the approved drawings and specifications when directed by the project owner or as required by conditions on the project; 4.Be responsible for providing the project inspectors and testing agency(ies) with complete and up-to-date set(s) of stamped drawings, plans, specifications and any other required documents; 5.Be responsible for the timely submittal of construction progress reports to the CBO from the project inspectors, the contractor, and other engineers who have been delegated responsibility for portions of the project; and 6.Be responsible for notifying the CBO of corrective action or the disposition of items noted on laboratory reports or other tests as not conforming to the approved plans and specifications. The RE shall have the authority to halt construction and to require changes or remedial work, if the work does not conform to applicable requirements. If the RE or the delegated engineers are reassigned or replaced, the project owner shall submit the name, qualifications and registration number of the newly assigned engineer to the CBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer. Verification: At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of rough grading, the project owner shall submit to the CBO for review and approval, the resume and registration number of the RE and any other delegated engineers assigned to the project. The project owner shall notify the CPM of the CBO's approvals of the RE and other delegated engineer(s) within five days of the approval. If the RE or the delegated engineer(s) are subsequently reassigned or replaced, the project owner has five days in which to submit the resume and registration number of the newly assigned engineer to the CBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer within five days of the approval.	30 days (or project owner and CBO approved alternative timeframe) prior to the start of rough grading	Yes	MRP/RavenVolt	4/28/2025	Complete for pond lining during submittal through WC-3 website In progress for Gen-tie work

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

GEN-8	Facility Desgin Conditions of Certification	Construction, Post-Construction	Final inspections	The project owner shall obtain the CBO's final approval of all completed work that has undergone CBO design review and approval. The project owner shall request the CBO to inspect the completed structure and review the submitted documents. The project owner shall notify the CPM after obtaining the CBO's final approval. The project owner shall retain one set of approved engineering plans, specifications and calculations (including all approved changes) at the project site or at another accessible location during the operating life of the project [2001 CBC, Section 106.4.2, Retention of Plans]. Electronic copies of the approved plans, specifications, calculations and marked-up as-builts shall be provided to the CBO for retention by the CPM. Verification: **Within 15 days of the completion of any work, the project owner shall submit to the CBO, with a copy to the CPM, in the next Monthly Compliance Report, (a) a written notice that the completed work is ready for final inspection, and (b) a signed statement that the work conforms to the final approved plans.** After storing final approved engineering plans, specifications and calculations as described above, the project owner shall submit to the CPM a letter stating that the above documents have been stored and indicate the storage location of such documents. Within 90 days of the completion of construction, the project owner shall provide to the CBO three sets of electronic copies of the above documents at the project owner's expense. These are to be provided in the form of "read only" adobe PDF 6.0 files, with restricted printing privileges (i.e. password protected), on archive quality compact discs.	15 days of the completion of any work,	Yes	MRP/RavenVolt	TBD	Submitted for pond lining during submittal of MCR-3 Post-construction for Gen-tie work
CIVIL-1	Facility Desgin Conditions of Certification	Pre-Construction	Submit civil designs	The project owner shall submit to the CBO for review and approval the following: 1.Design of the proposed drainage structures and the grading plan; 2.An erosion and sedimentation control plan; 3.Related calculations and specifications, signed and stamped by the responsible civil engineer; and 4.Soils Report, Geotechnical Report or Foundation Investigations Report required by the 2001 CBC [Appendix Chapter 33, Section 3309.5, Soils Engineering Report; Section 3309.6, Engineering Geology Report; and Chapter 18, Section 1804, Foundation Investigations]. Verification: At least 15 days (or project owner and CBO approved alternative timeframe) prior to the start of site grading the project owner shall submit the documents described above to the CBO for design review and approval. **In the next Monthly Compliance Report following the CBO's approval, the project owner shall submit a written statement certifying that the documents have been approved by the CBO.**	15 days (or project owner and CBO approved alternative timeframe) prior to the start of site grading	Yes	MRP/RavenVolt	TBD	Provided in MCRs as needed
CIVIL-2	Facility Desgin Conditions of Certification	Construction	Monitoring Reporting	The resident engineer shall, if appropriate, stop all earthwork and construction in the affected areas when the responsible soils engineer, geotechnical engineer, or the civil engineer experienced and knowledgeable in the practice of soils engineering identifies unforeseen adverse soil or geologic conditions. The project owner shall submit modified plans, specifications and calculations to the CBO based on these new conditions. The project owner shall obtain approval from the CBO before resuming earthwork and construction in the affected area [2001 CBC, Section 104.2.4, Stop orders]. Verification: The project owner shall notify the CPM within 24 hours, when earthwork and construction is stopped as a result of unforeseen adverse geologic/soil conditions. Within 24 hours of the CBO's approval to resume earthwork and construction in the affected areas, the project owner shall provide to the CPM a copy of the CBO's approval.	Within 24 hours, when earthwork and construction is stopped as a result of unforeseen adverse geologic/soil conditions	Yes	MRP/RavenVolt	TBD	As-needed
CIVIL-3	Facility Desgin Conditions of Certification	Construction	Non-Conformance Reporting	The project owner shall perform inspections in accordance with the 2001 CBC, Chapter 1, Section 108, Inspections; Chapter 17, Section 1701.6, Continuous and Periodic Special Inspection; and Appendix Chapter 33, Section 3317, Grading Inspection. All plant site-grading operations, for which a grading permit is required, shall be subject to inspection by the CBO. If, in the course of inspection, it is discovered that the work is not being performed in accordance with the approved plans, the discrepancies shall be reported immediately to the resident engineer and the CBO [2001 CBC, Appendix Chapter 33, Section 3317.7, Notification of Noncompliance]. The project owner or resident engineer shall prepare a written report, with copies to the CBO and the CPM, detailing all discrepancies, non-compliance items, and the proposed corrective action. Verification: Within five days of the discovery of any discrepancies, the project owner or resident engineer shall transmit to the CBO and the CPM a Non-Conformance Report (NCR), and the proposed corrective action for review and approval. Within five days of resolution of the NCR, the project owner shall submit the details of the corrective action to the CBO and the CPM. **A list of NCRs, for the reporting month, shall also be included in the following Monthly Compliance Report.**	Within five days of the discovery of any discrepancies	Yes	MRP/RavenVolt	TBD	Provided in MCRs as needed
CIVIL-4	Facility Desgin Conditions of Certification	Construction	Final grading inspections	After completion of finished grading and erosion and sedimentation control and drainage work, the project owner shall obtain the CBO's approval of the final grading plans (including final changes) for the erosion and sedimentation control work. The civil engineer shall state that the work within his/her area of responsibility was done in accordance with the final approved plans [2001 CBC, Section 3318, Completion of Work]. Verification: Within 30 days (or project owner and CBO approved alternative timeframe) of the completion of the erosion and sediment control mitigation and drainage work, the project owner shall submit to the CBO, for review and approval, the final grading plans (including final changes) and the responsible civil engineer's signed statement that the installation of the facilities and all erosion control measures were completed in accordance with the final approved combined grading plans, and that the facilities are adequate for their intended purposes, with a copy of the transmittal letter to the CPM. **The project owner shall submit a copy of the CBO's approval to the CPM in the next Monthly Compliance Report.**	30 days (or project owner and CBO approved alternative timeframe) of the completion of the erosion and sediment control mitigation and drainage work	Yes	MRP/RavenVolt	TBD	Provided in MCRs as needed
STRUC-1	Facility Desgin Conditions of Certification	Pre-Construction, Construction	Final structural design plans	Prior to the start of any increment of construction of any major structure or component listed in Facility Design Table 2 of Condition of Certification GEN-2, above, the project owner shall submit to the CBO for design review and approval the proposed lateral force procedures for project structures and the applicable designs, plans and drawings for project structures. Proposed lateral force procedures, designs, plans and drawings shall be those for the following items (from Table 2, above): 1.Major project structures; 2.Major foundations, equipment supports and anchorage; and 3.Large field fabricated tanks. Construction of any structure or component shall not commence until the CBO has approved the lateral force procedures to be employed in designing that structure or component. The project owner shall: 1.Obtain approval from the CBO of lateral force procedures proposed for project structures; 2.Obtain approval from the CBO for the final design plans, specifications, calculations, soils reports and applicable quality control procedures. If there are conflicting requirements, the more stringent shall govern (i.e., highest loads, or lowest allowable stresses shall govern). All plans, calculations and specifications for foundations that support structures shall be filed concurrently with the structure plans, calculations and specifications [2001 CBC, Section 108.4, Approval Required]; 3.Submit to the CBO the required number of copies of the structural plans, specifications, calculations and other required documents of the designated major structures prior to the start of on-site fabrication and installation of each structure, equipment support, or foundation [2001 CBC, Section 106.4.2, Retention of plans; and Section 106.3.2, Submittal documents]; 4.Ensure that the final plans, calculations and specifications clearly reflect the inclusion of approved criteria, assumptions and methods used to develop the design. The final designs, plans, calculations and specifications shall be signed and stamped by the responsible design engineer [2001 CBC, Section 106.3.4, Architect or Engineer of Record]; and 5.Submit to the CBO the responsible design engineer's signed statement that the final design plans conform to the applicable LORS [2001 CBC, Section 106.3.4, Architect or Engineer of Record]. Verification: At least 60 days (or project owner and CBO approved alternative timeframe) prior to the start of any increment of construction of any structure or component listed in Facility Design Table 2 of Condition of Certification GEN-2 above, the project owner shall submit to the CBO the above final design plans, specifications and calculations, with a copy of the transmittal letter to the CPM. **The project owner shall submit to the CPM, in the next Monthly Compliance Report a copy of a statement from the CBO that the proposed structural plans, specifications and calculations have been approved and are in compliance with the requirements set forth in the applicable engineering LORS.**	60 days (or project owner and CBO approved alternative timeframe) prior to the start of any increment of construction of any structure or component listed in Facility Design Table 2 of Condition of Certification GEN-2 above	Yes	MRP/RavenVolt	TBD	Provided in MCRs as needed

