

DOCKETED

Docket Number:	01-AFC-18C
Project Title:	Henrietta Peaker Project Compliance
TN #:	273127
Document Title:	Monthly Compliance Report (MCR No 21) - September 2026
Description:	Monthly Compliance Report (MCR No 21) - September 2026
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Submission Date:	10/14/2026 1:39:40 PM
Docketed Date:	10/14/2026



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October 14, 2026

Project Number: 25-18563

Joseph Douglas, Compliance Project Manager
California Energy Commission
715 P Street
Sacramento, California 95814
Via email: Joseph.Douglas@energy.ca.gov

**Subject: Henrietta BESS Project within APN 024-190-070-000 in Unincorporated Kings County, California (Docket No. 01-AFC-18 and Post-Certification Amendments)
Monthly Compliance Report 21, Report Period: September 2026**

Dear Mr. Douglas:

This Monthly Compliance Report (MCR) for September 2026 has been prepared by Rincon Consultants in accordance with the Conditions of Certification issued by the California Energy Commission as part of licensing and subsequent amendments (Docket No. 01-AFC-18 and Post-Certification Amendments) for the Henrietta Peaker Project. This MCR is only applicable to the Henrietta Battery Energy Storage System (BESS) Project (Project) as authorized via Order No. 23-0228-03d. This MCR has been prepared on behalf of the applicant, Henrietta BESS LLC. This is the 21st MCR for the Project, as construction commenced in August 2023.

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

Sincerely,

Rincon Consultants

A handwritten signature in blue ink that reads 'Ashley Quackenbush'.

Ashley Quackenbush
Supervising Environmental Planner/Project Manager



Henrietta BESS Project CEC Docket No. 01-AFC-18C

**Monthly Compliance Report 21 Report Period:
September 2026**

prepared for

Henrietta BESS LLC

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Kings County, California 93245

prepared by

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October 2026

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Appendices

Appendix A	Worker Environmental Awareness Program Training Tracker
Appendix B	Required Henrietta Monthly Compliance Report Documentation
Appendix C	Henrietta California Energy Commission Compliance Matrix

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1 Current Project Status

This Monthly Compliance Report (MCR) has been prepared by Rincon Consultants (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. 01-AFC-18 and Post-Certification Amendments) for the Henrietta Peaker Project. This MCR is only applicable to the Henrietta Battery Energy Storage System (BESS) Project (Project) as authorized via Order No. 23-0228-03d. This is the 21st MCR for the Project as construction commenced in August 2023. Repair activities associated with power pole activities commenced in September 2026 and are expected to continue through January 2027. The reporting period covers September 1 through September 30, 2026. Figure 1 below shows a detailed site map of the Project, with the highlighted area showing the general location for the power pole work.

The Worker Environmental Awareness Program (WEAP) Training for this Project was conducted prior to the initiation of Project pre-outage Tap and Switch work on August 11, 2023. Additional WEAP Training for this Project was conducted prior to the initiation of BESS construction activities on October 6, 2023, and conducted on September 28, 2026, prior to the power pole repair activities. All trainings were recorded, and the recordings are 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 hardhats. A copy of the pre-outage Tap and Switch WEAP Training and handout were included in MCR-1. A copy of the BESS construction WEAP training was included in MCR-3. A copy of the power pole construction WEAP training is included in Appendix A of this MCR. Additional employees are WEAP trained using the most recent pre-recorded video, and the cumulative list of WEAP-trained employees is included in Appendix A.

The following provides a construction schedule consistent with the General CoC MCR Requirement 1.¹ Pre-outage Tap and Switch ground disturbance commenced on August 28, 2023, and was completed on October 20, 2023. Limited site preparation work and deliveries commenced on November 29, 2023, after CEC approval on November 27, 2023, and continued through December 2023. These activities included soil compaction limited to the access road and laydown of rock for soil stabilization and dust control that began on November 29, 2023, and deliveries that began on December 7, 2023. BESS construction and earth-moving work began on January 22, 2024, and ended mid-April 2025. Repair activities associated with pole installation began on September 28, 2026, and anticipated to end in January 2027. The most up to date schedule is attached to this MCR in Appendix B.

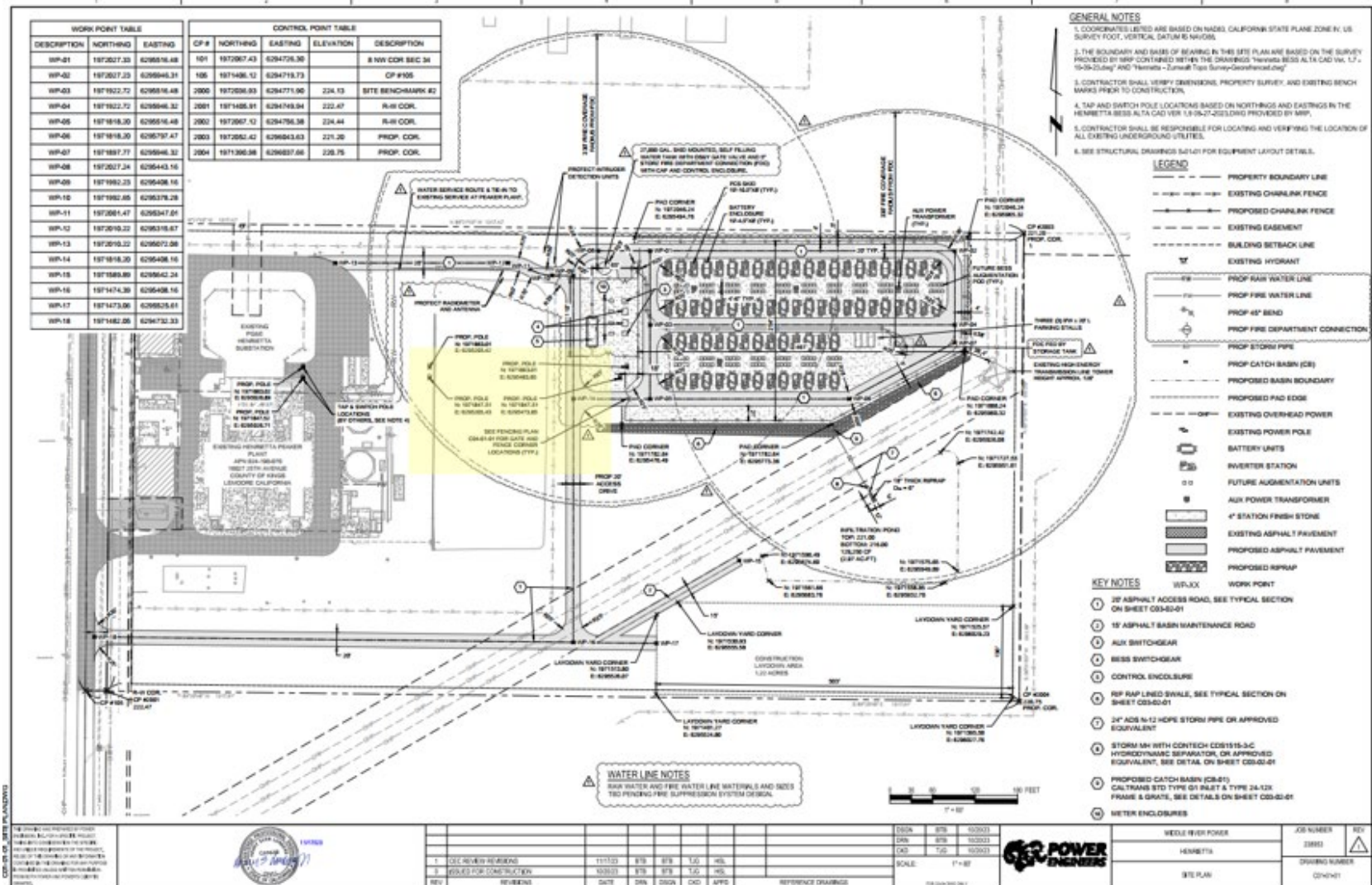
Biological resource monitoring was conducted on September 28, 2026. No compliance issues were observed during September. The biological monthly compliance monitoring summary is attached in Appendix B.

Cultural resource monitoring was conducted for three days in September (September 28 through September 30, 2026). Native American monitoring did not occur during the month of September 2026. No compliance issues were observed during September. Cultural monitoring monthly summary report, weekly summary reports, and the daily monitoring logs are attached in Appendix B.

Paleontological monitoring was conducted for three days in September (September 28 through 30, 2026). No compliance issues were observed. The paleontology monitoring monthly summary is attached in Appendix B.

¹ General CoC MCR 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 Detailed Site Map



2 Compliance Matrix

An updated copy of the CEC Compliance Matrix is included with this report in Appendix C, consistent with the General CoC MCR Requirement 3² and General CoC Compliance Matrix requirements.³ The CEC Compliance Matrix outlines the applicable CoCs issued by the CEC as part of licensing and subsequent amendments (Docket No. 01-AFC-18 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 General CoC Requirement 3 states: "The report shall contain an initial, and thereafter updated, compliance matrix which shows the status of all Conditions of Certification (fully satisfied and/or closed conditions do not need to be included in the matrix after they have been reported as closed)."

³ The CoC Requirement for 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 compliance conditions 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 for each condition (e.g., "not started", "in progress" or "completed date").

Completed or satisfied conditions do not need to be included in the compliance matrix after they have been identified as completed/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 general CoC MCR Requirement 2⁴. All required documentation is attached, and specific appendices are indicated in the table below.

Table 1 Monthly Compliance Report Submittal Requirements, September 2026

Condition	Requirements	Documentation	Location within this MCR
BIO-2	The CPM approved Designated Biologist shall perform the following during project site mobilization construction and operation: 1. Advise the project owner's Construction Manager, supervising construction and operations engineer on the implementation of the biological resources Conditions of Certification; 2. Supervise or conduct mitigation, monitoring, and other biological resources compliance efforts, particularly in areas requiring avoidance or containing sensitive biological resources, such as wetlands and special status species; and 3. Notify the project owner and the CPM of any non-compliance with any biological resources Condition of Certification. Verification: During project site mobilization and construction, the Designated Biologist shall maintain written records of the tasks described above, and summaries of these records shall be submitted along with the Monthly Compliance Reports to the CPM. During project operation, the Designated Biologist shall submit record summaries in the Annual Compliance Report.	Biological Resource Monitoring Summary	Biological resource monitoring was conducted on September 28, 2026 Biological Monthly Compliance Monitoring Summary is found in Appendix B
BIO-4	The project owner shall develop and implement a CPM-approved Worker Environmental Awareness Program in which each of its employees, as well as employees of contractors and subcontractors who work on the project site or related facilities (including the access road, laydown area, transmission lines, water and gas lines) during project mobilization construction and operation, are informed about sensitive	Biological WEAP Training Tracker	Combined Biological, Cultural, and Paleontological Resources WEAP and Handout for Tap and Switch work previously included in MCR-1 BESS construction WEAP training was included in MCR-3 and provided again on September 28, prior to

⁴ General CoC MCR 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 should be submitted as attachments to the Monthly Compliance Report."

