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# Notice of Preparation of a Draft Environmental Impact Report for the Corby Battery Energy Storage System Project (24-OPT-05)

**Date:** October 20, 2025

**To:** Reviewing Agencies and Other Interested Parties

**From:** California Energy Commission (CEC)

**Project Title**: Corby Battery Energy Storage System (BESS) Project

**Project Applicant:** North Bay Interconnect, LLC and Corby Energy

Storage LLC

**Docket Log:** 24-OPT-05

**NOP Review Period:** October 21, 2025 to November 19, 2025

In accordance with California Code of Regulations, title 14, section 15082, California Energy Commission (CEC) staff has prepared this Notice of Preparation (NOP) to inform the Governor's Office of Land Use and Climate Innovation (LCI) (formerly known as the Office of Planning and Research), and each responsible and trustee agency that an Environmental Impact Report (EIR) will be prepared for the Corby Battery Energy Storage System (BESS) Project (project) proposed by North Bay Interconnect, LLC and Corby Energy Storage, LLC (applicant) in Solano County. A copy of this NOP will also be filed with the county clerk in the county in which the project would be located.

The CEC is the lead agency under the California Environmental Quality Act (CEQA) and, under Public Resources Code section 25545.7, is required to prepare an environmental impact report for this project.

In 2022, Assembly Bill 205 established a new Opt-In Certification Program for eligible non-fossil fueled power plants, energy storage, and manufacturing and assembly facilities to optionally seek certification through the CEC. Upon receipt of an application, the CEC has the exclusive authority to certify the site and related facility. With certain exceptions, the issuance of a certificate by the CEC is in lieu of any permit, certificate, or similar document required by any state, local, or regional agency, or federal agency to the extent permitted by federal law, and supersedes any applicable statute, ordinance, or regulation of any state, local, or

regional agency, or federal agency to the extent permitted by federal law (Pub. Resources Code, § 25545.1).

Further information about the Opt-In Certification Program can be found on the CEC website at: https://www.energy.ca.gov/programs-and-topics/topics/power-plants/opt-certification-program.

# **Responsible and Trustee Agencies**

Pursuant to the CEQA Guidelines (Cal. Code Regs, tit. 14, § 15082(b)), the CEC requests LCI and responsible and trustee agencies' views on the scope and content of the environmental document relevant to each agency's area of statutory responsibility that must be included in the draft EIR. Responsible agencies for this project are State Water Resources Control Board and Central Valley Regional Water Quality Control Board. The only trustee agency identified for this project is the California Department of Fish and Wildlife (CDFW). At a minimum, the response shall identify:

- The significant environmental issues and reasonable alternatives and mitigation measures that the responsible or trustee agency, or the LCI will need to have explored in the draft EIR; and
- Whether the agency will be a responsible agency or trustee agency.

Due to the time limits mandated by State law, responses must be sent at the earliest possible date but not later than 30 days after receipt of this notice. Based on comments received by public agencies on the scope and content of the EIR, CEC staff may request additional information from the applicant to address such comments. If a responsible or trustee agency, or LCI, fails by the end of the 30-day period to provide the CEC with either a response to the notice or a well-justified request for additional time, CEC staff will presume that the entity has no response.

## **Document Availability**

The CEC has a webpage for the Corby BESS Project. The application and related project documents are viewable by clicking the "Docket Log (24-OPT-05)" link located near the upper right corner of the project webpage:

https://www.energy.ca.gov/powerplant/battery-storage-system/corby-battery-energy-storage-system-project.

The direct link to the project docket log is: <a href="https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=24-OPT-05">https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=24-OPT-05</a>.

Interested agencies or members of the public may also subscribe via the project webpage (linked above) to receive electronic notices of all project-related activities and documents related to CEC's evaluation of the application—look for the box with the words "SUBSCRIBE CORBY BATTERY ENERGY STORAGE SYSTEM PROJECT" to add your subscription email. Alternatively, you can go to CEC's subscription page (https://www.energy.ca.gov/subscriptions) under "Power Plants Licensing and Projects" and check the "Compass Energy Storage Project" box under "Projects Under Review Topics."