STRUC-2	Facility Desgin Conditions of Certification	Construction	Non-Conformance Report	The project owner shall submit to the CBO the required number of sets of the following documents related to work that has undergone CBO design review and approval: 1.Concrete cylinder strength test reports (including date of testing, date sample taken, design concrete strength, tested cylinder strength, age of test, type and size of sample, location and quantity of concrete placement from which sample was taken, and mix design designation and parameters); 2.Concrete pour sign-off sheets; 3.Bolt torque inspection reports (including location of test, date, bolt size, and recorded torques); 4.Field weld inspection reports (including type of weld, location of weld, inspection of non-destructive testing (NDT) procedure and results, welder qualifications, certifications, qualified procedure description or number (ref: AWS); and 5.Reports covering other structural activities requiring special inspections shall be in accordance with the 2001 CBC, Chapter 17, Section 1701, Special Inspections; Section 1701.5, Type of Work (requiring special inspection); Section 1702, Structural Observation and Section 1703, Nondestructive Testing. Verification: If a discrepancy is discovered in any of the above data, the project owner shall, within five days, prepare and submit an NCR describing the nature of the discrepancies and the proposed corrective action to the CBO, with a copy of the transmittal letter to the CPM [2001 CBC, Chapter 17, Section 1701.3, Duties and Responsibilities of the Special Inspector]. The NCR shall reference the Condition(s) of Certification and the applicable CBC chapter and section. Within five days of resolution of the NCR, the project owner shall submit a copy of the corrective action to the CBO and the CPM. The project owner shall transmit a copy of the CBO's approval or disapproval of the corrective action to the CPM within 15 days. If disapproved, the project owner shall advise the CPM, within five days, the reason for disapproval, and the revised corrective action to obtain CBO's approval.	within 15 days.	Yes	MRP/RavenVolt	TBD	Provided in MCRs as needed
STRUC-3	Facility Desgin Conditions of Certification	Construction	Submittal of design changes	The project owner shall submit to the CBO design changes to the final plans required by the 2001 CBC, Chapter 1, Section 106.3.2, Submittal documents and Section 106.3.3, Information on plans and specifications, including the revised drawings, specifications, calculations, and a complete description of, and supporting rationale for, the proposed changes, and shall give to the CBO prior notice of the intended filing. Verification: On a schedule suitable to the CBO, the project owner shall notify the CBO of the intended filing of design changes, and shall submit the required number of sets of revised drawings and the required number of copies of the other above-mentioned documents to the CBO, with a copy of the transmittal letter to the CPM. **The project owner shall notify the CPM, via the Monthly Compliance Report, when the CBO has approved the revised plans.**	N/A	Yes	MRP/RavenVolt	Monthly	Provided in MCRs as needed
STRUC-4	Facility Desgin Conditions of Certification	Pre-Construction, Construction	Monthly Compliance Reporting	Tanks and vessels containing quantities of toxic or hazardous materials exceeding amounts specified in Chapter 3, Table 3-E of the 2001 CBC shall, at a minimum, be designed to comply with the requirements of that Chapter. Verification: At least 30 days (or project owner and CBO approved alternate timeframe) prior to the start of installation of the tanks or vessels containing the above specified quantities of toxic or hazardous materials, the project owner shall submit to the CBO for design review and approval final design plans, specifications and calculations, including a copy of the signed and stamped engineer's certification. **The project owner shall send copies of the CBO approvals of plan checks to the CPM in the following Monthly Compliance Report. The project owner shall also transmit a copy of the CBO's inspection approvals to the CPM in the Monthly Compliance Report following completion of any inspection.**	30 days (or project owner and CBO approved alternate timeframe) prior to the start of installation of the tanks or vessels containing the above specified quantities of toxic or hazardous materials	Yes	MRP	N/A	Not applicable
MECH-1	Facility Desgin Conditions of Certification	Pre-Construction, Construction	Mechanical plans and inspection reporting	The project owner shall submit, for CBO design review and approval, the proposed final design, specifications and calculations for each plant major piping and plumbing system listed in Facility Design Table 2, Condition of Certification GEN-2, above. Physical layout drawings and drawings not related to code compliance and life safety need not be submitted. The submittal shall also include the applicable QA/QC procedures. Upon completion of construction of any such major piping or plumbing system, the project owner shall request the CBO's inspection approval of said construction [2001 CBC, Section 106.3.2, Submittal Documents; Section 108.3, Inspection Requests; Section 108.4, Approval Required; 2001 California Plumbing Code, Section 103.5.4, Inspection Request; Section 301.1.1, Approval]. The responsible mechanical engineer shall stamp and sign all plans, drawings and calculations for the major piping and plumbing systems subject to the CBO design review and approval, and submit a signed statement to the CBO when the said proposed piping and plumbing systems have been designed, fabricated and installed in accordance with all of the applicable laws, ordinances, regulations and industry standards [Section 106.3.4, Architect or Engineer of Record], which may include, but are not limited to: •American National Standards Institute (ANSI) B31.1 (Power Piping Code); •ANSI B31.2 (Fuel Gas Piping Code); •ANSI B31.3 (Chemical Plant and Petroleum Refinery Piping Code); •ANSI B31.8 (Gas Transmission and Distribution Piping Code); •Title 24, California Code of Regulations, Part 5 (California Plumbing Code); •Title 24, California Code of Regulations, Part 6 (California Energy Code, for building energy conservation systems and temperature control and ventilation systems); •Title 24, California Code of Regulations, Part 2 (California Building Code); and •Specific City/County code. The CBO may deputize inspectors to carry out the functions of the code enforcement agency [2001 CBC, Section 104.2.2, Deputies]. Verification: **At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of any increment of major piping or plumbing construction listed in Facility Design Table 2, Condition of Certification GEN-2 above, the project owner shall submit to the CBO for design review and approval the final plans, specifications and calculations, including a copy of the signed and stamped statement from the responsible mechanical engineer certifying compliance with the applicable LORS, and shall send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.** **The project owner shall transmit to the CPM, in the Monthly Compliance Report following completion of any inspection, a copy of the transmittal letter conveying the CBO's inspection approvals.**	30 days (or project owner and CBO approved alternative timeframe) prior to the start of any increment of major piping or plumbing construction listed in Facility Design Table 2, Condition of Certification GEN-2 above	Yes	MRP/RavenVolt	Monthly	Provided in MCRs as needed
MECH-2	Facility Desgin Conditions of Certification	Pre-Construction, Construction	Monthly Compliance Reporting	For all pressure vessels installed in the plant, the project owner shall submit to the CBO and California Occupational Safety and Health Administration (Cal-OSHA), prior to operation, the code certification papers and other documents required by the applicable LORS. Upon completion of the installation of any pressure vessel, the project owner shall request the appropriate CBO and/or Cal-OSHA inspection of said installation [2001 CBC, Section 108.3, Inspection Requests]. The project owner shall: 1.Ensure that all boilers and fired and unfired pressure vessels are designed, fabricated and installed in accordance with the appropriate section of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, or other applicable code. Vendor certification, with identification of applicable code, shall be submitted for prefabricated vessels and tanks; and 2.Have the responsible design engineer submit a statement to the CBO that the proposed final design plans, specifications and calculations conform to all of the requirements set forth in the appropriate ASME Boiler and Pressure Vessel Code or other applicable codes. Verification: At least 30 days (or project owner and CBO approved alternative timeframe) prior to the start of on-site fabrication or installation of any pressure vessel, the project owner shall submit to the CBO for design review and approval, the above listed documents, including a copy of the signed and stamped engineer's certification, with a copy of the transmittal letter to the CPM. **The project owner shall transmit to the CPM, in the Monthly Compliance Report following completion of any inspection, a copy of the transmittal letter conveying the CBO's and/or Cal-OSHA inspection approvals.**	30 days (or project owner and CBO approved alternative timeframe) prior to the start of on-site fabrication or installation of any pressure vessel	Yes	MRP	N/A	Not applicable