Condition	Requirements	Documentation	Location within this MCR
	biological resources associated with the project. The Worker Environmental Awareness Program must: 1. be developed by the Designated Biologist and consist of an on-site or training center presentation in which supporting written material is made available to all participants; 2. discuss the locations and types of sensitive biological resources on the project site and adjacent areas; 3. present the reasons for protecting these resources; 4. present the meaning of various temporary and permanent habitat protection measures; and 5. identify whom to contact if there are further comments and questions about the material discussed in the program. The specific program can be administered by a competent individual(s) acceptable to the Designated Biologist. Each participant in the on-site Worker Environmental Awareness Program shall sign a statement declaring that the individual understands and shall abide by the guidelines set forth in the program materials. The person administering the program shall also sign each statement. New workers shall receive environmental awareness training on or before their first day of work. Verification: At least thirty (30) days prior to the start of site mobilization, or an alternative timeframe agreed upon with the CPM, the project owner shall provide two (2) copies of the Worker Environmental Awareness Program and all supporting written materials prepared by the Designated Biologist and the name and qualifications of the person(s) administering the program to the CPM for approval. The project owner shall state 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. The signed statements for the construction phase shall be kept on file by the project owner and made available for examination by the CPM for a period of at least six (6) months after the start of commercial operation. During project operation, signed statements for active project operational personnel shall be kept on file for six (6)		the power pole repair activities WEAP Training Tracker (BIO-4, CUL-4, PAL-3) found in Appendix A

Condition	Requirements	Documentation	Location within this MCR
	months, following the termination of an individual's employment.		
CUL-2	1. Prior to the start of ground disturbance, the project owner shall 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 individual artifacts. If the CRS requests enlargements or strip maps for linear facility routes, the project owner shall provide them with copies to the CPM. If the footprint of the power plant or linear facilities changes, the project owner shall provide maps and drawings reflecting these changes, to the CRS and the CPM. Maps shall identify all areas of the project where ground disturbance is anticipated. 2. If construction of this project will proceed in phases, maps and drawings may be submitted in phases. A letter identifying the proposed schedule of each project phase shall be provided to the CPM. Prior to implementation of additional phases of the project, current maps and drawings shall be submitted to the CPM. 3. At a minimum, the CRS shall consult weekly with the project superintendent or construction field manager, until ground disturbance is completed, to confirm area(s) to be worked during the next week. A current schedule of anticipated project activity shall be provided to the CRS on a weekly basis during ground disturbance and provided to the CPM in each Monthly Compliance Report (MCR). Verification: 1. At least forty (40) days prior to the start of ground disturbance, the project owner shall provide the designated cultural resources specialist and the CPM with the maps and drawings. 2. If this is to be a phased project, a letter identifying the proposed schedule of the ground disturbance or construction phases of the project shall also be submitted. 3. At least thirty (30) days prior to the start of ground disturbance on each phase of the project, following initial ground disturbance, copies of maps and	Current schedule of anticipated ground disturbance	Current schedule of anticipated ground disturbance is attached in Appendix B

Condition	Requirements	Documentation	Location within this MCR
	drawings reflecting additional phases of the project, shall be provided to the CPM for review and approval. 4. If there are changes to the scheduling of the construction phases of the project, a letter shall be submitted to the CPM within five (5) days of identifying the changes. A copy of the current schedule of anticipated project activity and a copy of current maps shall be submitted in each MCR.		
CUL-3	Prior to the start of ground disturbance the designated cultural resources specialist shall prepare, and the project owner shall submit to the CPM for review and approval, a Cultural Resources Monitoring and Mitigation Plan (CRMMP), identifying specific measures to minimize potential impacts to sensitive cultural resources. Approval of the CRMMP, by the CPM, shall occur prior to any ground disturbance. Protocol: The Cultural Resources Monitoring and Mitigation Plan shall include, but not be limited to, the following elements and measures. a. A discussion of the inclusion of Native American observers or monitors, the procedures to be used to select them, and their role and responsibilities. Native American monitors/consultants shall be provided an opportunity to provide comments regarding the choice of the curation facility. b. A discussion of the location(s) where monitoring of project construction activities is deemed necessary. Monitoring shall be conducted full-time, during ground disturbance that exceeds the level of previous disturbance at the project site and in the vicinity of the Avenal Road Cutoff. c. A discussion of the requirement that, if there is an unanticipated discovery, all cultural resources encountered will be recorded on a DPR form 523 and mapped (may include photos). d. A discussion that all archaeological materials collected as a result of the archaeological investigations shall be curated in accordance with The State Historical Resources Commission's "Guidelines for the Curation of Archaeological Collections," into a retrievable storage collection in a public repository or museum. The public	Cultural resources closeout report	Cultural resources closeout report sent to CPM

Condition	Requirements	Documentation	Location within this MCR
	repository or museum must meet the standards and requirements for the curation of cultural resources set forth at Title 36 of the Code of Federal Regulations, Section 79. If there is an unanticipated discovery and materials are collected, an addendum to the CRMMP shall be provided that discusses any requirements, specifications, or funding needed for curation of the materials to be delivered for curation and how requirements, specifications and funding will be met. The name and phone number of the contact person at the institution shall also be included. In addition, information shall be included indicating that the project owner will pay all curation fees and that any agreements concerning curation will be retained and available for audit for the life of the project. e. A discussion of the proposed Cultural Resource Report (CRR) which shall be prepared according to ARMR Guidelines. The CRR shall include all cultural resource information obtained as a result of this project. All survey reports, monitoring records and additional research reports not previously submitted to the CHRIS shall be included as an appendix to the CRR. Comments provided by Native American monitors/consultants regarding newly discovered Native American artifacts shall be included in this report. This report shall be submitted to the CPM after the conclusion of ground disturbance (including landscaping). This report shall be considered final upon approval by the CPM. Verification: At least thirty (30) days prior to the start of ground disturbance, the project owner shall provide the Cultural Resources Monitoring and Mitigation Plan, prepared by the designated cultural resource specialist, to the CPM for review and written approval. At least thirty (30) days prior to ground disturbance the project owner shall submit a letter to the CPM indicating that they will pay any curation fees for curation of any collected archaeological artifacts. The CRR shall be submitted to the CPM within ninety (90) days after completion of ground disturbance (including landscaping) for review and approval. Within ten (10) days after CPM approval, the project owner shall provide documentation to the CPM		

Condition	Requirements	Documentation	Location within this MCR
	that copies of the CRR have been provided to the curating institution (if archaeological materials were collected), the SHPO and the CHRIS.		
CUL-4	Worker Environmental Awareness Training for all new employees shall be conducted on a weekly basis, prior to and during periods of ground disturbance. Concerns of representative of the Santa Rosa Rancheria regarding treatment of Native American artifacts and burials shall be incorporated into the training program. The training may be presented in the form of a video. The training shall include a discussion of applicable laws and penalties under the law. Training shall also include samples or visuals of artifacts that might be found in the project vicinity and the information that the CRS, alternate CRS or monitor has the authority to halt construction in the event of a discovery or unanticipated impact to a cultural resource. The training shall also instruct employees to halt or redirect work in the vicinity of a find and to contact their supervisor and the CRS or monitor. An informational brochure shall be provided that identifies reporting procedures in the event of a discovery. Workers shall sign an acknowledgement form that they have received training and a sticker shall be placed on hard hats indicating that environmental training has been completed. Verification: Copies of signed acknowledgement forms shall be provided in the MCR.	Cultural WEAP Training Tracker	Combined Biological, Cultural, and Paleontological Resources WEAP and Handout for Tap and Switch work included in MCR-1 BESS construction WEAP training was included in MCR-3 and provided again on September 28, prior to the power pole repair activities WEAP Training Tracker (BIO-4, CUL-4, PAL-3) found in Appendix A
CUL-6	1. The CRS, alternate CRS, or monitors shall monitor ground disturbance full time in the vicinity of the project site where project ground disturbance exceeds previously disturbed soil. Cultural resources monitoring shall also occur full time on the gas pipeline in the vicinity of the Avenal Cutoff Road. Additional monitoring shall occur at the discretion of the CRS. In the event that the CRS determines that full-time monitoring is not necessary in certain locations, a letter providing a detailed justification for that decision to reduce the level of monitoring shall be provided to the CPM for review and approval. 2. Monitors shall keep a daily log of any monitoring or cultural resource activities and the CRS shall prepare a weekly summary report on the progress or status of cultural resources-related	CRS Non-Compliance Report (if applicable) and Monthly/Weekly Cultural Resources Monitoring Logs	Cultural resource monitoring was conducted for three days in September (September 28 through 30, 2026) Cultural Resource Monthly Report and Weekly Summary Reports found in Appendix B

Condition	Requirements	Documentation	Location within this MCR
	activities. The CRS may informally discuss cultural resources monitoring and mitigation activities with Energy Commission technical staff.		
3.	The CRS shall notify the project owner and the CPM, by telephone, of any incidents of non-compliance with any cultural resources Conditions of Certification within 24 hours of becoming aware of the situation. The CRS shall also recommend corrective action to resolve the problem or achieve compliance with the Conditions of Certification.		
4.	A Native American monitor shall be obtained to monitor ground disturbance in areas where Native American artifacts may be 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 will be monitored. Native American monitors shall also be given an opportunity to comment on any discovered Native American artifacts. These comments shall be included in the CRR required in CUL-3.		
	Verification:		
1.	During the ground disturbance phases of the project, if the CRS wishes to reduce the level of monitoring occurring at the project, a letter identifying the area(s) where the CRS recommends the reduction and justifying the reductions in monitoring shall be submitted to the CPM for review and approval.		
2.	During the ground disturbance phases of the project, the project owner shall include in the MCR to the CPM copies of the weekly summary reports prepared by the CRS regarding project-related cultural resources monitoring. Copies of daily logs shall be retained and made available for audit by the CPM as needed.		
3.	Within 24 hours of recognition of a non-compliance issue, the CRS shall notify the CPM by telephone of the problem and of steps being taken to resolve the problem. The telephone call shall be followed by an e-mail or fax detailing the non-compliance issue and the measures necessary to achieve resolution of the		