## **Submitting Comments**

Please submit comments electronically to the project docket. To use CEC's electronic commenting feature, go to CEC's webpage for this proceeding, (identified above), click on the "Submit eComment" link, and follow the instructions in the online form. If you have a file you would like to submit, use the "Submit e-filing" link. Be sure to include the project name in your comments. Once filed, you will receive an email with a link to them and the comments will be part of the proceeding's public record.

# **Project Location and Existing Conditions**

The permanent operational facility, including the BESS array, project substation, associated equipment, roads, fencing, sound barrier, optional groundwater well, water tank, and drainage facilities, would be located on an approximately 40.3-acre parcel (project site). The project site (Assessor's Parcel Number 0141-030-090) is located southwest of the intersection of Kilkenny Road and Byrnes Road, in Solano County, California. The site is bound on all sides by existing agricultural lands, with a rural residence located across Kilkenny Road directly to the north. Additional rural residences also exist in the project vicinity, both to the south and west of the project site. The project site is located approximately 250 feet southeast of the City of Vacaville jurisdictional boundary, and approximately 5 miles northeast of the city center. Interstate 80 (I-80) is approximately 0.6 mile northwest of the project site. The nearest airports to the project site are Nut

Tree Airport, located approximately 2.9 miles southwest of the project site, and Travis Air Force Base, located approximately 7.25 miles north of the project site.

The energy would be transported from the project substation to the nearby Pacific Gas and Electric Company (PG&E) Vaca-Dixon Substation through a 1.1-mile-long 230-kilovolt (kV) gen-tie transmission line sited on an approximately 19.4-acre generation tie (gen-tie) corridor. The first section of the gen-tie corridor would begin at the northwest corner of the project site and would follow one of the following route options:

- 1. Underground Route Option #1 would be located within easements secured from private landowners (APNs 0141-030-080 and 0141-010-030) and Solano Irrigation District (SID) and an encroachment permit from the City of Vacaville. This east-west portion of the gen-tie would be underground, crossing Kilkenny Road and an SID canal before turning 90 degrees and running east-west parallel to the canal.
- 2. Underground Route Option #2 would be located within easements secured from the private landowner of the parcel immediately west of the project site (APN 0141-030-080) and an encroachment permit from the City of Vacaville to install the gen-tie within the city-maintained Kilkenny Road right-of-way.

To the west of the initial east-west underground section (Option #1 or #2), the gen-tie corridor would run north-south up to I-80 with four overhead structures on two parcels that would be owned by the applicant (APNs 0133-060-010 and 0133-060-020). The overhead gen-tie line would continue northwest across I-80, requiring crossing agreements between PG&E and both SID and the California Department of Transportation (Caltrans) for irrigation canal and I-80 crossings, respectively. Up to four overhead structures and the New Corby Bay would be sited on PG&E's Vaca-Dixon Substation parcel (APN 0133-060-070). The gen-tie corridor and New Corby Bay location are depicted on Figure 1-3 included as an attachment.

# **Project Description**

The project would include a 300-megawatt (MW) / 1,200 MW-hour BESS, associated project substation, inverters, gen-tie, telecommunications line, optional groundwater well, water tank, and other ancillary facilities, such as fencing, sound barrier, roads, retention basins, storage containers, and a

supervisory control and data acquisition (SCADA) system. The project would connect to the PG&E Vaca-Dixon Substation across I-80 and northwest of the project site, using an approximately 1.1-mile long 230-kV gen-tie line, portions of which would be installed overhead and underground. The underground portion of the gen-tie line would run east-west parallel to and crossing Kilkenny Road, either within acquired easements on adjacent parcels (Underground Route Option #1) or within the Kilkenny Road right-of-way (Underground Route Option #2).

The overhead portions would include two structures on the project site, four structures between Kilkenny Road and I-80 on private land owned by the applicant, and up to four structures north of I-80 on PG&E-owned property adjacent to the Vaca-Dixon Substation, for a total of up to ten overhead gen-tie structures.