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

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

PAL-5	Geological and Paleontological Resources Conditions of Certification	Construction	Monitoring reporting	The project owner shall ensure that the PRS and PRM(s) monitor consistent with the PRMMP all construction-related grading, excavation, trenching, and augering in areas where potentially fossil-bearing materials have been identified, both at the site and along any constructed linear facilities associated with the project. In the event that the PRS determines full time monitoring is not necessary in locations that were identified in the PRMMP as potentially fossil-bearing, the project owner shall notify and seek the concurrence of the CPM. The project owner shall ensure that the PRS and PRM(s) have the authority to halt or redirect construction if paleontological resources are encountered. The project owner shall ensure that there is no interference with monitoring activities unless directed by the PRS. Monitoring activities shall be conducted as follows: 1.Any change of monitoring different from the accepted schedule presented in the PRMMP shall be proposed in a letter or email from the PRS and the project owner to the CPM prior to the change in monitoring. These changes should also be included in the Monthly Compliance Report. The letter or email shall state the justification for the change in monitoring and be submitted to the CPM for review and approval; 2.The project owner shall ensure the PRM(s) keeps a daily log of monitoring of paleontological resource activities. The PRS may informally discuss paleontological resource monitoring and mitigation activities with the CPM at any time; 3.The project owner shall ensure the PRS immediately notifies the CPM within 24 hours of the occurrence of any incidents of non-compliance with any paleontological resources Conditions of Certification. The PRS shall recommend corrective action to resolve the issues or achieve compliance with the Conditions of Certification; 4.For any significant paleontological resources encountered, either the project owner or the PRS shall notify the CPM within 24 hours or Monday morning in the case of a weekend when construction has been halted due to a paleontological find. **The project owner shall ensure the PRS prepares a summary of the monitoring and other paleontological activities which will be placed in the Monthly Compliance Reports (MCR).** The summary will include the name(s) of PRS or PRM(s) active during the month, general descriptions of training and monitored construction activities and general locations of excavations, grading, etc. A section of the report shall include the geologic units or subunits encountered; descriptions of sampling within each unit; and a list of identified fossils. A final section of the report will address any issues or concerns about the project relating to paleontologic monitoring including any incidents of non-compliance and any changes to the monitoring plan approved by the CPM. If no monitoring took place during the month, the report shall include an explanation in the summary as to why monitoring was not conducted. Verification: **The project owner shall ensure the PRS submits the summary of monitoring and paleontological activities in the MCR.** When feasible, the CPM shall be notified 10 days in advance of any proposed changes in monitoring different from the plan identified in the PRMMP. If there is any unforeseen change in monitoring, the notice shall be given as soon as possible prior to implementation of the change.	10 days in advance of any proposed changes in monitoring different from the plan identified in the PRMMP.	Yes	Rincon	Monthly	Provided in MCRs
PAL-6	Geological and Paleontological Resources Conditions of Certification	Construction	Record keeping	The project owner, in collaboration with the designated PRS, shall ensure all components of the PRMMP are adequately performed including collection of fossil materials, preparation of fossil materials for analysis, analysis of fossils, identification and inventory of fossils, the preparation of fossils for curation, and the delivery for curation of all significant paleontological resource materials encountered and collected during the project construction. Verification: The project owner shall maintain in their compliance file copies of signed contracts or agreements with the designated PRS and other qualified research specialists. The project owner shall maintain these files for a period of three years after completion and approval of the CPM-approved Paleontological Resource Report (See PAL-7). The project owner shall be responsible to pay any curation fees charged by the museum for fossils collected and curated as a result of paleontological mitigation. A copy of the letter of transmittal submitting the fossils to the curating institution shall be provided to the CPM.	N/A	Yes	Rincon, MRP	TBD	Ongoing
PAL-7	Geological and Paleontological Resources Conditions of Certification	Post-Construction	PRR	The project owner shall ensure preparation of a Paleontological Resources Report (PRR) by the designated PRS. The PRR shall be prepared following completion of the ground disturbing activities. The PRR shall include an analysis of the collected fossil materials and related information and submitted to the CPM for review and approval. The report shall include, but is not limited to, a description and inventory of recovered fossil materials; a map showing the location of paleontological resources encountered; determinations of sensitivity and significance; and a statement by the PRS that project impacts to paleontological resources have been mitigated below the level of significance. Verification: **Within 90 days after completion of ground disturbing activities, including landscaping, the project owner shall submit the Paleontological Resources Report under confidential cover to the CPM.**	90 days after completion of ground disturbing activities, including landscaping	Yes	Rincon	TBD	In-progress for pond lining. Post-construction for gentie
HAZ-1	Hazardous Materials Management Conditions of Certification	Pre-Construction, Construction	Annual Compliance Reporting	The project owner shall not use any hazardous materials not listed in the Application for Certification, or in greater quantities than those set forth in the AFC, unless approved in advance by the Compliance Project Manager (CPM). Verification: The project owner shall provide to the CPM, in the Annual Compliance Report, a list of hazardous materials and storage quantities contained at the facility.	N/A	No	N/A	N/A	N/A
HAZ-2	Hazardous Materials Management Conditions of Certification	Pre-Construction, Construction	RMP	The project owner shall concurrently provide a Business Plan and a Risk Management Plan (RMP) to the Certified Unified Program Authority (CUPA) – Fresno County Environmental Health Division and the CPM for review at the time the RMP is first submitted to the U.S. Environmental Protection Agency (EPA). After receiving comments from the CUPA, the EPA, and the CPM, the project owner shall reflect all recommendations in the final documents. Copies of the final Business Plan and RMP shall then be provided to the CUPA and EPA for information and to the CPM for approval. Verification: At least 60 days prior to receiving any hazardous material on the site for commissioning or operations, the project owner shall provide a copy of a final Business Plan to the CPM for approval. At least sixty (60) days prior to delivery of aqueous ammonia to the site, the project owner shall provide the final RMP to the CUPA for information and to the CPM for approval.	60 days prior to receiving any hazardous material on the site for commissioning or operations	No	N/A	N/A	N/A
HAZ-3	Hazardous Materials Management Conditions of Certification	Construction, Decommission, Operation	SMP ERP	The project owner shall develop and implement a Safety Management Plan (SMP) for delivery of aqueous ammonia and other liquid hazardous materials and an Emergency Response Plan (ERP) that addresses actions to take in the event of a spill of hazardous materials. These plans shall be submitted to the CPM for review and approval. The SMP shall include procedures, protective equipment requirements, training and a checklist. It shall also include a section describing all measures to be implemented to prevent mixing of incompatible hazardous materials including provisions to maintain lockout control by a power plant employee not involved in the delivery or transfer operation. The ERP shall include emergency response procedures, spill containment and prevention systems, personnel training, spill notification, and cleanup procedures. These plans shall be applicable during construction, commissioning, and operation of the power plant. Verification: At least sixty (60) days prior to the first delivery of any liquid hazardous material to the facility, the project owner shall provide a SMP and an ERP as described above to the CPM for review and approval.	sixty (60) days prior to the first delivery of any liquid hazardous material to the facility	No	N/A	N/A	N/A
HAZ-4	Hazardous Materials Management Conditions of Certification			The aqueous ammonia storage facility shall be designed to either the ASME Pressure Vessel Code and ANSI K61.6 or to API 620. In either case, the storage tank shall be protected by a secondary containment basin capable of holding 125 percent of the storage volume or the storage volume plus the volume associated with 24 hours of rain assuming the 25- year storm. The final design drawings and specifications for the ammonia storage tank and secondary containment basins shall be submitted to the CPM for review and approval. Verification: At least sixty (60) days prior to delivery of aqueous ammonia to the facility, the project owner shall submit final design drawings and specifications for the ammonia storage tank and secondary containment basin to the CPM for review and approval.	sixty (60) days prior to delivery of aqueous ammonia to the facility	No	N/A	N/A	N/A
HAZ-5	Hazardous Materials Management Conditions of Certification			The project owner shall direct, in writing, all vendors delivering aqueous ammonia to the site to use only tanker truck transport vehicles that meet or exceed the specifications of U.S. DOT Code MC-307. Verification: At least sixty (60) days prior to the first receipt of aqueous ammonia on site, the project owner shall submit copies of the notification letter to supply vendors indicating the transport vehicle specifications to the CPM for review and approval.	sixty (60) days prior to the first receipt of aqueous ammonia on site	No	N/A	N/A	N/A
HAZ-6	Hazardous Materials Management Conditions of Certification			The project owner shall direct, in writing, all vendors delivering any hazardous material to the site to use only the route approved by the CPM (from Interstate 5, to West Panoche Road, to the project site). The project owner shall submit any desired change to the approved delivery route to the CPM for review and approval. Verification: At least sixty (60) days prior to receipt of any hazardous materials on site, the project owner shall submit copies of the required transportation route limitation direction to the CPM for review and approval.	sixty (60) days prior to receipt of any hazardous materials on site	No	N/A	N/A	N/A

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

NOISE-2	Noise Complaint Process	Construction, Operation	Noise Compliance	Throughout the construction and operation of the SPP, the project owner shall document, investigate, evaluate, and attempt to resolve all project- related noise complaints. The project owner or authorized agent shall: •use the noise complaint resolution form below, or a functionally equivalent procedure acceptable to the CPM, to document and respond to each noise complaint; •attempt to contact the person(s) making the noise complaint within 24 hours; •conduct an investigation to determine the source of noise related to the complaint; •if the noise is project related, take all feasible measures to reduce the noise at its source; and •submit a report documenting the complaint and the actions taken. The report shall include: a complaint summary, including final results of noise reduction efforts, and if obtainable, a signed statement by the complainant, stating that the noise problem is resolved to the complainant's satisfaction. Verification: Within five days of receiving a noise complaint, the project owner shall file a copy of the noise complaint resolution form with the local jurisdiction and the CPM, documenting the resolution of the complaint. If mitigation is required to resolve a complaint, and the complaint is not resolved within a three-day period, the project owner shall submit an updated noise complaint resolution form when the mitigation is implemented.	five days of receiving a noise complaint	Yes	MRP	5/1/2025	As-needed
NOISE-3	Noise Complaint Process	Pre-Construction	Noise Control Program	The project owner shall submit to the CPM for review and approval a noise control program. The noise control program shall be used to reduce employee exposure to high noise levels during construction and also to comply with applicable OSHA and Cal-OSHA standards. Verification: At least 30 days prior to the start of ground disturbance, the project owner shall submit to the CPM the noise control program. The project owner shall make the program available to Cal-OSHA upon request.	30 days prior to the start of ground disturbance,	Yes	MRP	N/A	Complete
NOISE-4	Noise Restrictions	Operation	Operational Noise Survey	The project design and implementation shall include appropriate noise mitigation measures adequate to ensure that operation of the project will not cause noise levels due to plant operation plus ambient, during the four quietest consecutive hours of the nighttime, to exceed an average of 45 dBA L50 as measured near monitoring locations ML2 (approximately 1,600 feet west of the center of the project site) and as measured near a location 400 feet from the project site (as shown in Noise Figure 1). No new pure-tone components may be caused by the project. No single piece of equipment shall be allowed to stand out as a source of noise that draws legitimate complaints. When the project first achieves a sustained output of 90 percent or greater of rated capacity, the project owner shall conduct a 4-hour community noise survey at monitoring location ML2 or at a closer location acceptable to the CPM. This survey during power plant operation shall also include measurement of one-third octave band sound pressure levels to ensure that no new pure-tone noise components have been caused by the project. •During this survey, the project owner shall also conduct a 4-hour noise survey at a location 400 feet from the project site (as shown in Noise figure 1). •The above noise measurements shall be conducted during four consecutive hours within the nighttime period, from 10 p.m. to 7 a.m. •The measurement of power plant noise for the purposes of demonstrating compliance with this condition of certification may alternatively be made at a location, acceptable to the CPM, closer to the plant (e.g., 400 feet from the plant boundary) and this measured level then mathematically extrapolated to determine the plant noise contribution at the affected residence. The character of the plant noise shall be evaluated at the affected receptor locations to determine the presence of pure tones or other dominant sources of plant noise. •If the results from the above noise survey indicate that the power plant noise level plus ambient (L50) at the affected receptor sites exceeds the above value during the above specified time periods, mitigation measures shall be implemented to reduce noise to a level of compliance with this limit. •If the results from the noise survey indicate that pure tones are present, mitigation measures shall be implemented to eliminate the pure tones. Verification: The survey shall take place within 60 days of the project first achieving a sustained output of 90 percent or greater of rated capacity. Within 15 days after completing the survey, the project owner shall submit a summary report of the survey to the CPM. Included in the survey report shall be a description of any additional mitigation measures necessary to achieve compliance with the above- listed noise limit, and a schedule, subject to CPM approval, for implementing these measures. When these measures are in place, the project owner shall repeat the noise survey. Within 15 days of completion of the new survey, the project owner shall submit to the CPM a summary report of this new noise survey, performed as described above and showing compliance with this condition.	15 days after completing the survey	Yes	RIncon	TBD	Post-construction
NOISE-5	Noise Restrictions	Pre-Construction	Noise Compliance	Prior to ground disturbance, the project owner shall fully execute its agreement with the landowner of the property at ML1 to relocate its residents to a location not near the project site. The project design and implementation shall include appropriate noise mitigation measures adequate to ensure that operation of the project will not cause noise levels due to plant operation plus ambient, during the four quietest consecutive hours of the nighttime, to exceed an average of 45 dBA L50 as measured near this new location. No new pure-tone components may be caused by the project. No single piece of equipment shall be allowed to stand out as a source of noise that draws legitimate complaints. •If the new location is within 3,000 feet of the project site, when the project first achieves a sustained output of 90 percent or greater of rated capacity, the project owner shall conduct a short-term survey of noise at this new location or at a closer location acceptable to the CPM. The short-term noise measurements shall be conducted during every hour of the nighttime hours, from 10 p.m. to 7 a.m., during the period of the survey. •If during the operating life of the project, the project owner plans to convert the five-unit multiplex at ML1 back to a residential use, the project owner shall repeat this survey at ML1 or at a closer location acceptable to the CPM, prior to any resident(s) occupying the multiplex. •The measurement of power plant noise for the purposes of demonstrating compliance with this condition of certification may alternatively be made at a location, acceptable to the CPM, closer to the plant (e.g., 400 feet from the plant boundary) and this measured level then mathematically extrapolated to determine the plant noise contribution at the affected residence. The character of the plant noise shall be evaluated at the affected receptor locations to determine the presence of pure tones or other dominant sources of plant noise. •If the results from any of the above noise surveys indicate that the power plant noise level plus ambient (L50) at the affected receptor sites exceeds the above value during the above specified time period, mitigation measures shall be implemented to reduce noise to a level of compliance with this limit. ML1 shall not be reoccupied (as explained above), unless the SPP can demonstrate compliance with this requirement at this location. •If the results from the noise surveys indicate that pure tones are present, mitigation measures shall be implemented to eliminate the pure tones. Verification: Prior to ground disturbance, the project owner shall transmit to the CPM a statement, signed by the project owner's project manager, stating that the residents in the property at ML1 have been relocated, and describing the new location and its distance to the project site. The first noise survey shall take place within 30 days of the project first achieving a sustained output of 90 percent or greater of rated capacity. If the second survey is needed (as described above) it shall take place prior to the property at ML1 being reoccupied. Within 15 days after completing each of the surveys, the project owner shall submit a summary report of the survey to the CPM. Included in the survey report shall be a description of any additional mitigation measures necessary to achieve compliance with the above-listed noise limit, and a schedule, subject to CPM approval, for implementing these measures. When these measures are in place, the project owner shall repeat the noise survey. Within 15 days of completion of the new survey (conducted after implementation of the above mitigation measures), the project owner shall submit to the CPM a summary report of this new noise survey, performed as described above and showing compliance with this condition.	Prior to ground disturbance 30 days of the project first achieving a sustained output of 90 percent or greater of rated capacity. 15 days after completing each of the surveys	Yes	Rincon, MRP	5/1/2025	Complete 5/14/25
NOISE-6	Noise Restrictions	Operation	Noise Survey	Following the project first achieving a sustained output of 90 percent or greater of rated capacity, the project owner shall conduct an occupational noise survey to identify the noise hazardous areas in the facility. The survey shall be conducted by a qualified person in accordance with the provisions of Title 8, California Code of Regulations, sections 5095- 5099 (Article 105) and Title 29, Code of Federal Regulations, section 1910.95. The survey results shall be used to determine the magnitude of employee noise exposure. The project owner shall prepare a report of the survey results and, if necessary, identify proposed mitigation measures that will be employed to comply with the applicable California and federal regulations. Verification: Within 30 days after completing the survey, the project owner shall submit the noise survey report to the CPM. The project owner shall make the report available to OSHA and Cal-OSHA upon request.	30 days after completing the survey	Yes	Rincon, MRP	TBD	Operation