Condition	Requirements	Documentation	Location within this MCR
	issue. Daily logs shall include forms detailing any instances of non-compliance with Conditions of Certification. In the event of a non-compliance issue, a report written no sooner than two weeks after resolution of the issue that describes the issue, resolution of the issue and the effectiveness or the resolution measures, shall be provided in the next MCR. 4. One week prior to ground disturbance in areas where there is a potential to discover Native American artifacts, the project owner shall send notification to the CPM identifying the person(s) retained to conduct Native American monitoring. If efforts to obtain the services of a qualified Native American monitor are unsuccessful, the project owner shall immediately inform the CPM who will initiate a resolution process.		
PAL-3	Prior to ground disturbance, and throughout the project construction period, as needed for all new employees, the project owner and the designated paleontological resource specialist shall prepare and conduct CPM-approved training for all project managers, construction supervisors, and workers who operate ground disturbing equipment. The project owner and construction manager shall provide the workers with the CPM-approved set of procedures for reporting any sensitive paleontological resources or deposits that may be discovered during project-related ground disturbance. The paleontological training program shall discuss 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 also include the set of reporting procedures that workers are to follow if paleontological resources are encountered during project activities. The training program shall be presented by the designated paleontological resource specialist and may be combined with other training programs prepared for cultural and biological resources, hazardous materials, or any other areas of interest or concern. Verification: At least thirty (30) days prior to site mobilization, or a lesser number of days agreed to by the CPM, the project owner shall submit to the CPM for review, comment, and written approval, the	Paleontological WEAP Training Tracker	Combined Biological, Cultural, and Paleontological Resources WEAP and Handout for Tap and Switch work included in MCR-1 BESS construction WEAP training was included in MCR-3 and provided again on September 28, prior to the power pole repair activities WEAP Training Tracker (BIO-4, CUL-4, PAL-3) found in Appendix A

Condition	Requirements	Documentation	Location within this MCR
	proposed employee training program and the set of reporting procedures the workers are to follow if paleontological resources are encountered during project construction. If the employee training program and set of procedures are not approved, the project owner, the designated paleontological resource specialist, and the CPM shall meet to discuss comments and necessary changes, before the beginning of construction. Documentation for training of additional new employees shall be provided in subsequent Monthly Compliance Reports, as appropriate.		
PAL-4	The designated paleontological resource specialist shall be present at all times he or she deems appropriate to monitor construction-related grading, excavation, trenching, and/or augering in areas where potential fossil-bearing sediments have been identified. If the designated paleontological resource specialist determines that full-time monitoring is not necessary in certain portions of the project area or along portions of the linear facility routes, the designated specialist shall notify the project owner. Verification: The project owner shall include in the Monthly Compliance Reports a summary of paleontological activities conducted by the designated paleontological resource specialist.	Paleontological Resources Summary Report	Paleontology resource monitoring occurred for three days in September (September 28 through 30, 2026) Paleontological Monthly Compliance Report found in Appendix B
NOISE-1	At least fifteen (15) days prior to the start of project-related ground disturbing activities, the project owner shall notify all residents and business owners within one-half mile of the site, by mail or other effective means, of the commencement of project construction. At the same time, the project owner shall establish and disseminate a telephone number for use by the public to report any undesirable noise conditions associated with the construction and operation of the project. The telephone number shall be posted at the project site during construction in a manner visible to passersby. 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 maintained until the project has been operational for at least one year. Verification: The project owner shall transmit to the Energy Commission	Written statement attesting to noise notifications	Noise Memo submitted to the CEC informed the CEC that no notifications were required per NOISE-1 as no residents exist within 0.5-mile of the Project. Per NOISE-1, a representative of the contractor(s) was identified, and their name and phone number is posted at the Project site. Noise memo also provided in MCR-1 (August 2023)

Condition	Requirements	Documentation	Location within this MCR
	Compliance Project Manager (CPM) in the first Monthly Construction Report following the start of project-related ground disturbing activities, a statement, signed by the project manager, attesting that the above notification has been performed, and describing the method of that notification. This statement shall also attest that the telephone number has been established.		
NOISE-4	Construction noise levels as measured at any affected residence shall be limited to 60 dBA Leq during daytime hours (7 a.m. to 10 p.m.) and 45 dBA Leq during nighttime hours (10 p.m. to 7 a.m.). If construction noise levels exceed an hourly average noise level of 60 dBA Leq daytime or 45 dBA Leq nighttime, the construction equipment that is the source of the excessive noise shall be shut down or the noise mitigated to a noise level below 60 dBA Leq or 45 dBA Leq, respectively. Verification: The Project Owner shall monitor noise levels at the nearest residential noise receptor at random evening times when nighttime construction activities are in progress. The project owner shall transmit to the CPM in the first Monthly Construction Report a statement acknowledging that the above restrictions will be observed throughout the construction of the project and monitoring data.	Written statement attesting to adherence to noise restrictions	Noise Memo submitted to the CEC informed the CEC that no noise monitoring is required per NOISE-4 as no residents exist within 0.5-mile of the Project. Noise memo also provided in MCR-1 (August 2023)
TRANS-1	The project owner shall comply with the California Department of Transportation (Caltrans) and Kings County on limitations on vehicle sizes and weights. In addition, the project owner or their contractor shall obtain necessary transportation permits from Caltrans and all relevant jurisdictions for roadway use. Verification: In the Monthly Compliance Reports, the project owner shall submit copies of any oversize and overweight transportation permits received during that reporting period. In addition, the project owner shall retain copies of these permits and supporting documentation in its compliance file for at least six months after the start of commercial operation.	Copies of any oversize and overweight transportation permits received during that reporting period	N/A No overweight/oversize vehicles transportation permits required in September
TRANS-3	The project owner shall ensure that all federal and state regulations for the transportation of hazardous materials are observed during both construction and operation of the facility and that all permits and/or licenses are secured from the	Copies of all regulatory permits /licenses acquired transport of hazardous substances, if applicable	N/A No permits or licenses for the transport of hazardous substances required in September

Condition	Requirements	Documentation	Location within this MCR
	California Highway Patrol and Caltrans for the transportation of hazardous material. Verification: The project owner shall include in its Monthly Compliance Reports to the CPM copies of all permits and licenses acquired by the project owner and/or subcontractors concerning the transportation of hazardous substances.		
TRANS-4	The project owner or their contractor shall comply with Kings County and Caltrans limitations for encroachment into public rights-of-way and shall obtain necessary encroachment permits from Caltrans and all relevant jurisdictions. Verification: In the Monthly Compliance Reports, the project owner shall submit copies of any encroachment permits received during that reporting period. In addition, the project owner shall retain copies of these permits and supporting documentation in its compliance file for at least six months after the start of commercial operation.	Copies of all encroachment permits	N/A Privately owned site
WASTE-1	The project owner and, if necessary, its construction contractor shall obtain unique hazardous waste generator identification numbers from the Department of Toxic Substances Control (DTSC) in accordance with DTSC regulatory authority. Verification: The project owner and its construction contractor shall keep copies of the identification numbers on file at the project site and notify the CPM via the monthly compliance report of their receipt.	Submission of unique hazardous waste generator identification number	N/A No hazardous waste generation for Tap and Switch or BESS Project activities
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 sixty (60) 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 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	Grading and Schedule Updates	Current schedule found in Appendix B

Condition	Requirements	Documentation	Location within this MCR
	pertinent design documents for the major structures and equipment listed in Table 1 in the CoC. 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.		
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 1998 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.	Copy of the CBO's receipt of payment to the CPM for design review, plan check and construction inspection	Paid invoice #MIS-00000027 dated 4/2/2024 and included in MCR-9 (April 2024)
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 1998 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. Protocol: 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;	Copy of the CBO's approval of the name(s) and qualifications of the certified weld inspector(s), or other certified special inspector(s)	CBO approval of inspectors included in MCR-1 (August 2023) No additional qualifications submitted in September

Condition	Requirements	Documentation	Location within this MCR
	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 [1998 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 fifteen (15) days 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.		
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 [1998 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	Copy of CBO's approval of corrective action take to resolve a discrepancy	N/A No corrective actions required in September

Condition	Requirements	Documentation	Location within this MCR
	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.		
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. When the work and the "as-built" and "as graded" plans conform to the approved final plans, the project owner shall notify the CPM regarding the CBO's final approval. The marked up "as-built" drawings for the construction of structural and architectural work shall be submitted to the CBO. Changes approved by the CBO shall be identified on the "as-built" drawings [1998 CBC, Section 108, Inspections]. The project owner shall retain one set of approved engineering plans, specifications and calculations at the project site or at another accessible location during the operating life of the project [1998 CBC, Section 106.4.2, Retention of Plans]. Verification: Within fifteen (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 15 days of the completion of any work, a copy of a written notice that the completed work is ready for final inspection, and a signed statement that the work conforms to the final approved plans	Tap and Switch As Built Plans provided on 1/23/24 and included in MCR-6 (January 2024) Completion inspection was provided in MCR-10 (May 2024). BESS As Built Plans to be provided once construction completed
CIVIL-1	Prior to the start of site grading, the project owner shall submit to the CBO for review and approval the following:	Submit a written statement certifying that CIVIL-1 documents	Approval previously included in MCR-2 (September 2023)

Condition	Requirements	Documentation	Location within this MCR
	- Design of the proposed drainage structures and the grading plan; - An erosion and sedimentation control plan; - Related calculations and specifications, signed and stamped by the responsible civil engineer; and - Soils report as required by the 1998 CBC [Appendix Chapter 33, Section 3309.5, Soils Engineering Report and Section 3309.6, Engineering Geology Report]. Verification: At least fifteen (15) days prior to the start of site grading (or a lesser number of days mutually agreed to by the project owner and the CBO), 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.	have been approved by the CBO	
CIVIL-3	The project owner shall perform inspections in accordance with the 1998 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, the CBO, and the CPM [1998 CBC, Appendix Chapter 33, Section 3317.7, Notification of Noncompliance]. The project owner shall prepare a written report detailing all discrepancies and non-compliance items, and the proposed corrective action, and send copies to the CBO and the CPM. Verification: Within five (5) days of the discovery of any discrepancies, the resident engineer shall transmit to the CBO and the CPM a Non-Conformance Report (NCR), and the proposed corrective action. 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.	Non-Conformance Report (NCR)	N/A No non-conformances reported in September