To accommodate the interconnection of the project, PG&E would install a new 230-kV Double Bus Bay structure with associated foundations and supports on approximately 0.6 acre of the existing substation. This new bay would house four switch support structures and associated equipment for the new 230-kV connection. In addition, PG&E would also construct, own, and operate the portion of the gen-tie between the point of change of ownership pole immediately south of I-80 and the first point of interconnection at the Vaca-Dixon Substation, including five of the ten structures.

The project would be unstaffed after construction, with operational control from an offsite control room through the SCADA system. Operational staff would perform periodic inspections and maintenance as necessary.

The applicant would design, construct, own, and operate the gen-tie from the project substation to the point of change of ownership (POCO) within the gen-tie corridor south of I-80. PG&E would be responsible for the portion of the gen-tie between the POCO and the point of interconnection (POI) at the PG&E Vaca-Dixon Substation, including the final five structures, the I-80 crossing, and the New Corby Bay. In addition to the gen-tie, an offsite telecommunications line would be installed to connect the project to the local network. No offsite water, sewer, or gas lines or connections would be constructed or required for the project.

### **Probable Environmental Effects**

The CEC will prepare a Staff Assessment (SA). The SA will include a Draft EIR following the requirements of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.) and the CEQA Guidelines (Cal. Code of Regs., tit. 14, div. 6, ch. 3). The purpose of the SA, which will include a Draft EIR, is to provide objective information regarding the project's significant effects on the environment, identify possible ways to minimize the significant effects, describe reasonable alternatives to the project, assess the project's conformance with applicable local, state, and federal laws, ordinances, regulations, and standards in accordance with CEQA, and provide an evaluation of the extent to which the application complies with additional licensing requirements set forth in the Public Resources Code. This information will be considered by the CEC Commissioners in deciding whether to grant a certificate to build and operate the project. The SA will include an Engineering Evaluation, Environmental Impact Assessment, assessment of the Mandatory Opt-In Requirements, and evaluation of Other Key Topics as identified in **Table 1**.

**Table 1: Staff Assessment Topic Outline** 

Table 1. Start Assessment Topic Outline				
Proposed Section	Topics Included			
Engineering Evaluation	<ul> <li>Facility Design</li> <li>Facility Reliability</li> <li>Transmission System Engineering</li> <li>Worker Safety and Fire Protection</li> </ul>			
Environmental Impact Assessment	<ul> <li>Air Quality</li> <li>Biological Resources</li> <li>Climate Change/Greenhouse Gas Emissions</li> <li>Cultural/Tribal Cultural Resources</li> <li>Efficiency/Energy Resources</li> <li>Geology/Paleontology/Minerals</li> <li>Hazards/Hazardous Materials/Wildfire</li> <li>Land Use/Agriculture/Forestry</li> <li>Noise and Vibration</li> <li>Public Health</li> <li>Socioeconomics</li> <li>Solid Waste</li> <li>Transmission Line Safety and Nuisance</li> <li>Transportation</li> <li>Visual Resources</li> <li>Water Resources</li> <li>Alternatives Analysis</li> </ul>			
Mandatory Opt-In Requirements	<ul><li>Workforce Requirements</li><li>Community Benefits Agreement</li></ul>			

Other Key Topics	•	Environmental Justice
	•	Compliance Conditions
	•	Compliance Monitoring

Preliminary review of the application and other filed information indicates the following probable environmental effects:

## Air Quality

The project site is within the Sacramento Valley Air Basin (SVAB), under the jurisdiction of the Yolo-Solano Air Quality Management District (YSAQMD). The project area is currently designated as a non-attainment area with respect to National Ambient Air Quality Standards and California Air Quality Standards for ozone and particulate matter of 2.5 micrometers and smaller in diameter (PM2.5), and California Air Quality Standards for particulate matter of 10 micrometers or less (PM10).

Construction of the project is estimated to require 14 months to complete. Construction and operational emissions are not anticipated to exceed the significance thresholds set by the YSAQMD. CEC staff will evaluate the significance of the ambient air quality impacts of the project based on an air quality impacts assessment and identify mitigation measures as necessary.