Midway Pond Lining Project
Environmental Construction and Compliance Matrix

NOISE-7	Construction Time Restrictions	Pre-Construction	Heavy equipment noise	Heavy equipment operation and noisy construction work relating to any project features (including pile driving work) shall be restricted to the times delineated below, unless a special permit has been issued by the County of Fresno: Any day except Saturdays and Sundays:6 a.m. to 9 p.m. Saturdays and Sundays:7 a.m. to 5 p.m. Haul trucks and other engine-powered equipment shall be equipped with adequate mufflers. Haul trucks shall be operated in accordance with posted speed limits. Truck engine exhaust brake use shall be limited to emergencies. Verification: Prior to ground disturbance, the project owner shall transmit to the CPM a statement acknowledging that the above restrictions will be observed throughout the construction of the project.	Prior to ground disturbance	Yes	Rincon	5/1/2025	Complete 5/14/25
NOISE-8	Pile Driving Management	Construction	Pile Driving	The project owner shall perform pile driving using a quieter process than the traditional pile driving techniques to ensure that noise from these operations does not cause annoyance at monitoring locations ML2 and ML3. Verification: At least 15 days prior to first pile driving, the project owner shall submit to the CPM a description of the pile driving technique to be employed, including calculations showing its projected noise impacts at monitoring locations ML2 and ML3.	15 days prior to first pile driving	Yes	MRP	5/1/2025	Complete 5/14/25
SOCIO-1	Socioeconomics Conditions of Certification	Pre-Construction	One-time Statutory School Development Fee	The project owner shall pay the one-time statutory school development fee to the Mendota Unified School District as required by Education Code Section 17620. Verification: At least 30 days prior to start of project construction, the project owner shall provide the CPM proof of payment of the statutory development fee.	30 days prior to start of project construction	No	N/A	N/A	N/A
TRANS-1	Traffic and Transportation Conditions of Certification	Pre-Construction, Construction	Road Mitigation	Prior to site mobilization activities, the project owner shall prepare a mitigation plan for West Panoche Road should it be damaged by project construction. The intent of this plan is to ensure that if West Panoche Road is damaged by project construction it will be repaired and reconstructed to original or as near original condition as possible. This plan shall include: •Documentation of the pre-construction condition of West Panoche Road from I-5 to the access road to the site. Prior to the start of site mobilization, the project owner shall provide to the CPM photographs or videotape of West Panoche Road. •Documentation of any portions of West Panoche Road that may be inadequate to accommodate oversize or large construction vehicles, and identify necessary remediation measures; •Provide for appropriate bonding or other assurances to ensure that any damage to West Panoche Road due to construction activity will be remedied by the project owner; and •Reconstruction of portions of West Panoche Road that are damaged by project construction. Verification: At least 90 days prior to the start of site mobilization, the project owner shall submit a mitigation plan focused on restoring West Panoche Road to their pre- project condition to the Fresno County Planning Department for review and comment, and to the CPM for review and approval. Within 90 days following the completion of construction, the project owner shall provide photo/videotape documentation to the Fresno County Planning Department, and the CPM that the damaged sections of West Panoche Road have been restored to their pre-project condition.	90 days following the completion of construction	Yes	MRP	TBD	In-progress for pond lining. Post-construction for gentie
TRANS-2	Traffic and Transportation Conditions of Certification	Pre-Construction, Construction	TCP	The Project owner shall consult with Fresno County and the City of Mendota and prepare and submit to the CPM for approval, a construction traffic control plan (TCP) and implementation program. The TCP should address the following issues: •Timing of heavy equipment and building materials deliveries •Signing, lighting and traffic control device placement, if required •Need for construction work hours and arrival/departure times outside of peak traffic periods, local school bus travel times on Panoche Road, and the intervals that children would be walking to and from bus stops. •Installation of road signs along Panoche Road to inform drivers of school bus zones. •Signs directing construction workers and deliveries off of Panoche Road. •Ensure access for emergency vehicles to the project site. •Temporary travel lane closure. •Installation of barriers to protect school children waiting for the school bus. Verification: At least 45 days prior to site mobilization, the project owner shall submit the plan to the appropriate jurisdictions for review and comment, and to the CPM for review and approval.	45 days prior to site mobilization	Yes	MRP	5/5/2025	Complete 5/15/25
TRANS-3	Traffic and Transportation Conditions of Certification	Construction	Complaint Resolution Form	Throughout construction of the project, the project owner shall document, Investigate, evaluate and attempt to resolve all complaints related to construction traffic affecting school bus safety or children walking to and from school bus stops. The project owner or authorized agent shall: •Use a CPM-approved Complaint Resolution Form, or functionally equivalent procedure acceptable to the CPM, to document and respond to each traffic safety complaint; •Attempt to contact the person(s) making the traffic safety complaint within 24 hours; •Conduct an investigation to determine the source of the traffic safety problem related to the complaint; •If the traffic safety issue is project related, take all feasible measures to reduce the safety problem at its source; and •Submit a report documenting the complaint and the actions taken. The report shall include: a complaint summary, including final results of traffic safety improvement efforts; and if obtainable, a signed statement by the complainant stating that the traffic safety problems resolved to the complainant's satisfaction. •The project owner shall establish a telephone number for use by the public to report any project-related traffic safety issues. If the telephone is not staffed 24 hours per day, the project owner shall include an automatic answering feature, with date and time stamp recording, to answer calls when the phone is unattended. The telephone number shall be posted at the project site during construction in a manner visible to passerby. This telephone number shall be maintained until project construction is complete. Verification: Prior to site mobilization, the project owner shall transmit to the CPM a statement, signed by the project manager, stating that a telephone number has been established and posted at the site, and provide the telephone number. Within 5 days after receiving a traffic safety complaint, the project owner shall file a Complaint Resolution Form with the CPM documenting the resolution of the complaint. If mitigation is required to resolve a complaint and the complaint is not resolved within a 3-day period, the project owner shall submit an updated Complaint Resolution Form when the mitigation is implemented.	5 days after receiving a traffic safety complaint	Yes	Rincon	5/1/2025	Complete 5/14/25 As-needed
TRANS-4	Traffic and Transportation Conditions of Certification	Construction	WTSP	Prior to site mobilization, the project owner shall develop and Implement a Worker Traffic Safety Program (WTSP) focusing on awareness of school buses and school children in the vicinity of the project. The plan shall include, as a minimum, the following: •A discussion of all applicable motor vehicle laws and penalties under the law; safe driving practices, potential road conditions (e.g., school bus stops, children who are walking to or from a bus stop, children boarding or exiting buses, ground fog, horses/livestock, slow vehicles, etc.) along the expected travel corridor (i.e., Panoche Road), •Required commute work travel times, •Expected school bus travel times, and •A discussion of consequences in the event a worker is found driving in an unsafe manner. The training shall be provided on a weekly basis to all new employees (including all contractors and subcontractors) at the start of ground disturbance, and continue for the duration of construction. The training may be presented in the form of a video. Verification: The project owner shall provide a copy of the WTSP to the CPM for review and approval 30 days prior to site mobilization. The training may be presented in the form of a video, if the video has been approved by the CPM. The video shall be provided to the CPM for review and approved 30 days prior to site mobilization. **The project owner shall provide the WTSP certification of completion for persons who have completed the training in the prior month, and a running total of all persons who have completed training to date in the monthly compliance report.**	30 days prior to site mobilization	Yes	MRP	Monthly	WEAP approved 4/29/25 WEAP records provided in MCRs
TLSN-1	Transmission Line Safety and Nuisance Conditions of Certification	Pre-Construction	Construct transmission lines	The project owner shall construct the proposed transmission lines according to the requirements of California Public Utility Commission's GO-95, GO-52, GO-131-D, Title 8, and Group 2. High Voltage Electrical Safety Orders, Sections 2700 through 2974 of the California Code of Regulations, and Southern California Edison's EMF-reduction guidelines. Verification: At least thirty days before starting construction of the transmission line or related structures and facilities, the project owner shall submit to the Compliance Project Manager (CPM) a letter signed by a California registered electrical engineer affirming that the lines will be constructed according to the requirements stated in the condition.	thirty days before starting construction of the transmission line or related structures and facilities	Yes	MRP	N/A	Not applicable
TLSN-2	Transmission Line Safety and Nuisance Conditions of Certification	Operation	Annual Compliance Reporting	The project owner shall ensure that every reasonable effort will be made to identify and correct, on a case-specific basis, any complaints of interference with radio or television signals from operation of the project- related lines and associated switchyards. The project owner shall maintain written records for a period of five years, of all complaints of radio or television interference attributable to plant operation together with the corrective action taken in response to each complaint. All complaints shall be recorded to include notations on the corrective action taken. Complaints not leading to a specific action or for which there was no resolution should be noted and explained. The record shall be signed by the project owner and also the complainant, if possible, to indicate concurrence with the corrective action or agreement with the justification for a lack of action. Verification: All reports of line-related complaints shall be summarized for the project- related lines and included during the first five years of plant operation in the Annual Compliance Report.	during the first five years of plant operation	Yes	MRP	TBD	Operation