Condition	Requirements	Documentation	Location within this MCR
CIVIL-4	After completion of finished grading and erosion and sedimentation control and drainage facilities, the project owner shall obtain the CBO's approval of the final "as-graded" grading plans, and final "as-built" plans for the erosion and sedimentation control facilities [1998 CBC, Section 109, Certificate of Occupancy]. Verification: Within thirty (30) days of the completion of the erosion and sediment control mitigation and drainage facilities, the project owner shall submit to the CBO 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. The project owner shall submit a copy of this report to the CPM in the next Monthly Compliance Report.	Within 30 days of the completion of erosion and sediment control mitigation and drainage facilities, submission of statements and plans	N/A Erosion and sediment control mitigation and drainage facilities not completed Report to CPM certifying E&SC mitigation facilities submitted to CBO
STRUC-3	The project owner shall submit to the CBO design changes to the final plans required by the 1998 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 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.	Copies of design changes and plans, and the transmittal letter for CBO approvals of plans	Design changes to the final plans were proposed in June 2024. Comment letter from CBO was provided in MCR 11 (June 2024)
MECH-1	Prior to the start of any increment of major piping or plumbing construction, 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 Table 1, 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	Copy of the transmittal letter conveying the CBO's approvals from the responsible mechanical engineer certifying compliance with the applicable LORS; Copy of Inspection Reports and Approvals	Compliance with LORS previously included in MCR-1 (August 2023) No inspections occurred during September

Condition	Requirements	Documentation	Location within this MCR
	request the CBO's inspection approval of said construction [1998 CBC, Section 106.3.2, Submittal Documents, Section 108.3, Inspection Requests, Section 108.4, Approval Required; 1998 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 not be 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 [1998 CBC, Section 104.2.2, Deputies]. Verification: At least thirty (30) days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of any increment of major piping or plumbing construction listed in Table 1, 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		

Condition	Requirements	Documentation	Location within this MCR
	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.		
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 1998, 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 [1998 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. The following activities shall be reported to the CPM in the Monthly Compliance Report: receipt or delay of major electrical equipment; testing or energization of major electrical equipment; and a signed statement by the registered electrical engineer certifying that the proposed final design plans and specifications conform to	1) Receipt or delay of major electrical equipment; testing or energization of major electrical equipment; and 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; and 2) copy of the signed and stamped statement from the responsible electrical engineer attesting compliance with the applicable LORS.	Previously included in MCR-1 (August 2023) for Tap and Switch Electrical plans were approved on June 14, 2024, for BESS construction and were provided in MCR 11 (June 2024)

Condition	Requirements	Documentation	Location within this MCR
	requirements set forth in the Energy Commission Decision. Verification: At least thirty (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 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.		
TSE-1	The project owner shall furnish to the CPM and to the 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 sixty (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 equipment (see a list of major equipment in Table 1: Major Equipment 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.	Schedule Updates	No revisions proposed Current schedule found in Appendix B
TSE-4	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	Copy of the signed and stamped statement from the responsible electrical engineer attesting compliance with the applicable LORS	Previously included in MCR-1 (August 2023)

Condition	Requirements	Documentation	Location within this MCR
	shall be reported in the Monthly Compliance Report: a) receipt or delay of major electrical equipment; b) testing or energizing of major electrical equipment; and c) the number of electrical drawings approved, submitted for approval, and still to be submitted. Verification: At least thirty (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 compliance with the applicable LORS. The project owner shall send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.		

4 Project Compliance Requirements

4.1 Reporting Period

Consistent with the Conditions of Certification MCR 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. The date of CEC submittal is also noted.

Table 2 Compliance Requirements Completed for September 2026 Reporting Period

Condition	Submittal Type	Date
BIO-2	Biological resource monitoring logs	Appendix B
BIO-4	Worker Environmental Awareness Program	Presented/recorded for Tap and Switch on 8/11/23 and for BESS on 10/6/23 and 9/28/26; WEAP Training Tracker provided in Appendix A
CUL-2	Weekly schedule submittal(s)	9/18/26
CUL-4	Worker Environmental Awareness Program	Presented/recorded for Tap and Switch on 8/11/23 and for BESS on 10/6/23 and 9/28/26; WEAP Training Tracker provided in Appendix A
CUL-6	Weekly summary reports	10/8/2026
PAL-3	Worker Environmental Awareness Program	Presented/recorded for Tap and Switch on 8/11/23 and for BESS on 10/6/23 and 9/28/26; WEAP Training Tracker provided in Appendix A
PAL-4	Summary of paleontological activities	Appendix B

4.2 Non-Compliances

Consistent with the General CoC MCR Requirement 5,⁶ no non-compliance events were reported during February.

4.3 Two Month Look Ahead

Consistent with the General CoC MCR Requirement 8,⁷ Table 3 contains a projection of Project compliance activities scheduled during the next two months.

⁵ General CoC Requirement 4 states: "This report shall contain a list of conditions which have been satisfied during the reporting period, and a description or reference to the actions which satisfied the condition."

⁶ General CoC 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 General CoC 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 October 2026 – November 2026

Condition	Full CoC Text	Documentation
BIO-2	The CPM approved Designated Biologist shall perform the following during project site mobilization construction and operation: 1. Advise the project owner's Construction Manager, supervising construction and operations engineer on the implementation of the biological resources Conditions of Certification; 2. Supervise or conduct mitigation, monitoring, and other biological resources compliance efforts, particularly in areas requiring avoidance or containing sensitive biological resources, such as wetlands and special status species; and 3. Notify the project owner and the CPM of any non-compliance with any biological resources Condition of Certification. Verification: During project site mobilization and construction, the Designated Biologist shall maintain written records of the tasks described above, and summaries of these records shall be submitted along with the Monthly Compliance Reports to the CPM. During project operation, the Designated Biologist shall submit record summaries in the Annual Compliance Report.	A Biological Monthly Compliance Monitoring Summary will be provided in the next Monthly Compliance Report should additional biological monitoring be conducted in the future
CUL-6	1. The CRS, alternate CRS, or monitors shall monitor ground disturbance full time in the vicinity of the project site where project ground disturbance exceeds previously disturbed soil. Cultural resources monitoring shall also occur full time on the gas pipeline in the vicinity of the Avenal Cutoff Road. Additional monitoring shall occur at the discretion of the CRS. In the event that the CRS determines that full-time monitoring is not necessary in certain locations, a letter providing a detailed justification for that decision to reduce the level of monitoring shall be provided to the CPM for review and approval. 2. Monitors shall keep a daily log of any monitoring or cultural resource activities and the CRS shall prepare a weekly summary report on the progress or status of cultural resources-related activities. The CRS may informally discuss cultural resources monitoring and mitigation activities with Energy Commission technical staff. 3. The CRS shall notify the project owner and the CPM, by telephone, of any incidents of non-compliance with any cultural resources Conditions of Certification within 24 hours of becoming aware of the situation. The CRS shall also recommend corrective action to resolve the problem or achieve compliance with the Conditions of Certification. 4. A Native American monitor shall be obtained to monitor ground disturbance in areas where Native American artifacts may be 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 will be monitored. Native American monitors shall also be given an opportunity to comment on any discovered Native American artifacts. These comments shall be included in the CRR required in CUL-3. Verification: 5. During the ground disturbance phases of the project, if the CRS wishes to reduce the level of monitoring occurring at the project, a letter identifying the area(s) where the CRS recommends the reduction and justifying the reductions in monitoring shall be submitted to the CPM for review and approval.	A Cultural Resource Monthly Report will be provided in the next Monthly Compliance Report should additional cultural monitoring be conducted in the future

Condition	Full CoC Text	Documentation
	6. During the ground disturbance phases of the project, the project owner shall include in the MCR to the CPM copies of the weekly summary reports prepared by the CRS regarding project-related cultural resources monitoring. Copies of daily logs shall be retained and made available for audit by the CPM as needed. 7. Within 24 hours of recognition of a non-compliance issue, the CRS shall notify the CPM by telephone of the problem and of steps being taken to resolve the problem. The telephone call shall be followed by an e-mail or fax detailing the non-compliance issue and the measures necessary to achieve resolution of the issue. Daily logs shall include forms detailing any instances of non-compliance with Conditions of Certification. In the event of a non-compliance issue, a report written no sooner than two weeks after resolution of the issue that describes the issue, resolution of the issue and the effectiveness or the resolution measures, shall be provided in the next MCR. One week prior to ground disturbance in areas where there is a potential to discover Native American artifacts, the project owner shall send notification to the CPM identifying the person(s) retained to conduct Native American monitoring. If efforts to obtain the services of a qualified Native American monitor are unsuccessful, the project owner shall immediately inform the CPM who will initiate a resolution process.	
PAL-4	The designated paleontological resource specialist shall be present at all times he or she deems appropriate to monitor construction-related grading, excavation, trenching, and/or augering in areas where potential fossil-bearing sediments have been identified. If the designated paleontological resource specialist determines that full-time monitoring is not necessary in certain portions of the project area or along portions of the linear facility routes, the designated specialist shall notify the project owner. Verification: The project owner shall include in the Monthly Compliance Reports a summary of paleontological activities conducted by the designated paleontological resource specialist.	A Paleontological Resources Summary Report will be provided in the next Monthly Compliance Report should additional paleontological monitoring be conducted in the future

4.4 Filing or Permits Issued by Other Governmental Agencies

Consistent with the General COC MCR Requirement 7,⁸ no new filings or permits were issued by other governmental agencies.

⁸ General CoC MCR Requirement 7 states: "This report shall contain a listing of any filings with, or permits issued by, other governmental agencies during the month."

5 Delinquent Submittals

Consistent with the General CoC MCR Requirement 11,⁹ no delinquent submittals, complaints, notices of violation, official warnings, or citations were received during this reporting period.

⁹ General CoC MCR Requirement 11 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 any complaints which have been unresolved, and the status of any unresolved complaints."

6 Changes to CoCs

Consistent with General CoC MCR Requirement 6,¹⁰ there are currently no changes to the CoCs.

¹⁰ General CoC MCR Requirement 6 states: "This report shall contain a cumulative listing of any approved changes to Conditions of Certification."

7 Compliance File

Consistent with the General CoC MCR Requirement 9 and 10,¹¹ no additions have been made to the on-site compliance file and no requests are being made for the disposal of items in the Project owner's compliance files.