The EIR will evaluate whether the project would result in potentially significant air quality impacts including compliance with the applicable air quality plan; result in cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under any ambient air quality standards; expose sensitive receptors to substantial pollutant concentrations from criteria pollutants; and/or result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

#### **Biological Resources**

CEC staff anticipates that project construction and operation could have a potentially significant impact on biological resources. Specifically, impacts could affect various special-status wildlife species, including state and federally listed species. Ground disturbance proposed as part of the project could have adverse impacts to sensitive animals, such as western burrowing owl (*Athene cunicularia hypugaea*), Crotch's bumble bee (*Bombus crotchii*), white-tailed kite (*Elanus leucurus*) and Swainson's hawk (*Buteo swainsoni*) and their habitats. Increased levels of human presence, noise, and fugitive dust could also adversely affect

nesting birds along with other sensitive wildlife individuals, burrows, and dens if present within or adjacent to construction work areas. Operational impacts from increased noise and human presence and the installation of lighting could adversely affect wildlife use and movement through the area.

The applicant has proposed various mitigation measures to reduce the severity of any such impacts, including, but not limited to, implementing work window restrictions, conducting preconstruction surveys for special status wildlife, requiring worker environmental awareness training to all project staffing, biological monitoring, implementing construction site best management practices, and providing compensatory habitat mitigation. Staff will evaluate the adequacy and effectiveness of these measures and anticipates drafting additional measures based upon independent research and coordination with the California Department of Fish and Wildlife (CDFW) and the Solano Land Trust.

#### Cultural Resources and Tribal Cultural Resources

The cultural resources inventory report prepared by the applicant did not identify any archaeological resources that meet the California Register of Historical Resources (CRHR) criteria as historical resources. The inventory report identified two built environment resources within 0.5 mile of the project site that are eligible for the CRHR. Additionally, CEC staff is assessing if a third built environment resource, a historic-age ranch complex, is eligible for the CRHR. Resource eligibility and an assessment of impacts will be discussed in the EIR.

Even though the inventory report did not identify any archaeological resources, there is still a possibility that the project will impact buried cultural resources. The inventory suggests there is a low to moderate potential to encounter buried archaeological deposits and human remains in the project site.

Ground disturbance proposed as part of the project could encounter and damage buried resources that meet CRHR's criteria for historical resources, likely resulting in a significant impact under CEQA. CEC staff will assess this potential in the EIR and propose necessary mitigation, if needed. For tribal cultural resources, CEQA requires the lead agency to consult with tribes to identify such resources and assess potential impacts. The CEC will send invitation letters offering to consult with all tribes traditionally and culturally affiliated with the project area. Impacts on tribal cultural resources have not been determined at this time.

# Geology, Paleontology, and Minerals

The project is in the Great Valley geomorphic province of California, in the western part of the southern Sacramento Valley. The applicant conducted a preliminary site-specific geotechnical investigation and a site-specific paleontological investigation. Geologic units mapped at the surface within two miles of the project include Holocene alluvial fan levee deposits, latest Pleistocene alluvial fan deposits, and Pleistocene terrace deposits. Underlaying these Quaternary sedimentary deposits are the Pleistocene Modesto and Pliocene Tehama formations.

The project is not in an Alquist-Priolo Earthquake Fault Zone of Required Investigation for surface fault rupture, liquefaction, nor landslides. The geotechnical evaluation did not identify any active faults at the project site. There are Holocene-active and Pre-Holocene faults within 25 miles of the project. About 16 miles away from the project, the Green Valley fault is both the closest Holocene-active fault and the closest fault that is likely to produce a significant earthquake. The closest Pre-Holocene faults are five to seven miles away from the project site. Earthquakes on nearby faults may subject the project to strong seismic shaking and related geologic hazards and will be evaluated in the EIR.

At the project site, strong seismic shaking, shallow groundwater, corrosive soils, and expansive soils, are potentially significant geologic hazards that require mitigation. The geotechnical investigation proposed design, grading, and construction actions to mitigate potential impacts. Staff will evaluate the adequacy and effectiveness of these measures and identify additional measures as warranted.

During grading and construction, activities that disturb native soil, sediments, and rock may encounter paleontological resources. Ground disturbing activities include grading, trenching for utilities, excavation for foundations, and installation of support structures. Ground disturbing activities are expected to encounter Quaternary sedimentary deposits and the Modesto Formation.