TLSN-3	Transmission Line Safety and Nuisance Conditions of Certification	post-construction	Energization measurements	The project owner shall hire a qualified consultant to measure the strengths of the electric and magnetic fields from the line before and after it is energized. The measurements shall be made according to the American National Standard Institute/Institute of Electrical and Electronic Engineers (ANSI/IEEE) standard procedures at the locations of maximum field strengths along the proposed route. These measurements shall be completed not later than six months after the start of operations. Verification: The project owner shall file copies of the pre-and post-energization measurements and measurements with the CPM within 60 days after completion of the measurements.	60 days after completion of the measurements	Yes	MRP	N/A	Not applicable
TLSN-4	Transmission Line Safety and Nuisance Conditions of Certification	Operation	Annual Compliance Reporting	The project owner shall ensure that the rights-of-way of the proposed transmission line are kept free of combustible material, as required under the provisions of Section 4292 of the Public Resources Code and Section 1250 of Title 14 of the California Code of Regulations. Verification: During the first five years of plant operation, the project owner shall provide a summary of inspection results and any fire prevention activities carried out along the right-of-way and provide such summaries in the Annual Compliance Report.	During the first five years of plant operation	Yes	MRP	TBD	Operation
TLSN-5	Transmission Line Safety and Nuisance Conditions of Certification	Construction	Transmission line safety	The project owner shall ensure that all permanent metallic objects within the right-of-way of the project-related lines are grounded according to industry standards regardless of ownership. In the event of a refusal by any property owner to permit such grounding, the project owner shall so notify the CPM. Such notification shall include, when possible, the owner's written objection. Upon receipt of such notice, the CPM may waive the requirement for grounding the object involved. Verification: At least 30 days before the lines are energized, the project owner shall transmit to the CPM a letter confirming compliance with this Condition.	30 days before the lines are energized	Yes	MRP	N/A	Not applicable

TSE-1	Transmission System Engineering Conditions of Certification	Pre-Construction	Monthly Compliance Reporting	The project owner shall furnish to the Compliance Project Manager (CPM) and to the Chief Building Official (CBO) a schedule of transmission facility design submittals, a Master Drawing List, a Master Specifications List, and a Major Equipment and Structure List. The schedule shall contain a description and list of proposed submittal packages for design, calculations, and specifications for major structures and equipment. To facilitate audits by Energy Commission staff, the project owner shall provide designated packages to the CPM when requested. Verification: At least 60 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of construction, the project owner shall submit the schedule, a Master Drawing List, and a Master Specifications List to the CBO and to the CPM. The schedule shall contain a description and list of proposed submittal packages for design, calculations, and specifications for major structures and equipment (see a list of major equipment in Table 1: Major Equipment List below). Additions and deletions shall be made to the table only with CPM and CBO approval. The project owner shall provide schedule updates in the Monthly Compliance Report.	60 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of construction	No	N/A	N/A	N/A
TSE-2	Transmission System Engineering Conditions of Certification	Pre-Construction, Construction	Special Inspection Monitoring	Prior to the start of construction the project owner shall assign an electrical engineer and at least one of each of the following to the project: A) a civil engineer; B) a geotechnical engineer or a civil engineer experienced and knowledgeable in the practice of soils engineering; C) a design engineer, who is either a structural engineer or a civil engineer fully competent and proficient in the design of power plant structures and equipment supports; or D) a mechanical engineer. (Business and Professions Code Sections 6704 et seq. require state registration to practice as a civil engineer or structural engineer in California.) The tasks performed by the civil, mechanical, electrical or design engineers may be divided between two or more engineers, as long as each engineer is responsible for a particular segment of the project (e.g., proposed earthwork, civil structures, power plant structures, equipment support). No segment of the project shall have more than one responsible engineer. The transmission line may be the responsibility of a separate California registered electrical engineer. The civil, geotechnical or civil and design engineer assigned in conformance with Facility Design condition GEN-5, may be responsible for design and review of the TSE facilities. The project owner shall submit to the CBO for review and approval, the names, qualifications and registration numbers of all engineers assigned to the project. If any one of the designated engineers is subsequently reassigned or replaced, the project owner shall submit the name, qualifications and registration number of the newly assigned engineer to the CBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer. This engineer shall be authorized to halt earthwork and to require changes; if site conditions are unsafe or do not conform with predicted conditions used as a basis for design of earthwork or foundations. The electrical engineer shall: 1.Be responsible for the electrical design of the power plant switchyard, outlet and termination facilities; and 2.Sign and stamp electrical design drawings, plans, specifications, and calculations. Verification: At least 30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of rough grading, the project owner shall submit to the CBO for review and approval, the names, qualifications and registration numbers of all the responsible engineers assigned to the project. The project owner shall notify the CPM of the CBO's approvals of the engineers within five days of the approval. If the designated responsible engineer is subsequently reassigned or replaced, the project owner has five days in which to submit the name, qualifications, and registration number of the newly assigned engineer to the CBO for review and approval. The project owner shall notify the CPM of the CBO's approval of the new engineer within five days of the approval.	30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of rough grading	No	N/A	N/A	N/A
TSE-3	Transmission System Engineering Conditions of Certification	Construction	Special Inspection Monitoring	If any discrepancy in design and/or construction is discovered in any engineering work that has undergone CBO design review and approval, the project owner shall document the discrepancy and recommend corrective action. (2001 California Building Code, Chapter 1, Section 108.4, Approval Required; Chapter 17, Section 1701.3, Duties and Responsibilities of the Special Inspector; Appendix Chapter 33, Section 3317.7, Notification of Noncompliance). The discrepancy documentation shall become a controlled document and shall be submitted to the CBO for review and approval and shall reference this condition of certification. Verification: The project owner shall submit a copy of the CBO's approval or disapproval of any corrective action taken to resolve a discrepancy to the CPM within 15 days of receipt. If disapproved, the project owner shall advise the CPM, within five days, the reason for disapproval, and the revised corrective action required to obtain the CBO's approval.	within 15 days of receipt	No	N/A	N/A	N/A
TSE-4	Transmission System Engineering Conditions of Certification	Pre-Construction, Construction	Monthly Compliance Reporting	For the power plant switchyard, outlet line and termination, the project owner shall not begin any increment of construction until plans for that increment have been approved by the CBO. These plans, together with design changes and design change notices, shall remain on the site for one year after completion of construction. The project owner shall request that the CBO inspect the installation to ensure compliance with the requirements of applicable LORS. The following activities shall be reported in the Monthly Compliance Report: a.receipt or delay of major electrical equipment; b.testing or energization of major electrical equipment; and c.the number of electrical drawings approved, submitted for approval, and still to be submitted. Verification: At least 30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of each increment of construction, the project owner shall submit to the CBO for review and approval the final design plans, specifications and calculations for equipment and systems of the power plant switchyard, outlet line and termination, including a copy of the signed and stamped statement from the responsible electrical engineer attesting to compliance with the applicable LORS, and send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.	30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of each increment of construction	No	N/A	N/A	N/A