¹¹ General CoC MCR Requirement 9 states: "This report shall contain any requests to dispose of items that are required to be maintained in the project owner's compliance file." General CoC MCR Requirement 10 states: "This report shall contain any requests to dispose of items that are required to be maintained in the project owner's compliance file."

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Appendix A

Worker Environmental Awareness Program Training Tracker

Worker Environmental Awareness Program Training Tracker

Name	WEAP Date/Time	Company	Phone #	Email
Dave Angel	n/a	EPS		
Olaf Uribe	n/a	EPS		
Priya Pratap	10/6/2023	Rincon	213-218-6335	ppratap@rinconconsultants.com
Elizabeth Atherton	10/6/2023	Rincon	831-824-6871	eatherton@rinconconsultants.com
Kevin Hostert	10/6/2023	Rincon	510-833-9647	khostert@rinconconsultants.com
Ryan Wardle	10/6/2023	Rincon	805-947-4835	rwardle@rinconconsultants.com
Jennifer DiCenzo	10/6/2023	Rincon	619-704-3266	jdicenzo@rinconconsultants.com
Matthew Gonzalaez	10/6/2023	Rincon	805-618-2123	mgonzalez@rinconconsultants.com
Robert Ray	10/6/2023	Patch	805.451.4262	rray@patchservices.com
Andrew Tankel	10/6/2023	MRP	407-928-3015	atankel@mrpgenco.com
Joshua Ihm	10/6/2023	MRP	602-615-8140	jihm@mrpgenco.com
Eugene Carrizales	10/6/2023	MRP	209-640-4010	ecarrizales@mrpgenco.com
Joseph Shephard	10/6/2023	MRP	925-766-7356	jshephard@mrpgenco.com
JT Shea	10/6/2023	MRP	209 275 7079	
Ferdinand Ragasa	10/6/2023	MRP	925 766 7498	
Jesse Landry	10/6/2023	MRP	925 775 9214	
John Archbald	10/6/2023	MRP	925 766 5179	
Mickey Pitt	10/6/2023	Ameresco	970-222-4602	rpitt@ameresco.com
Goran Matesic	10/6/2023	Ameresco	415-933-4791	gmatesic@ameresco.com
Brian Lonteen	10/6/2023	Ameresco	559-368-6353	blonteen@ameresco.com
Victor Jackowich	10/6/2023	Ameresco	760-220-1412	vjackowich@ameresco.com
Todd Gadawski	10/6/2023	Ameresco	440-596-8388	tgadawski@ameresco.com
Ken Schardt	10/6/2023	Teichert	916-712-1990	kschardt@teichert.com
Darrin Starr	10/6/2023	Contra Costa Electric	661-477-2635	dstarr@emcor.net
Bobby Boyce	10/6/2023	Contra Costa Electric	661-865-8161	bboyce@emcor.net
Daniel Manuel	2/26/2024	Teichert		
David Stevens	2/21/2024	Teichert		
Kenny Anderson	2/16/2024	Teichert		

Henrietta BESS LLC
Henrietta BESS Project

Name	WEAP Date/Time	Company	Phone #	Email
Bud Sounders	2/16/2024	Teichert		
Edgar Ponce	2/16/2024	Teichert		
Rigoberto Mariel	2/15/2024	Teichert		
Charnell Cooksey	2/15/2024	Badger		
Aaron Bans	2/14/2024	Teichert		
Randy Mc Call	2/14/2024	Teichert		
Daniel Maciel	2/13/2024	Teichert		
Isaiah Saldom	2/13/2024	Kroeker		
Shane Shipman	2/9/2024	Kroeker		
Steve Cunningham	2/7/2024	Patch Services		
Kurt Alderson	1/26/2024	Siemens		
Alex Enriquez	1/24/2024	Teichert		
Chase McElree	1/24/2024	Teichert		
Sam Gibbs	1/24/2024	Teichert		
Dustin Lockhart	1/24/2024	Teichert		
Cody Kliewer	1/24/2024	Teichert		
Richie Gregory	1/24/2024	Teichert		
Raymond Miller	1/24/2024	Teichert		
Chris Wooton	1/24/2024	Teichert		
Aaron Bans	1/24/2024	Teichert		
Kurt Aldersen	1/24/2024	Siemens		
Edgar Ponce	1/24/2024	Teichert		
Randy McCall	1/24/2024	Teichert		
Rigo Maciel	1/24/2024	Teichert		
Dave Stevens	1/24/2024	Teichert		
Paul Dompeling	1/24/2024	Teichert		
Victor Torres	1/24/2024	Teichert		
Sergio Zinzun	1/24/2024	Kroeker		
Francisco Rocha	1/24/2024	Kroeker		

Name	WEAP Date/Time	Company	Phone #	Email
Cameron Cardoza	1/24/2024	Kroeker Inc.		
Kurt Myres	1/24/2024	Kroeker Inc		
Nathan Roden	1/24/2024	Kroeker Inc		
Ivan Lozano	1/24/2024	Kroeker		
Chad Bishop	1/24/2024	Teichert		
Nathan Delahay	1/23/2024	Teichert Construction		
Chase McElree	1/22/2024	Teichert Construction		
Brian Judd	1/19/2024	Henkels		
Mark Berlov	1/19/2024	MRP		
Kody Tolleson	1/18/2024	GPRS		
Rafael Zacarias	1/16/2024	Teichert		
Eloy Martinez	1/16/2024	Teichert		
Brian Baizas	1/16/2024	GPRS		
Fabian Beltran	1/16/2024	California Construction Surveying, Inc.		
Eloy Martinez	1/16/2024	Teichert		
Kent Schart	1/16/2024	Teichert		
Brian Rose	1/16/2024	Teichert		
Josh Klain	9/25/2023	Henkels		
Jeremy Allen	3/6/2024	Badger		
Chris Wooten	3/12/2024	Teichert Construction		
Jesus Bravo	3/12/2024	Teichert Construction		
Jared Anderson	3/12/2024	Teichert Construction		
Zachary Keller	3/12/2024	Teichert Construction		
Maison Wilkins	3/18/2024	Teichert Construction		
Jose Zacarias	3/18/2024	Teichert Construction		
Brett Kuch	3/19/2024	Teichert Construction		
Humberto Zatarain	3/19/2024	Teichert Construction		
Adrian Ceballos	3/19/2024	Teichert Construction		
Christian Peguero	3/19/2024	Teichert Construction		

Henrietta BESS LLC
Henrietta BESS Project

Name	WEAP Date/Time	Company	Phone #	Email
Jose Gurdado	3/19/2024	Teichert Construction		
Nate Bowden	3/19/2024	Teichert Construction		
John Cordaway	3/19/2024	Teichert Construction		
Rafael Lopez	3/21/2024	Teichert Construction		
Mark Marek	3/22/2024	SDI		
Levi Marquez	3/22/2024	SDI		
Austin Combs	3/22/2024	SDI		
Brandon Hill	3/22/2024	SDI		
Brandon Latka	3/22/2024	SDI		
Mark Hansen	3/22/2024	SDI		
Chad Larsen	3/23/2024	SDI		
Gustavo Sanchez	3/24/2024	SDI		
Joseph Bray	3/25/2024	SDI		
Jose Lara Lopez	3/25/2024	Teichert Construction		
Marion Roberts	3/25/2024	Teichert Construction		
Juan Zaragoza	3/25/2024	Teichert Construction		
Kevin Andersen	3/26/2024	Patch Services		
Omar Castellon	3/26/2024	Reliable Crane		
John Traaffe	3/26/2024	Reliable Crane		
Corey Curtis	3/26/2024	Reliable Crane		
Chris Fierro	3/26/2024	Reliable Crane		
Rory Hunter	3/26/2024	Reliable Crane		
David Kesler	3/26/2024	Reliable Crane		
Darrell Jones	3/26/2024	Reliable Crane		
Josh Sterling	3/26/2024	Reliable Crane		
Andrew Gutierrez	3/28/2024	Teichert Construction		
Julian madrigal	3/28/2024	Teichert Construction		
Miguel Ramirez	3/28/2024	Teichert Construction		
George Ramos	3/28/2024	Teichert Construction		

Name	WEAP Date/Time	Company	Phone #	Email
Jake Fahar	3/29/2024	Bargas		
Dave angel	n/a	EPS		
Olaf uribe	n/a	EPS		
Ari Hambley	4/9/2024	Bargas		
Humberto Zatarain	4/10/2024	Teichert Construction		
Adrian Cebellos R.	4/10/2024	Teichert Construction		
Legene Jamarillo	4/10/2024	Teichert Construction		
Everett Sausedo	4/10/2024	Teichert Construction		
Jose Soselo	4/11/2024	Teichert Construction		
Jesus Martinez	4/11/2024	Teichert Construction		
Joseph Martinez	4/11/2024	Teichert Construction		
Miguel Sanchez	4/11/2024	Teichert Construction		
Steve Smith	4/11/2024	Teichert Construction		
Zachary Schmidt	4/11/2024	Teichert Construction		
Juan Zaragou	4/11/2024	Teichert Construction		
Leon Duran	4/11/2024	Teichert Construction		
Aleksander Storm	4/11/2024	Teichert Construction		
Ronit Zavodivker	4/14/2024	Bargas		
Gilbert Spanglo	4/12/2024	SDI		
Scott Greenhalgh	4/19/2024	SDI		
David Leckie	4/22/2024	West Coast Code Consultants		
Alli Berry	4/26/2024	Rincon Consultants		
Cristian Peguero	4/29/2024	Teichert Construction		
Devin Hamilton	4/29/2024	Teichert Construction		
Damon Esquivel	4/29/2024	Teichert Construction		
Roman Davalos Jr.	3/27/2024	Teichert Construction		
David Trottar	4/11/2024	Teichert Construction		
Everett Sausedo	4/4/2024	Teichert Construction		
Tomas Mata	4/22/2024	Teichert Construction		