The applicant's paleontological investigation determined that older Quaternary sedimentary deposits and the Modesto Formation have a high paleontological sensitivity. The paleontological investigation proposed planning, training, and monitoring actions to mitigate potentially significant impacts on unique paleontological resources and staff will evaluate the adequacy and effectiveness of these measures and identify additional measures as warranted.

## Hazards, Hazardous Materials, and Wildfire

The project would use hazardous materials during construction typical for construction projects and small quantities of hazardous materials during project operations that could pose a risk to workers and the public. The Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB) compile and update lists of hazardous material sites pursuant to Government Code section 65962.5. The project site is not included as the location of any hazardous material sites on the Cortese list databases maintained by the DTSC's Envirostor or the SWRCB's Geotracker.

The project site is in unincorporated Solano County and would be subject to wildland fires and operation of the proposed BESS facility could increase the risk of wildfire. Staff will assess this potential risk and propose engineering and administrative controls, as well as enhanced emergency response, to reduce this risk.

# Land Use and Agriculture

The 40.3-acre proposed project site contains Important Farmland (Prime, Statewide, and Unique) as designated by the California Department of Conservation's Farmland Mapping and Monitoring Program. Staff will evaluate project effects on the Important Farmland designations.

The project site is currently zoned by Solano County as Exclusive Agriculture (A-40). The project is located approximately 7.25 miles north of Travis Air Force Base and is within the airport influence area of the Travis Air Force Base Land Use Compatibility Plan. Staff will evaluate whether the proposed project would cause a significant environmental impact due to any conflicts with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, including Solano County's BESS ordinance approved by Solano County Planning Commission on September 18, 2025. The proposed BESS ordinance must be adopted by the Solano County Board of Supervisors before it takes effect. If adopted, the proposed project would conflict with Solano County's prohibition on front-of-the-meter BESS facilities within an agricultural zoning district.

#### Noise

The noise levels associated with temporary project construction activities could result in potentially significant impacts. Potential impacts could include excessive

noise at the project's noise sensitive receptors during specific construction activities. No significant noise and vibration impacts associated with project operation are anticipated. CEC staff will evaluate potential noise and vibration impacts and, if necessary, identify mitigation measures to reduce impacts.

#### **Public Health**

The proposed project would be located in Solano County, which is the part of the SVAB under the jurisdiction of the YSAQMD.

Construction of the proposed project is estimated to require 14 months to complete. Construction activities could result in emissions of toxic air contaminants (TACs) from diesel equipment and trucks. CEC staff will evaluate the impacts of TACs by performing a health risk assessment and assess the effectiveness of proposed dust control and diesel emissions reduction measures.

Regular on-site TAC emissions during normal operation are not expected. However, potential fire or thermal runaway events in the BESS could release TACs. CEC staff has not completed its analysis of the significance of the project's potential construction or operational impacts. The EIR will discuss whether the project would expose sensitive receptors to substantial pollutant concentrations of toxic air contaminants during construction and during a potential BESS fire and propose mitigation measures when necessary to reduce any health risks.

#### <u>Transportation</u>

The addition of project-generated traffic during project operation is not anticipated to cause a substantial increase in traffic volumes within the transportation system affecting the efficiency of the transportation system, including transit, roadway, bicycle, and pedestrian facilities. The project is estimated to generate less than 110 one-way trips from operations and maintenance. This means it falls below the threshold identified in Section E of the State's Technical Advisory on Evaluating Transportation Impacts in CEQA. Project construction activities are anticipated to result in a temporary increase in vehicle trips associated with equipment and workers. Therefore, potential traffic impacts associated with project construction activities will be evaluated in the EIR.

As part of the EIR, staff will evaluate the project for adequate emergency access. The project does not propose changes to any existing roadways or intersections, or to site entrances, for the project normal operations. The project also does not

propose changes to any existing roadways or intersections, or to site entrances, for the project normal operations.