TSE-5	Transmission System Engineering Conditions of Certification	Pre-Construction, Construction, Operation	Transmission facilities will conform to all applicable LORS	The project owner shall ensure that the design, construction, and operation of the proposed transmission facilities will conform to all applicable LORS, including the requirements listed below. The project owner shall submit the required number of copies of the design drawings and calculations as determined by the CBO. 1.The existing Panoche Substation will require upgrades and rearrangement to accommodate the addition of the SPP. a.Install a tap interconnection at the CalPeak Panoche generator tie-line. b.Reconductor the CalPeak Panoche generator tie-line between CB 142 at CalPeak Panoche and CB 162 at Panoche Substation with 954 kcmil aluminum conductor or conductor with a higher rating. c.Rearrange or rebuild the Panoche-Shindler 115 kV Number 1 and Number 2 lines to accommodate crossing of the new tap line. d.Protection requirements will consist of a fully redundant, three-terminal, double-pilot current differential scheme. 2.The SPP will be interconnected to the Panoche Substation via a single 115 kV transmission line approximately 1000 feet long with 954 kcmil aluminum conductor or conductor with a higher rating. 3.The power plant outlet line shall meet or exceed the electrical, mechanical, civil, and structural requirements of California Public Utilities Commission General Order 95 or National Electric Safety Code (NESC); Title 8 of the California Code of Regulations; articles 35, 36 and 37 of the High-Voltage Electric Safety Orders; California ISO Standards; National Electric Code (NEC); and related industry standards. 4.Breakers and busses in the power plant switchyard and other switchyards, where applicable, shall be sized to comply with a short-circuit analysis. 5.Outlet line crossings and line parallels with transmission and distribution facilities shall be coordinated with the transmission line owner and comply with the owner's standards. 6.The project conductors shall be sized to accommodate the full output from the project. 7.Termination facilities shall comply with applicable PG&E interconnection standards. 8.The project owner shall provide to the CPM: a.The final Detailed Facility Study including a description of facility upgrades, operational mitigation measures, and/or special protection system sequencing and timing, if applicable. b.Executed project owner and California ISO facility interconnection agreement. 9.A request for minor changes to the facilities described in this condition may be allowed if the project owner informs the CBO and CPM and receives approval for the proposed change. A detailed description of the proposed change and complete engineering, environmental, and economic rationale for the change shall accompany the request. Construction involving changed equipment or substation configurations shall not begin without prior written approval of the changes by the CBO and the CPM. Verification: At least 60 days prior to the start of construction of transmission facilities (or a lesser number of days mutually agreed to by the project owner and CBO), the project owner shall submit the following to the CBO for approval. The project owner shall submit a letter from PG&E confirming that PG&E will build the facilities identified in TSE-5 starting with the point of interconnection, the conductor tie into the "A" frame takeoff on Midway property, through the PG&E substation in accordance with PG&E standards. The project owner shall submit design drawings, specifications and calculations conforming with California Public Utilities Commission General Order 95 or National Electric Safety Code; Title 8 of the California Code of Regulations; articles 35, 36, and 37 of the High Voltage Electric Safety Orders; California ISO standards; National Electric Code; and related industry standards, for the poles/towers, foundations, anchor bolts, conductors, grounding systems, and major switchyard equipment for facilities installed by the owner and not PG&E. For each element of the transmission facilities identified above and installed by the owner and not PG&E, the submittal package to the CBO shall contain the design criteria, a discussion of the calculation method(s), a sample calculation based on worst- case conditions, and a statement signed and sealed by the registered engineer in charge, or other acceptable alternative verification, that the transmission element(s) will conform with California Public Utilities Commission General Order 95 or National Electric Safety Code; Title 8 of the California Code of Regulations, articles 35, 36, and 37 of the High-Voltage Electric Safety Orders; California ISO standards; National Electric Code and related industry standards. The project owner shall submit electrical one-line diagrams signed and sealed by the registered professional electrical engineer in charge, a route map, an engineering description of equipment, and the configurations covered by requirements 1 through 9 in Condition Of Certification TSE-5 above and installed by the owner and not PG&E. The final Detailed Facility Study, including a description of facility upgrades, operational mitigation measures, and/or special protective system sequencing and timing, if applicable, shall be provided concurrently to the CPM. At least 60 days prior to the construction of transmission facilities, the project owner shall inform the CBO and the CPM of any impending changes that may not conform to the facilities described in this condition, and shall request approval to implement such changes.	60 days prior to the construction of transmission facilities	Yes	MRP	N/A	Not applicable
TSE-6	Transmission System Engineering Conditions of Certification	Construction, Pre-Operation	CALISO Notice	The project owner shall provide the following Notice to the California Independent System Operator prior to synchronizing the facility with the California transmission system: 1.At least one week prior to synchronizing the facility with the grid for testing, provide the CAL ISO with a letter stating the proposed date of synchronization; and 2.At least one business day prior to synchronizing the facility with the grid for testing, provide telephone notification to the ISO Outage Coordination Department. Verification: The project owner shall provide copies of the CAL ISO letter to the CPM when it is sent to the CAL ISO one week prior to initial synchronization with the grid. The project owner shall contact the CAL ISO Outage Coordination Department, Monday through Friday, between the hours of 0700 and 1530 at (916) 351-2300 at least one business day prior to synchronizing the facility with the grid for testing. A report of conversation with the CAL ISO shall be provided electronically to the CPM one day before synchronizing the facility with the California transmission system for the first time.	N/A	No	N/A	N/A	N/A
TSE-7	Transmission System Engineering Conditions of Certification	Construction, Operation	Compliance Monitoring Plan	The project owner shall be responsible for the inspection of the transmission facilities during and after project construction, and any subsequent CPM and CBO approved changes thereto, to ensure conformance with CPUC General Order 95 or National Electric Safety Code (NESC); Title 8 of the California Code and Regulations (Title 8); Articles 35, 36 and 37 of the "High Voltage Electric Safety Orders", CAL ISO standards, National Electric Code (NEC) and related industry standards. In case of non-conformance, the project owner shall inform the CPM and CBO in writing, within 10 days of discovering such non- conformance and describe the corrective actions to be taken. Verification: Within 60 days after first synchronization of the project, the project owner shall transmit to the CPM and CBO: a."As built" engineering description(s) and one-line drawings of the electrical portion of the facilities signed and sealed by the registered electrical engineer in responsible charge. A statement attesting to conformance with CPUC General Order 95 or National Electric Safety Code (NESC); Title 8 of the California Code and Regulations (Title 8); Articles 35, 36 and 37 of the "High Voltage Electric Safety Orders", CAL ISO standards, National Electric Code (NEC) and related industry standards. b.An "as built" engineering description of the mechanical, structural, and civil portion of the transmission facilities signed and sealed by the registered engineer in responsible charge or acceptable alternative verification. "As built" drawings of the electrical, mechanical, structural, and civil portion of the transmission facilities shall be maintained at the power plant and made available, if requested, for CPM audit as set forth in the "Compliance Monitoring Plan". c.A summary of inspections of the completed transmission facilities, and identification of any nonconforming work and corrective actions taken, signed and sealed by the registered engineer in charge.	60 days after first synchronization of the project	No	N/A	N/A	N/A

VIS-1	Visual Resources Conditions of Certification	Pre-Construction, Construction	Surface Treatment of Project Structures and Buildings, Annual Compliance Reporting	The project owner shall color and finish the surfaces of all project structures and buildings visible to the public to ensure that they: 1.minimize visual intrusion and contrast by blending with the landscape; 2.minimize glare; and 3.comply with local design policies and ordinances. The transmission line conductors shall be non-specular and non-reflective, and the insulators shall be non-reflective and non-refractive. The project owner shall submit a surface treatment plan to the Compliance Project Manager (CPM) for review and approval. The treatment plan shall include: A.A description of the overall rationale for the proposed surface treatment, including the selection of the proposed color(s) and finishes; B.A list of each major project structure, building, tank, pipe, and wall; transmission line towers and/or poles; and fencing, specifying the color(s) and finish proposed for each. Colors must be identified by vendor, name, and number; or according to a universal designation system; C.One set of color brochures or color chips showing each proposed color and finish; D.One set of 11" x 17" color photo simulations at life size scale of the proposed treatment for project structures, including structures treated during manufacture, from the Key Observation Points; E.A specific schedule for completing the treatment; and F.A procedure to ensure proper treatment maintenance for the life of the project. The project owner shall not request vendor treatment of any buildings or structures during their manufacture, or perform final field treatment on any buildings or structures, until the project owner has received treatment plan approval by the CPM. Verification: At least 90 days prior to specifying vendor color(s) and finish (es) for structures or buildings to be surface treated during manufacture, the project owner shall submit the proposed treatment plan to the CPM for review and approval and simultaneously to the County of Fresno Department of Public Works and Planning, Development Services Division for review and comment. The project owner shall provide the CPM with the County's comments at least 30 days prior to the estimated date of providing paint specification to vendors. If the CPM determines that the plan requires revision, the project owner shall provide to the CPM a plan with the specified revision(s) for review and approval by the CPM before any treatment is applied. Any modifications to the treatment plan must be submitted to the CPM for review and approval. Within ninety (90) days after the start of commercial operation, the project owner shall notify the CPM that surface treatment of all listed structures and buildings has been completed and is ready for inspection; and shall submit one set of electronic color photographs from the Key Observation Points. The project owner shall provide a status report regarding surface treatment maintenance in the Annual Compliance Report. The report shall specify: 1.the condition of the surfaces of all structures and buildings at the end of the reporting year; 2.maintenance activities that occurred during the reporting year; and 3.the schedule of maintenance activities for the next year.	ninety (90) days after the start of commercial operation	Yes	MRP	N/A	Not applicable
VIS-2	Visual Resources Conditions of Certification	Construction	Construction Lighting, Monthly Compliance Reporting	The project owner shall ensure that lighting for construction of the power plant is used in a manner that minimizes potential night lighting impacts, as follows: A.All lighting shall be of minimum necessary brightness consistent with worker safety and security; B.All fixed position lighting shall be shielded/hooded, and directed downward and toward the area to be illuminated to prevent direct illumination of the night sky and obtrusive spill light beyond the boundaries of the power plant site or the site of construction of ancillary facilities, including any security related boundaries; C.Wherever feasible and safe and not needed for security, lighting shall be kept off when not in use; and D.Complaints concerning adverse lighting impacts will be promptly addressed and mitigated. Verification: Within seven days after the first use of construction lighting, the project owner shall notify the CPM that the lighting is ready for inspection. If the CPM requires modifications to the lighting, the project owner shall implement the necessary modifications within 15 days of the CPM's request and notify the CPM that the modifications have been completed. Within 10 days of receiving a lighting complaint, the project owner shall provide the CPM with a complaint resolution form report as specified in the compliance General Conditions including a proposal to resolve the complaint, and a schedule for implementation. The project owner shall notify the CPM within 10 days after completing implementation of the proposal. A copy of the complaint resolution form report shall be included in the subsequent Monthly Compliance Report following complaint resolution.	seven days after the first use of construction lighting 10 days of receiving a lighting complaint	No	N/A	N/A	N/A
VIS-3	Visual Resources Conditions of Certification	Construction, Operation	Permanent Exterior Lighting	To the extent feasible, consistent with safety and security considerations and commercial availability, the project owner shall design and install all permanent exterior lighting such that: a.light fixtures do not cause obtrusive spill light beyond the project site; b.lighting does not cause excessive reflected glare; c.direct lighting does not illuminate the nighttime sky; d.illumination of the project and its immediate vicinity is minimized, and e.lighting complies with local policies and ordinances. The project owner shall submit to the CPM for review and approval and simultaneously to the County of Fresno Department of Public Works and Planning, Development Services Division for review and comment a lighting mitigation plan that includes the following: A.A process for addressing and mitigating complaints received about potential lighting impacts; B.Lighting shall incorporate commercially available fixture hoods/shielding, with light directed downward or toward the area to be illuminated; C.Light fixtures shall not cause obtrusive spill light beyond the project boundary; D.All lighting shall be of minimum necessary brightness consistent with operational safety and security; and E.Lights in high illumination areas not occupied on a continuous basis (such as maintenance platforms) shall have (in addition to hoods) switches, timer switches, or motion detectors so that the lights operate only when the area is occupied. Verification: At least 90 days prior to ordering any permanent exterior lighting, the project owner shall contact the CPM to determine the required documentation for the lighting mitigation plan. At least 60 days prior to ordering any permanent exterior lighting, the project owner shall submit to the CPM for review and approval and simultaneously to the County of Fresno Department of Public Works and Planning, Development Services Division for review and comment a lighting mitigation plan. The project owner shall provide the County's comments to the CPM at least 10 days prior to the date lighting materials are ordered. If the CPM determines that the plan requires revision, the project owner shall provide to the CPM a revised plan for review and approval by the CPM. The project owner shall not order any exterior lighting until receiving CPM approval of the lighting mitigation plan. Prior to commercial operation, the project owner shall notify the CPM that the lighting has been installed and is ready for inspection. If after inspection the CPM notifies the project owner that modifications to the lighting are needed, within 30 days of receiving that notification the project owner shall implement the modifications and notify the CPM that the modifications have been completed and are ready for inspection. Within 10 days of receiving a lighting complaint, the project owner shall provide the CPM with a complaint resolution form report as specified in the Compliance General Conditions including a proposal to resolve the complaint, and a schedule for implementation. A copy of the complaint resolution form report shall be submitted to the CPM within 30 days of complaint resolution.	90 days prior to ordering any permanent exterior lighting 60 days prior to ordering any permanent exterior lighting 10 days of receiving a lighting complaint	No	N/A	N/A	N/A