Henrietta BESS LLC
Henrietta BESS Project

Name	WEAP Date/Time	Company	Phone #	Email
Angel Moreno	4/22/2024	Teichert Construction		
David Herera	4/22/2024	Teichert Construction		
Julian Madrigal	4/22/2024	Teichert Construction		
Jesse Carvalho	4/22/2024	Teichert Construction		
Severiano Espinoza	4/22/2024	Teichert Construction		
Miguel Ramirez	4/23/2024	Teichert Construction		
Dante Harp	4/23/2024	The Quality Firm		
Mark Greemhal	4/25/2024	SDI		
Mark Mavel	4/25/2024	SDI		
Andrew Gutierrez	4/29/2024	Teichert Construction		
George Ramos	4/29/2024	Teichert Construction		
Ismael Palma	4/29/2024	Teichert Construction		
Jesus Navarro	4/29/2024	Teichert Construction		
Carlos Gutierrez Miranda	4/29/2024	Teichert Construction		
Jorge Sanchez	4/29/2024	Teichert Construction		
Brett Kuch	4/29/2024	Teichert Construction		
Cody Sutton	5/3/24			
Tyler Sutton	5/3/24			
Julienee Valdovinos	5/3/24			
Doug Smith	5/14/24	WC-3	801-550-7630.	dougs@wc-3.com
Grace Myers	5/13/24	Rincon	916-306-5888	gmyers@rinconconsultants.com
Carlos Torres	5/14/24	Contra Costa Electric	661-865-8753	carlostorres@emcor.net
Carey Hummel	5/14	Contra Costa Electric	925-822-7324	chummel@emcor.net
George Ramos	5/11/2024	Teichert	714-559-4612	
George Munoz	5/11/2024	Contra Costa Electric		
Ben Reyes	5/20/2024	Contra Costa Electric		
Jodi Doane	5/20/2024	Contra Costa Electric	661-900-3429	
Carlos Torres	5/20/2024	Contra Costa Electric	661-865-8753	
Saloman Cardenas Jr.	5/13/2024	Ameresco	323-975-3149	

Name	WEAP Date/Time	Company	Phone #	Email
William Delgado	5/13/2024	Contra Costa Electric	916-308-3040	
James Howard	5/13/2024	Contra Costa Electric	530-718-0820	
Cosmo Gutierrez	5/13/2024	Contra Costa Electric	661-847-8403	
Danny Jimenez	5/13/2024	Contra Costa Electric		
Joseph Kenney	5/13/2024	Contra Costa Electric	559-772-5947	
Chris Sine	5/20/2024	Teichert	559-287-7000	
Calixtro Castillo	5/20/2024	Teichert	209-828-9063	
Lindsey Younger	5/20/2024	Rincon	559-317-7344	
John Stevens	5/20/2024	Contra Costa Electric	559-676-6621	
Alice Cummings	5/20/2024	Contra Costa Electric	559-658-5876	
Steve Garcia Jr	5/20/2024	Contra Costa Electric		
Thomas Pointer	6/10/24	Bargas	559-355-1945	pointer_thoma@yahoo.com
Michael Misch	6/10/24	Teichert	559-545-9488	mikem@yahoo.com
Blain Hlcdon	6/10/24	CCE	599-362-6500	blainhlcdon@gmail.com
Jose Hernandez	6/10/24	CCE IBEW	661-805-8802	hernandezsept1990@yahoo.com
Andrew Lopez	6/10/2024	CCE IBEW	661-401-0249	andrewdavid28@icloud.com
David Rojas	6/10/2024	CCE IBEW	559-701-4780	drojasgogreen372@gmail.com
Eric Sisneroz	6/10/2024	CCE IBEW	559-572-0065	esis5757@gmail.com
Abe Lopez	6/5/2024	CCE IBEW	714-904-5854	abslowpez2010@gmail.com
Jose Santillan	6/5/2024	CCE IBEW	619-852-1923	santillanalfredo@gmail.com
Adan Becerra-Garcia	6/5/2024	CCE IBEW	559-556-9206	adanbg.716@gmail.com
Audi Insisieumay	6/5/2024	CCE IBEW	559-801-4655	audii@emcor.net
Adrian Ceballos R	6/12/2024	CCE IBEW	442-359-2278	
Allen Barrios	6/12/2024	Teichert	559-997-9414	
Isaac Neira	6/13/2024	SRR	661-900-1020	roschzy732@yahoo.com
Issac Agua	6/13/2024	CCE	303-435-6409	issacgenaroazuasr@gmail.com
Eric Mendez	6/3/2024	CCE	559-361-9808	

Henrietta BESS LLC
Henrietta BESS Project

Name	WEAP Date/Time	Company	Phone #	Email
Leigh Jones	6/3/2024	CCE	559-614-9337	
Joseph Ortega	6/3/2024	CCE	559-499-8109	
William Basey	6/3/2024	CCE	808-250-9763	
David Polrean	6/12/2024	Ameresco	559-724-2798	
Bruce Lopez	6/12/2024	CCE	559-394-7817	
Leonardo Espinoza	6/12/2024	CCE	559-586-8321	
Tait Imperial	6/12/2024	CCE	559-816-6266	
Joshua Taylor	6/12/2024	CCE	559-457-8609	
Pastor Colin	6/12/2024	CCE	559-348-7816	
Colton Richards		CCE		
Stewart Roldan		Teichert		
Michael Novezich		The Quality Firm		
Felipe Velasco		Teichert		
Daniel Gomez		CCE		
Alex Sanchez		CCE		
Jeremy Tompley		CCE		
Calros Torres		CCE		
Alfredo Carrera		CCE		
Apolonio Martinez		CCE		
Davy Zuniga		CCE		
Oscar Lopez		CCE		
David Cure	6/24/2024	CCE		
Jose Tepal	7/3/24	Bargas		
Fei Lei	7/11/24	CATL		
WEili (willy) Chen	7/12/24	CATL		
Ernesto Uribe	7/13/24	CATL		

Name	WEAP Date/Time	Company	Phone #	Email
Chris Broom	7/16/24	Fractal		
Chris Diaz	7/16/24	Fractal		
Dane Bumgardner	7/16/24	Fractal		
Eddi Marti	7/16/24	Fractal		
Samuel Keek	7/18/2024	Atlas US	701-770-3404	
Nick Umas	7/18/2024	Bragg	510-367-0265	
Jason Pratte	7/18/2024	Bragg	916-475-8325	
Hadden Lopez	7/18/2024	Bragg	805-260-2686	
Justin Gisler	7/18/2024	Bragg	510-685-8360	
Heliodoro Arellaro	7/18/2024	Joaquin	720-916-8208	
Shawn Kramer	7/18/2024	JQME	303-525-6402	
Dennis Gray	7/22/2024	The Quality Firm	951-567-9902	
Jia Mao	7/22/24	CATL		
Koepa Jeff	7/24/24	Rincon		
Tim Smotherman	7/24/24	CCE		
Tracy McMillan	7/26/24	CCE		
Norm Herbert	7/26/24	CCE		
Gio Santiago	7/29/24	TEU		
Ernest Adames	7/30/24	ROW		
Juan Espinosa	7/30/24	Solar		
Adiefo Navarro	7/31/24	All Steel Fence		
Fernando Tomes	7/31/24	All Steel Fence		
Earl Hunts	7/31/24	CCE		
David Lopez	7/31/24	CCE		
Mike Smith	8/1/24	CCE		
Juan Jaramillo	8/1/24	Un 100		
Brennan McCaughlin	8/2/24	CCE		
Dave angel		Eps		
Olaf uribe		EPS		

Henrietta BESS LLC
Henrietta BESS Project

Name	WEAP Date/Time	Company	Phone #	Email
Cody Sutton				
Dane Bumgardner	8/28/24	Fractal EMS	210-378-3431	dane.bumgardner@fractalEMS.com
Justin Godsey	9/5/24	Fractal EMS		justin.godsey@fractalems.com
Aditya (Eddie) Rohilla	10/16/24	Sacramento Drilling, Inc.		
Michael Chow	10/16/24	Sacramento Drilling, Inc.		
Bohdi Sharp	11/18/24	CCE	559-772-9395	bohdi.sharp@yahoo.com
David Ridgeway	11/18/24	CCE	256-841-2178	dridgeway69@gmail.com
Justin Scanlon	11/18/24	CCE	619-917-9717	jscan1984@live.com
Bruce Moua	11/18/24	CCE	559-443-9672	bruce_moua6@hotmail.com
Jason Gammon	12/2/24	NAES	425-344-2651	Jason.gammon@NAES.com
Juan C Marquez	1/20/25	CES	346 692-7201	Juan.marquez@cesrenewables.com
Jose E Blanco	1/20/25	CES	979-900-7260	Jose.blanco@cesrenewables.com
Sam Alanzo	1/20/25	CES		Sam.alonzo@cesrenewables.com
Erik Cabada	1/27/25	CES		Erik.cabada@cesrenewables.com
Jianzhou Chai	3/7/25	WHI		watercjz@gmail.com
Jiatian wu	3/7/25	WHI		
WEI LUO	3/7/25	WHI		
Junbin wang	3/7/25	WHI		
Kashe Messer	9/28/26	CSI	559-960-1889	
Rob Alec	9/28/26	CSI	359-999-6028	
Felipe Birriete	9/28/26	CSI	707-631-3682	
Nick Fuentez	9/28/26	CCE	661-477-7350	
Bret Laurendine	9/28/26	Rincon	661-889-6765	
Bailey Foster	9/28/26	Rincon	559-385-3807	
Edgar Garcia	9/28/26	Rincon	562-682-7933	

Appendix B

Required Henrietta Monthly Compliance Report Documentation

Required Henrietta MCR Documentation

Appendix	Documentation	CoC(s)
B1	Current Schedule	CUL-2, GEN-2, TSE-1
B2	Biological Resource Monthly Monitoring Summary for September 2026	BIO-2
B3	Cultural Resources Monthly Report and Weekly Schedule Transmittals	CUL-2, CUL-6
B4	Paleontological Monthly Compliance Report for September 2025	PAL-4

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Appendix B1

Current Schedule (CUL-2, GEN-2, TSE-1)