#### Visual Resources

Operation of the proposed project, including battery enclosures, power conversion systems, project substation (e.g., switch gear, power transformers, risers [up to 65 feet in height], and 70-foot-tall shield poles), sound barrier wall (15-feet-high by 785-feet-long), 24,000-gallon onsite water storage tank (15 feet in diameter by 19 feet in height), telecommunications line, 1.1-mile-long 230-kV gen-tie transmission line with H-frames and tubular steel poles (90 feet to 130 feet in height), 8 operations and maintenance storage containers (each 10 feet by 20 feet), groundwater well (optional), 2 stormwater retention basins, ancillary facilities, and security fencing could result in potentially significant impacts on visual resources that will be evaluated in the EIR. The aesthetic effects of the project will be evaluated from publicly accessible vantage points throughout the region to ensure a representative assessment of the potential physical changes to the visual environment.

Based on a review of the application and preliminary field analysis, the proposed project is not likely to result in a significant aesthetic impact to public views from a scenic vista, or scenic resource, including a designated State Scenic Highway. However, because the project is currently in a non-urbanized area, it may substantially degrade the existing visual character or quality of public views of the site and its surroundings. Public views are defined as those experienced from publicly accessible vantage points. The contrast introduced by the above-ground components of the proposed project (e.g. buildings, structures, equipment) within the existing physical environment—both on the site and from publicly vantage points in the region may result in a significant aesthetic impact from some viewpoints. It is also possible that the night lighting and glare associated with the project could significantly affect daytime and nighttime views in the vicinity that will be evaluated in the EIR.

## Water Resources

The proposed project would disturb 65.9 acres of land during construction and result in up to 14.2 acres of impervious surface. During construction, ground disturbance due to grading, vegetation removal, grubbing and installation of roads would increase the potential for erosion and increased sedimentation that will be evaluated in the EIR. During operation, the increased impervious surface could potentially increase flows relative to preconstruction quantities. To mitigate

potential impacts from these activities, stormwater ponds are proposed to be constructed to regulate flows. A Stormwater Pollution Prevention Plan would be developed and implemented under the California National Pollutant Discharge Elimination System General Permit for Construction Activity. In addition, site drainage plans would be developed according to the Solano County land development standards. The project may use up to 30 acre-feet per year of groundwater during construction and 2 acre-feet per year, for the first five years, to establish landscaping. If available, the project would use water from the Solano Irrigation District instead of groundwater. Although the project would increase impermeable surface area, the stormwater ponds would collect and infiltrate water, resulting in a low impact to overall groundwater infiltration. The potential to deplete groundwater in the local subbasin will be evaluated in the EIR. The project is not currently located within a Federal Emergency Management Agency 100-year flood zone, an inundation zone, or a tsunami or seiche risk zone.

## Worker Safety and Fire Protection

Industrial environments pose inherent safety and health risks to workers during construction and operations, such as fire risk. Worker safety and fire protection are regulated through laws, ordinances, regulations, and standards, at the federal, state, and local levels. Workers at an energy facility under construction, during commissioning, and during operations operate equipment and handle hazardous materials and may face hazards that could result in accidents or serious injury.

Protective measures are employed to eliminate or reduce these hazards or to minimize the risk through special training, protective equipment, and procedural controls. The project would use standard hazardous materials during construction, and small quantities of hazardous materials during project operations that could pose a risk to workers even though the facility would be unmanned most of the time. Operation of the proposed BESS facility could pose a risk of fire if a thermal runaway in a battery cell, module, or unit occurred. CEC staff will assess this potential risk, discuss additional mitigation measures with the Dixon Fire Department and the applicant, and identify engineering and administrative controls, as well as enhanced emergency response, to reduce this risk.

# **Public Scoping Meeting**

The Opt-In Certification process requires a public informational and scoping meeting to be held as near to the project site as practicable, and within 30 days of CEC's determination of a complete application on October 17, 2025 (TN 266649). The CEC expects this event will occur at the beginning of November pending confirmation of the venue and the availability of key participants. The informational/scoping meeting will be noticed via the project docket (weblink provided above) at least 10 days prior to its occurrence and will contain information specific to the public meeting and how to participate.

#### Attachments:

- 1. Figure 1-1, Project Vicinity (From application TN 259872)
- 2. Figure 1-2, Site Location (From application TN 259872)
- 3. Figure 1-3, Project Layout (From application TN 259872)