Midway Pond Lining Project
Environmental Construction and Compliance Matrix

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

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

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

WATER RESOURCES-4	Water Resources Conditions of Certifications		Notice of Termination	The 7-year existing backwash filter water contract between Baker Farms and Applicant requires a 2-year notice before termination. In the event this contract is not renewed or is terminated pursuant to notice, Applicant will proceed to modify project to accept the upper aquifer water. This includes the installation of a double-lined wastewater retention pond. Verification: Applicant will provide notice to CPM and appropriate modification plans within 90 days upon receiving notice of termination of the contract with Baker Farms.	90 days upon receiving notice of termination of the contract with Baker Farms.	No	N/A	N/A	N/A
WORKER SAFETY-1	Worker Safety and Fire Protection Conditions of Certification	Pre-Construction, Construction	Construction Fire Prevention Plan Emergency Action Plan	The project owner shall submit to the Compliance Project Manager (CPM) a copy of the Project Construction Safety and Health Program containing the following: •A Construction Personal Protective Equipment Program; •A Construction Exposure Monitoring Program; •A Construction Injury and Illness Prevention Program; •A Construction Emergency Action Plan; and •A Construction Fire Prevention Plan. The Personal Protective Equipment Program, the Exposure Monitoring Program, and the Injury and Illness Prevention Program shall be submitted to the CPM for review and approval concerning compliance of the program with all applicable Safety Orders. The Construction Emergency Action Plan and the Fire Prevention Plan shall be submitted to the FCFPD for review and comment prior to submittal to the CPM for approval. Verification: At least 30 days prior to the start of construction, the project owner shall submit to the CPM for review and approval a copy of the Project Construction Safety and Health Program. The project owner shall provide the CPM with a copy of a letter from the FCFPD containing the FCFPD's comments on the Construction Fire Prevention Plan and Emergency Action Plan.	30 days prior to the start of construction	Yes	MRP	N/A	Complete
WORKER SAFETY-2	Worker Safety and Fire Protection Conditions of Certification	Decommissioning	Construction Fire Prevention Plan Emergency Action Plan	The project owner shall submit to the CPM a copy of the Project Operations and Maintenance Safety and Health Program containing the following: •An Operation Injury and Illness Prevention Plan, •An Emergency Action Plan, •Hazardous Materials Management Program, •Fire Prevention Program (8 CCR §3221), and •Personal Protective Equipment Program (8 CCR §§ 3401-3411). The Operation Injury and Illness Prevention Plan, Emergency Action Plan, and Personal Protective Equipment Program shall be submitted to the CPM for review and comment concerning compliance of the program with all applicable Safety Orders. The Operation Fire Prevention Plan and the Emergency Action Plan shall also be submitted to the FCFPD for review and comment. Verification: At least 30 days prior to the start of commissioning, the project owner shall submit to the CPM for approval a copy of the Project Operations and Maintenance Safety and Health Program. The project owner shall provide a copy to the CPM of a letter from the FCFPD containing the FCFPD's comments on the Operations Fire Prevention Plan and Emergency Action Plan.	30 days prior to the start of commissioning	No	N/A	N/A	N/A
WORKER SAFETY-3	Worker Safety and Fire Protection Conditions of Certification	Pre-Construction, Construction	Construction safety supervisor	The project owner shall provide a site Construction Safety Supervisor (CSS) who, by way of training and/or experience, is knowledgeable of power plant construction activities and relevant LORS, is capable of identifying workplace hazards relating to the construction activities, and has authority to take appropriate action to assure compliance and mitigate hazards. The CSS shall: •Have over-all authority for coordination and implementation of all occupational safety and health practices, policies, and programs; •Assure that the safety program for the project complies with Cal/OSHA and federal regulations related to power plant projects; •Assure that all construction and commissioning workers and supervisors receive adequate safety training; •Complete accident and safety-related incident investigations, emergency response reports for injuries, and inform the CPM of safety-related incidents; and •Assure that all the plans identified in conditions of certification WORKER SAFETY-1 and -2 are implemented. Verification: At least 30 days prior to the start of site mobilization, the project owner shall submit to the CPM the name and contact information for the Construction Safety Supervisor (CSS). The contact information of any replacement (CSS) shall be submitted to the CPM within one business day of starting in the position. **The CSS shall submit in the Monthly Compliance Report a monthly safety inspection report to include:** •Record of all employees trained for that month (all records shall be kept on site for the duration of the project); •Summary report of safety management actions and safety-related incidents that occurred during the month; •Report of any continuing or unresolved situations and incidents that may pose danger to life or health; and •Report of accidents and injuries that occurred during the month.	30 days prior to the start of site mobilization	Yes	MRP	6/4/2025	Complete for Pond Lining 6/4/25 In progress for Gen-tie
WORKER SAFETY-4	Worker Safety and Fire Protection Conditions of Certification	Construction	Monitoring Reporting	The project owner shall make payments to the Chief Building Official (CBO) for the services of a Safety Monitor based upon a reasonable fee schedule to be negotiated between the project owner and the CBO. Those services shall be in addition to other work performed by the CBO. The Safety Monitor shall be selected by and report directly to the CBO, and will be responsible for verifying that the Construction Safety Supervisor, as required in condition of certification WORKER SAFETY-3, implements all appropriate Cal/OSHA and Energy Commission safety requirements. The Safety Monitor shall conduct on-site (including linear facilities) safety inspections at intervals necessary to fulfill those responsibilities. Verification: Prior to the start of construction, the project owner shall provide to the CPM for review and approval, proof of its agreement to fund the Safety Monitor services.	Prior to the start of construction	No	N/A	N/A	N/A
WORKER SAFETY-5	Worker Safety and Fire Protection Conditions of Certification	Construction, Operation	Automatic Cardiac Defibrillator	The project owner shall ensure that a portable automatic cardiac defibrillator is located on site during construction and operations and shall implement a program to ensure that the equipment is properly maintained and functioning at all times and that for each shift on-site personnel shall be trained in the American Heart Association's Heartsaver Automatic External Defibrillator (AED) Course, or equivalent, as follows: •Construction: minimum 4 personnel per shift, including one security guard, •Operation: minimum 2 personnel per shift, including one security guard. Verification: At least 30 days prior to the start of site mobilization the project owner shall submit to the CPM proof that a portable automatic cardiac defibrillator exists on site and a copy of the training and maintenance program for review and approval.	30 days prior to the start of site mobilization	No	N/A	N/A	N/A
WORKER SAFETY-6	Worker Safety and Fire Protection Conditions of Certification	Pre-Construction, Construction	Emergency Action Plan	The project owner shall provide proof to the CPM that the surface gradient is such that spilled diesel fuel could not migrate from the tank farm onto the power plant site or shall construct a berm on the northwest fenceline adjacent to the diesel tank farm that will be adequate to prevent spilled diesel fuel at the tank farm from entering the project site. The project owner shall also provide for a secondary access gate and road a suitable safe distance from the tank farm and include in the Emergency Action Plan measures and procedures for workers to follow if a leak, a fire, or an explosion occurs at the tank farm. The project owner shall provide the proof, design drawings, and a description of the safety measures to the CPM for review and approval. Verification: At least 30 days prior to the start of site mobilization the project owner shall submit to the CPM for review and approval proof showing that the gradient prevents spilled diesel fuel from migrating from the tank farm to the site, or design drawings of the berm at the northwest fenceline adjacent to the tank farm, plus design drawings of a second access road or walkway with a gate, and the Emergency Action Plan that gives instructions on worker procedures if there is a spill, fire, or explosion at the tank farm.	30 days prior to the start of site mobilization	No	N/A	N/A	N/A
COMPLIANCE-1	General Compliance Conditions of Certification	Construction	Unrestricted Access	The CPM, responsible Energy Commission staff, and delegate agencies or consultants shall be guaranteed and granted unrestricted access to the power plant site, related facilities, project-related staff, and the records maintained on site, for the purpose of conducting audits, surveys, inspections, or general site visits. Although the CPM will normally schedule site visits on dates and times agreeable to the project owner, the CPM reserves the right to make unannounced visits at any time.	N/A	Yes	MRP	N/A	As-needed
COMPLIANCE-2	General Compliance Conditions of Certification	Construction	Compliance Record	The project owner shall maintain project files onsite or at an alternative site approved by the CPM, for the life of the project unless a lesser period of time is specified by the conditions of certification. The files shall contain copies of all "as-built" drawings, all documents submitted as verification for conditions, and all other project-related documents. Energy Commission staff and delegate agencies shall, upon request to the project owner, be given unrestricted access to the files.	N/A	Yes	MRP	N/A	Ongoing