Henrietta Pole Re-Work																																				
Est # 96201528																																				
Bid Schedule																																				
ID	Task Name	Duration	Start	Finish	Predecessors	Resource Names	20, '26	Sep 27, '26	Oct 04, '26	Oct 11, '26	Oct 18, '26	Oct 25, '26	Nov 01, '26	Nov 08, '26	Nov 15, '26	Nov 22, '26	Nov 29, '26	Dec 06, '26	Dec 13, '26	Dec 20, '26	Dec 27, '26	Jan 03, '27	Jan 10, '27	Jan 17, '27	Jan 24, '27	Jan 31, '27	Feb 07, '27	Feb 14, '27	Feb 21, '27							
							T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S				
1	Henrietta Pole Line Re-Work	100 days	Thu 09/24/26	Fri 02/19/27																																
2	Materials	77 days	Thu 09/24/26	Fri 01/15/27																																
3	PO Received	0 days	Thu 09/24/26	Thu 09/24/26			09/24																													
4	Order Material (16 weeks maximum lead on crossarms)	77 days	Thu 09/24/26	Fri 01/15/27	3	Office	Office																													
5	Outage #1	5 days	Mon 09/28/26	Fri 10/02/26																																
6	1st Outage	0 days	Mon 09/28/26	Mon 09/28/26			09/28																													
7	Remove fencing	0.25 days	Mon 09/28/26	Mon 09/28/26	6	Civil Crew																														
8	Dig out first (2) holes	1 day	Mon 09/28/26	Mon 09/28/26	6	Civil Crew																														
9	Set first two poles with concrete backfill	1 day	Tue 09/29/26	Tue 09/29/26	8	Line Crew,Civil Crew																														
10	Hold first set of poles for cure	1 day	Wed 09/30/26	Wed 09/30/26	9	Line Crew																														
11	Dig out second (2) holes	1 day	Wed 09/30/26	Wed 09/30/26	9	Civil Crew																														
12	Set second two poles with concrete backfill	1 day	Thu 10/01/26	Thu 10/01/26	11	Line Crew,Civil Crew																														
13	Replace fencing	0.25 days	Fri 10/02/26	Fri 10/02/26	12	Civil Crew																														
14	Hold second set of poles for cure	1 day	Fri 10/02/26	Fri 10/02/26	12	Line Crew																														
15	Outage #2	23 days	Tue 01/19/27	Fri 02/19/27																																
16	Dig out new conduit run	4 days	Tue 01/19/27	Fri 01/22/27	12,4	Civil Crew																														
17	Intercept exising underground with new conduit	2 days	Mon 01/25/27	Tue 01/26/27	16	Civil Crew																														
18	Backfill conduit run & excavation	3 days	Wed 01/27/27	Fri 01/29/27	17	Civil Crew																														
19	Pull back existing underground cable	3 days	Tue 01/19/27	Thu 01/21/27	12,4	Line Crew																														
20	Frame new poles with new equipment	4 days	Fri 01/22/27	Wed 01/27/27	19	Line Crew																														
21	Install overhead on new pole lines	3 days	Thu 01/28/27	Mon 02/01/27	20	Line Crew																														
22	Re-pull underground medium voltage cables	4 days	Tue 02/02/27	Fri 02/05/27	21,18	Line Crew																														
23	Pull in new cable run	4 days	Mon 02/08/27	Thu 02/11/27	22	Line Crew																														
24	Terminate & test all cables	5 days	Fri 02/12/27	Fri 02/19/27	23	Line Crew																														

Appendix B2

Biological Resource Monthly Monitoring Summary for September 2026 (BIO-2)

October 14, 2026

Jeremy Pohlman
California Department of Fish and Wildlife
3196 South Higuera Street, Suite A
San Luis Obispo, California 93401

Subject: Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP) Monthly Compliance Monitoring Summary for the Henrietta Battery Energy Storage System (BESS) Project, Unincorporated Kings County, California

The following is a summary of the biological monitoring activities conducted by the qualified biologist(s) for activities between September 1, 2026, and September 30, 2026. A pre-construction survey was conducted on September 17, 2026, prior to the September construction activities. Construction commenced on September 28, 2026, and is planned to end in January 2027, with some work anticipated for November 2026. 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: 1

Non-compliance Events: 0

Monitoring Activity Occurring in September 2026:

During September 2026, one day of full-time biological monitoring occurred. The biological monitor surveyed the entire project site for sensitive biological resources focusing on the active work area, laydown area, and staged equipment. The biologist also surveyed the work area for burrows and sign of potential special status species and monitored materials staging and auguring. Other work occurring during September included concrete pour and continued auguring. No active nests, protected species, or other sensitive biological resources were observed during September 2026. Construction is currently on hold; therefore, further biological monitoring activity will take place and be reported in future monthly compliance summaries.

Attachments

Attachment 1 Compliance Monitoring Summary Table

Attachment 1

Compliance Monitoring Summary Table



Compliance Monitoring Summary Table, September 2026

Date	Monitor	Violation?	Location	Activities Monitored
September 28, 2026	Bret Laurendine	No	BESS Project Area, Access Road, lay down	Surveyed BESS work area, laydown, and access road. Monitored materials staging and auger activities. No sensitive species or compliance issues were observed.

October 14, 2026

Margaret Sepulveda
United States Fish and Wildlife Service
2800 Cottage Way, Room W-2605
Sacramento, California 95825

Subject: Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP) Monthly Compliance Monitoring Summary for the Henrietta Battery Energy Storage System (BESS) Project, Unincorporated Kings County, California

The following is a summary of the biological monitoring activities conducted by the qualified biologist(s) for activities between September 1, 2026, and September 30, 2026. A pre-construction survey was conducted on September 17, 2026, prior to the September construction activities. Construction commenced on September 28, 2026, and is planned to end in January 2027, with some work anticipated for November 2026. 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: 1

Non-compliance Events: 0

Monitoring Activity Occurring in September 2026:

During September 2026, one day of full-time biological monitoring occurred. The biological monitor surveyed the entire project site for sensitive biological resources focusing on the active work area, laydown area, and staged equipment. The biologist also surveyed the work area for burrows and sign of potential special status species and monitored materials staging and auguring. Other work occurring during September included concrete pour and continued auguring. No active nests, protected species, or other sensitive biological resources were observed during September 2026. Construction is currently on hold; therefore, further biological monitoring activity will take place and be reported in future monthly compliance summaries.

Attachments

Attachment 1 Compliance Monitoring Summary Table

Attachment 1

Compliance Monitoring Summary Table



Compliance Monitoring Summary Table, September 2026

Date	Monitor	Violation?	Location	Activities Monitored
September 28, 2026	Bret Laurendine	No	BESS Project Area, Access Road, lay down	Surveyed BESS work area, laydown, and access road. Monitored materials staging and auger activities. No sensitive species or compliance issues were observed.

Appendix B3

Cultural Resources Monthly Report and Weekly Schedule Transmittals (CUL-2, CUL-6)

October 14, 2026
Project No: 25-18563

Jon Boyer
Henrietta BESS LLC
16027 25th Avenue
Kings County, California 93245
Via email: jboyer@mrpgenco.com

Subject: Cultural Resources Monitoring Report, September 2026, Henrietta Battery Energy Storage System (BESS) Project, Unincorporated Kings County, California

Dear Mr. Boyer:

Rincon Consultants (Rincon) was retained by Henrietta BESS LLC to provide archaeological and Native American monitoring services for the Henrietta Battery Energy Storage System (BESS) Project (project) located along 25th Avenue, in unincorporated Kings County, near the City of Lemoore, California. The project must comply with California Energy Commission's (CEC) Conditions of Certification (CoCs) for the project including CUL-1 through CUL-6.

Rincon is currently in the process of contracting Native American monitoring services from the Santa Rosa Rancheria Tachi Yokut Tribe (Tribe) for this project. As of September 24, 2026, while the contract is in the queue for review and execution by the Tribe's Council, Rincon and the Tribe (email and phone communications with Joshua Sanchez on September 24, 2026) agreed to proceed with the archaeological monitoring of auguring for new transmission line pole holes that is detailed in this memorandum. The Tribe intends to participate in the project's next phase of ground disturbance, which may occur as early as November 2026.

Table 1 summarizes the archaeological monitoring conducted in the month of September 2026 in compliance with CUL-6.

Table 1 Monitoring Summary for September 2026

Date	Scope of Work	Cultural Resource Monitor (Rincon)	Native American Monitor (Tachi)	Results	Non-Compliance Incidents
9/28/2026	Auguring and hand-digging holes at a depth of disturbance of 18 inches	Edgar Garcia	None	Negative	None
9/29/2026	Auguring and hand-digging holes at a depth of disturbance between 17 inches and 22 feet	Edgar Garcia	None	Negative	None
9/30/2026	Auguring and hand-digging holes at a depth of disturbance between 18 inches and 22 feet	Edgar Garcia	None	Negative	None

Table 2 summarizes other compliance requirements completed in the month of September 2026 as required under CUL-1 through CUL-6.



Table 2 Compliance Requirements Completed September 2026

Condition	Compliance Description	Date
CUL-2	Weekly transmittal of Project schedule	Submitted to the Cultural Resources Specialist on September 18, 2026
CUL-6	Weekly summary report – week of 9/28/2026	Submitted to the CEC on October 8, 2026

Please do not hesitate to contact me at 619-359-8632 or mstrother@rinconconsultants.com if you have any questions regarding this monitoring effort.

Sincerely,

Rincon Consultants

Mark Strother, MS, RPA
Henrietta BESS Project
Cultural Resource Specialist

Attachments

- Attachment 1 Weekly Transmittals of Project Schedule
- Attachment 2 Weekly Summary Report

Attachment 1

Weekly Transmittal of Project Schedule

From: Ryan Wardle <rwardle@rinconconsultants.com>
Sent: Friday, September 18, 2026 2:32 PM
To: Douglas, Joseph@Energy <Joseph.Douglas@energy.ca.gov>
Cc: Jon Boyer <jboyer@mrpgenco.com>; Joshua Ihm <jihm@mrpgenco.com>; Christopher Lopez <clopez@mrpgenco.com>; Robert Ray <rray@patchservices.com>; Ashley Quackenbush <aquackenbush@rinconconsultants.com>; Mark Strother <mstrother@rinconconsultants.com>; Breana Campbell <bcampbell@rinconconsultants.com>
Subject: Henrietta BESS Additional CRMs and Alternate CRS

Caution: This email originated from outside your organization. Do not click links or open attachments unless you recognize the sender and know the contents are safe. If you have ANY reason to doubt the authenticity of this message, contact IT before you open or click on anything.

Hi Mr. Douglas,

In anticipation of upcoming maintenance activities at the Henrietta BESS and Peaker Plant we will be utilizing additional cultural resources monitors (CRMs) during ground disturbing work. Please find attached resumes for the CRMs who will be monitoring this work. All submitted CRMs meet or exceed the requirements outlined in COC CUL-1. Construction is anticipated to commence on 9/28/2026.

In addition, we are submitting a new alternate Cultural Resources Specialist (CRS), Mark Strother, for the Henrietta BESS Project. Mark has previously been approved by the CEC and functioned as the CRS for the Border BESS project in San Diego County and exceeds the requirements outlined in COC CUL-1.

Please let us know if you have any issues with accessing the materials or have any questions. Thank you.