COMPLIANCE-3	General Compliance Conditions of Certification	Construction	Compliance Verification Submittals	Each condition of certification is followed by a means of verification. The verification describes the Energy Commission's procedure(s) to ensure post-certification compliance with adopted conditions. The verification procedures, unlike the conditions, may be modified as necessary by the CPM, and in most cases without full Energy Commission approval. Verification of compliance with the conditions of certification can be accomplished by: 1.reporting on the work done and providing the pertinent documentation in monthly and/or annual compliance reports filed by the project owner or authorized agent as required by the specific conditions of certification; 2.providing appropriate letters from delegate agencies verifying compliance; 3.Energy Commission staff audits of project records; and/or 4.Energy Commission staff inspections of work or other evidence that the requirements are satisfied. Verification lead times (e.g., 90, 60 and 30-days) associated with start of construction may require the project owner to file submittals during the certification process, particularly if construction is planned to commence shortly after certification. A cover letter from the project owner or authorized agent is required for all compliance submittals and correspondence pertaining to compliance matters. The cover letter subject line shall identify the involved condition(s) of certification by condition number and include a brief description of the subject of the submittal. The project owner shall also identify those submittals not required by a condition of certification with a statement such as: "This submittal is for information only and is not required by a specific condition of certification." When submitting supplementary or corrected information, the project owner shall reference the date of the previous submittal. The project owner is responsible for the delivery and content of all verification submittals to the CPM, whether such condition was satisfied by work performed by the project owner or an agent of the project owner. All submittals shall be addressed as follows: Compliance Project Manager California Energy Commission 1516 Ninth Street (MS-2000) Sacramento, CA 95814 If the project owner desires Energy Commission staff action by a specific date, it shall so request in its submittal cover letter and include a detailed explanation of the effects on the project if this date is not met.	N/A	Yes	Rincon	N/A	In Progress
COMPLIANCE-4	General Compliance Conditions of Certification	Pre-Construction	Pre-constructions Matrix and Tasks Prior to Start of Construction	Prior to commencing construction, a compliance matrix addressing only those conditions that must be fulfilled before the start of construction shall be submitted by the project owner to the CPM. This matrix will be included with the project owner's first compliance submittal or prior to the first pre-construction meeting, whichever comes first. It will be in the same format as the compliance matrix described below. Construction shall not commence until the pre-construction matrix is submitted, all pre- construction conditions have been complied with, and the CPM has issued a letter to the project owner authorizing construction. Various lead times (e.g., 30, 60, 90 days) for submittal of compliance verification documents to the CPM for conditions of certification are established to allow sufficient staff time to review and comment and, if necessary, allow the project owner to revise the submittal in a timely manner. This will ensure that project construction may proceed according to schedule. Failure to submit compliance documents within the specified lead-time may result in delays in authorization to commence various stages of project development. If the project owner anticipates starting project construction as soon as the project is certified, it may be necessary for the project owner to file compliance submittals prior to project certification. This is important if the required lead-time for a required compliance event extends beyond the date anticipated for start of construction. It is also important that the project owner understand that the submittal of compliance documents prior to project certification is at the owner's own risk. Any approval by Energy Commission staff is subject to change based upon the Commission Decision. Compliance Reporting There are two different compliance reports that the project owner must submit to assist the CPM in tracking activities and monitoring compliance with the terms and conditions of the Energy Commission Decision. During construction, the project owner or authorized agent will submit Monthly Compliance Reports. During operation, an Annual Compliance Report must be submitted. These reports, and the requirement for an accompanying compliance matrix, are described below. The majority of the conditions of certification require that compliance submittals be submitted to the CPM in the monthly or annual compliance reports.	N/A	Yes	Rincon	N/A	Complete
COMPLIANCE-5	General Compliance Conditions of Certification	Construction	Compliance Matrix	A compliance matrix shall be submitted by the project owner to the CPM along with each monthly and annual compliance report. The compliance matrix is intended to provide the CPM with the current status of all conditions of certification in a spreadsheet format. The compliance matrix must identify: 1.the technical area; 2.the condition number; 3.a brief description of the verification action or submittal required by the condition; 4.the date the submittal is required (e.g., 60 days prior to construction, after final inspection, etc.); 5.the expected or actual submittal date; 6.the date a submittal or action was approved by the Chief Building Official (CBO), CPM, or delegate agency, if applicable; and 7.the compliance status of each condition, e.g., "not started," "in progress" or "completed" (include the date). Satisfied conditions do not need to be included in the compliance matrix after they have been identified as satisfied in at least one monthly or annual compliance report.	N/A	Yes	Rincon	Monthly	Ongoing, provided monthly in MCR
COMPLIANCE-6	General Compliance Conditions of Certification	Pre-Construction, Construction	Monthly Compliance Report	The first Monthly Compliance Report is due one month following the Energy Commission business meeting date upon which the project was approved, unless otherwise agreed to by the CPM. The first Monthly Compliance Report shall include an initial list of dates for each of the events identified on the Key Events List. The Key Events List Form is found at the end of this section. During pre-construction and construction of the project, the project owner or authorized agent shall submit an original and eight copies of the Monthly Compliance Report within 10 working days after the end of each reporting month. Monthly Compliance Reports shall be clearly identified for the month being reported. The reports shall contain, at a minimum: 1.a summary of the current project construction status, a revised/updated schedule if there are significant delays, and an explanation of any significant changes to the schedule; 2.documents required by specific conditions to be submitted along with the Monthly Compliance Report. Each of these items must be identified in the transmittal letter, and submitted as attachments to the Monthly Compliance Report; 3.an initial, and thereafter updated, compliance matrix showing the status of all conditions of certification (fully satisfied conditions do not need to be included in the matrix after they have been reported as completed); 4.a list of conditions that have been satisfied during the reporting period, and a description or reference to the actions that satisfied the condition; 5.a list of any submittal deadlines that were missed, accompanied by an explanation and an estimate of when the information will be provided; 6.a cumulative listing of any approved changes to conditions of certification; 7.a listing of any filings submitted to, or permits issued by, other governmental agencies during the month; 8.a projection of project compliance activities scheduled during the next two months. The project owner shall notify the CPM as soon as any changes are made to the project construction schedule that would affect compliance with conditions of certification; 9.a listing of the month's additions to the on-site compliance file; and 10.a listing of complaints, notices of violation, official warnings, and citations received during the month, a description of the resolution of the resolved actions, and the status of any unresolved actions.	N/A	Yes	Rincon	Monthly	Ongoing, provided monthly in MCR
COMPLIANCE-7	General Compliance Conditions of Certification	Post-Construction	Annual Compliance Report	After construction is complete, the project owner shall submit Annual Compliance Reports instead of Monthly Compliance Reports. The reports are for each year of commercial operation and are due to the CPM each year at a date agreed to by the CPM. Annual Compliance Reports shall be submitted over the life of the project unless otherwise specified by the CPM. Each Annual Compliance Report shall identify the reporting period and shall contain the following: 1.an updated compliance matrix showing the status of all conditions of certification (fully satisfied conditions do not need to be included in the matrix after they have been reported as completed); 2.a summary of the current project operating status and an explanation of any significant changes to facility operations during the year; 3.documents required by specific conditions to be submitted along with the Annual Compliance Report. Each of these items must be identified in the transmittal letter, and submitted as attachments to the Annual Compliance Report; 4.a cumulative listing of all post-certification changes approved by the Energy Commission or cleared by the CPM; 5.an explanation for any submittal deadlines that were missed, accompanied by an estimate of when the information will be provided; 6.a listing of filings submitted to, or permits issued by, other governmental agencies during the year; 7.a projection of project compliance activities scheduled during the next year; 8.a listing of the year's additions to the on-site compliance file; 9.an evaluation of the on-site contingency plan for unplanned facility closure, including any suggestions necessary for bringing the plan up to date [see Compliance Conditions for Facility Closure addressed later in this section]; and 10.a listing of complaints, notices of violation, official warnings, and citations received during the year, a description of the resolution of any resolved matters, and the status of any unresolved matters.	N/A	Yes	MRP, Rincon	TBD	Post-construction

COMPLIANCE-8	General Compliance Conditions of Certification	Pre-Construction, Construction	Confidential Information	Any information that the project owner deems confidential shall be submitted to the Energy Commission's Dockets Unit with an application for confidentiality pursuant to Title 20, California Code of Regulations, section 2505(a). Any information that is determined to be confidential shall be kept confidential as provided for in Title 20, California Code of Regulations, section 2501 et. seq.	N/A	Yes	MRP, Rincon	N/A	As-needed
COMPLIANCE-9	General Compliance Conditions of Certification	Post-Construction	Annual Energy Facility Compliance Fee	Pursuant to the provisions of Section 25806(b) of the Public Resources Code, the project owner is required to pay an annual fee of seventeen thousand six hundred seventy-six dollars ($17,676), which will be adjusted annually on July 1. The initial payment is due on the date the Energy Commission adopts the final decision. All subsequent payments are due by July 1 of each year in which the facility retains its certification. The payment instrument shall be made payable to the California Energy Commission and mailed to: Accounting Office MS-02, California Energy Commission, 1516 9th St., Sacramento, CA 95814.	N/A	Yes	MRP, Rincon	N/A	Post-construction
COMPLIANCE-10	General Compliance Conditions of Certification	Pre-Construction	Reporting of Complaints, Notices, and Citations	Prior to the start of construction, the project owner must send a letter to property owners living within one mile of the project notifying them of a telephone number to contact project representatives with questions, complaints or concerns. If the telephone is not staffed 24 hours per day, it shall include automatic answering with date and time stamp recording. All recorded complaints shall be responded to within 24 hours. The telephone number shall be posted at the project site and made easily visible to passersby during construction and operation. The telephone number shall be provided to the CPM who will post it on the Energy Commission's web page at: http://www.energy.ca.gov/sitingcases/power_plants_contacts.html Any changes to the telephone number shall be submitted immediately to the CPM, who will update the web page. In addition to the monthly and annual compliance reporting requirements described above, the project owner shall report and provide copies to the CPM of all complaint forms, including noise and lighting complaints, notices of violation, notices of fines, official warnings, and citations, within 10 days of receipt. Complaints shall be logged and numbered. Noise complaints shall be recorded on the form provided in the NOISE conditions of certification. All other complaints shall be recorded on the complaint form (Attachment A).	N/A	Yes	MRP	N/A	Complete