Cheers,



Ryan Wardle, M.S.
Biologist/ Project Manager
rwardle@rinconconsultants.com
775-636-4066 Mobile
1530 Monterey Street, San Luis Obispo, California

Upcoming Time Off: October 6-13, October 19-27

Attachment 2

Weekly Summary Report

October 8, 2026
Project No: 25-18563

Jon Boyer
Henrietta BESS LLC
16027 25th Avenue
Kings County, California 93245
Via email: jboyer@mrpgenco.com

Subject: Monitoring Report for the Week of September 28, 2026, Henrietta Battery Energy Storage System (BESS) Project, Unincorporated Kings County, California

Dear Mr. Boyer:

Rincon Consultants (Rincon) was retained by Henrietta BESS LLC to provide archaeological and Native American monitoring services for the Henrietta Battery Energy Storage System (BESS) Project (project) located along 25th Avenue, unincorporated Kings County, near the City of Lemoore, California. The project must comply with California Energy Commission's (CEC) Conditions of Certification (CoCs) for the project including CUL-1 through CUL-6. Archaeological monitoring is required by CUL-6. Rincon is currently in the process of contracting Native American monitoring services from the Santa Rosa Rancheria Tachi Yokut Tribe (Tribe) for this project. As of September 24, 2026, while the contract is in the queue for review and execution by the Tribe's Council, Rincon and the Tribe (email and phone communications with Joshua Sanchez on September 24, 2026) agreed to proceed with the archaeological monitoring of augering for new transmission line pole holes that is detailed in this memorandum. The Tribe intends to participate in the project's next phase of ground disturbance, which may occur as early as November 2026.

CoC CUL-6 for the project states:

- (1) The Cultural Resources Specialist (CRS), alternate CRS, or monitors shall monitor ground disturbance full time in the vicinity of the project area where project ground disturbance exceeds previously disturbed soil. Cultural resources monitoring shall also occur full time on the gas pipeline in the vicinity of the Avenal Cutoff Road. Additional monitoring shall occur at the discretion of the CRS. In the event that the CRS determines that full-time monitoring is not necessary in certain locations, a letter providing a detailed justification for that decision to reduce the level of monitoring shall be provided to the Compliance Project Manager (CPM) for review and approval.
- (2) Monitors shall keep a daily log of any monitoring or cultural resource activities and the CRS shall prepare a weekly summary report on the progress or status of cultural resources-related activities. The CRS may informally discuss cultural resources monitoring and mitigation activities with Energy Commission technical staff.
- (3) The CRS shall notify the project owner and the CPM, by telephone, of any incidents of non-compliance with any cultural resources conditions of certification within 24 hours of becoming aware of the situation. The CRS shall also recommend corrective action to resolve the problem or achieve compliance with the conditions of certification.
- (4) A Native American monitor shall be obtained to monitor ground disturbance in areas where Native American artifacts may be 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 will be monitored. Native American monitors shall also be given an opportunity to comment on any discovered Native American artifacts. These comments shall be included in the Closing Cultural Resources Report required in CUL-3.



The purpose of this weekly report is to document the results of the archeological monitoring conducted during ground disturbing construction activities for the week of September 28, 2026, in compliance with CoC CUL-6. This report was prepared under the direction of Rincon CRS, Mark Strother, MA, Registered Professional Archaeologist (RPA). Mr. Strother meets and exceeds the Secretary of the Interior's Professional Qualifications Standards for Archeology and History (National Park Service 1983), and the CoC CUL-1 requirement for the project with concurrence from CEC staff (email communication, September 24, 2026).

Project Location and Description

The Henrietta BESS Project was certified as an amendment to the Henrietta Peaker Project (HPP), a nominal 95-Megawatt simple-cycle, natural gas-fired power plant located on a 20-acre property at 16027 25th Avenue (Assessor's Parcel Number 024-109-070-000), approximately 1-mile south of State Route 198, southwest of the City of Lemoore within unincorporated Kings County, California. The HPP facility was certified by the CEC in January 2002 and began commercial operation in July 2002. The Henrietta BESS Project is located within the eastern portion of the existing HPP property and north of the existing 230-kilovolt (kV) transmission line right of way, encompassing a portion of Section 34 of Township 19 South, Range 19 East of the Westhaven, Calif. U.S. Geological Survey (USGS) 7.5-minute topographic quadrangle map (Attachment 1; Figure 1). The project area is bound by 25th Avenue to the west, Arenal Cutoff Road to the south, and solar farms to the east and north.

Monitoring Methods

Edgar Garcia of Rincon conducted archaeological monitoring for the project for three days during the week of September 28, 2026, on September 28, 29, and 30, 2026. Monitoring did not occur on October 1 or 2, 2026 due to no ground disturbance. Construction activities for the week consisted of auguring and hand-digging holes. Mr. Garcia meets the minimum requirements for Cultural Resource Monitors set forth under CUL-1.

Mr. Garcia was present during project-related ground disturbing construction activities, including auguring and hand-digging holes. During construction, Mr. Garcia examined exposed soils for prehistoric artifacts (e.g., chipped stone tools and production debris, stone milling tools), historic period debris (e.g., metal, glass, ceramics), or soil discoloration that might indicate the presence of an archaeological feature. Mr. Garcia documented field observations in Daily Monitoring Logs (Attachment 2).

Monitoring Results

The activities monitored during the week of September 28, 2026, consisted of mechanical auguring and hand-digging holes. See Table 1 below for daily monitoring details.



Table 1 Monitoring Results

Date	Construction Activities	Soils	Cultural Resources Monitor (Rincon)	Results	Non-Compliance Incidents
9/28/2026	Auguring and hand-digging holes at a depth of disturbance of 18 inches	Light brown clay loam	Edgar Garcia	Negative	None
9/29/2026	Auguring and hand-digging holes at a depth of disturbance between 17 inches and 22 feet	Light brown clay loam, sandy loam, silty clay loam	Edgar Garcia	Negative	None
9/30/2026	Auguring and hand-digging holes at a depth of disturbance between 18 inches and 22 feet	Light brown clay loam, some sand	Edgar Garcia	Negative	None

Conclusions

From September 28, 2026, to October 4, 2026, Rincon conducted archaeological monitoring for the project in accordance with the project's CoC CUL-6.

No artifacts, archaeological deposits, or archaeological features were identified during the monitoring efforts of ground disturbing construction activities. Based on the results of the monitoring effort, the project construction activities that occurred during the week of September 28, 2026, did not impact any cultural resources. Archaeological and Native American monitoring in compliance with CoC CUL-6 is expected to continue as ground disturbance construction activities within the project area may occur as early as November 2026. Please do not hesitate to contact me at 619-359-8632 or mstrother@rinconconsultants.com if you have any questions regarding this monitoring effort.

Sincerely,

Rincon Consultants

Mark Strother, MS, RPA
Henrietta BESS Project
Cultural Resource Specialist

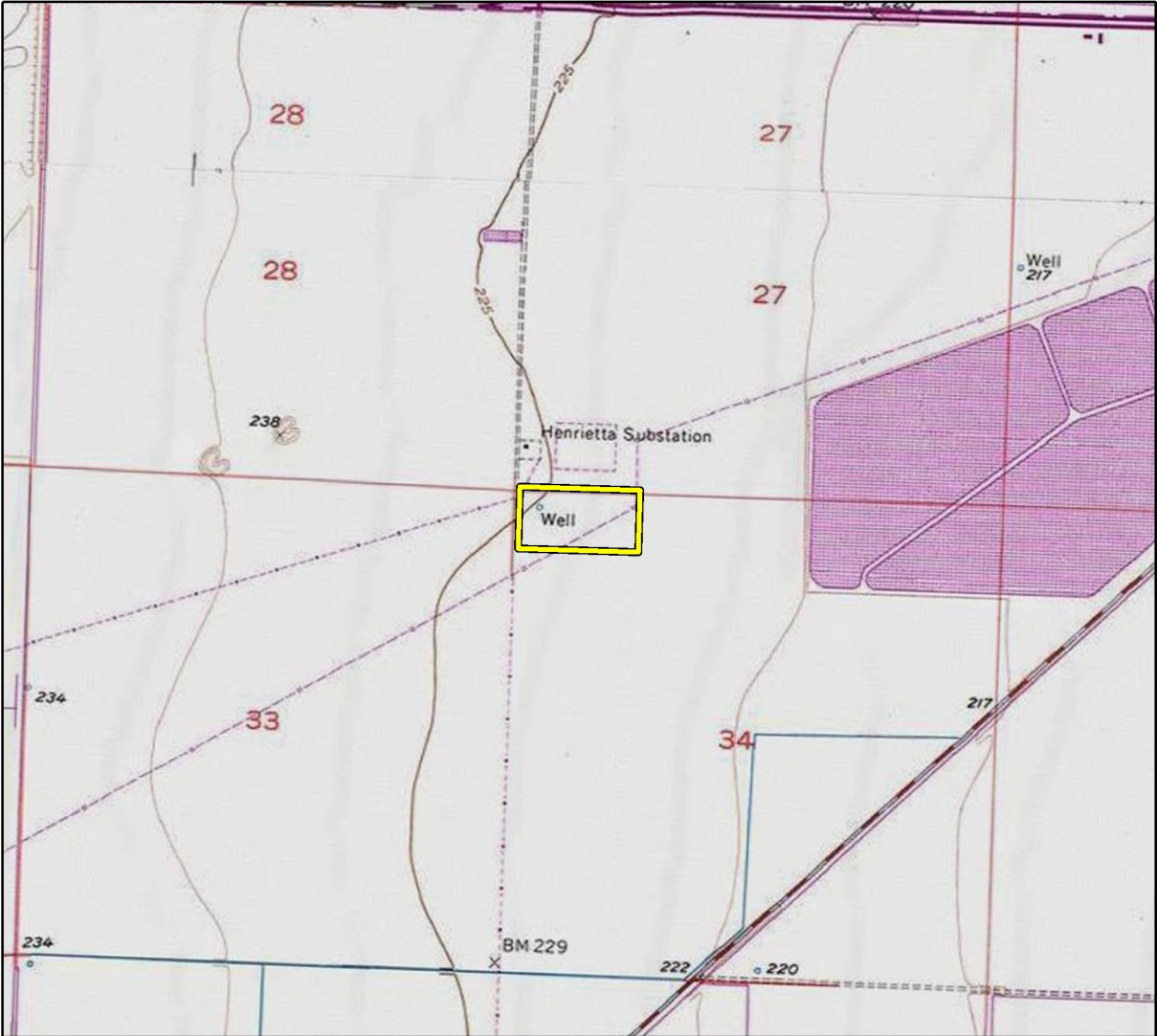
Attachments

Attachment 1 Figure

Attachment 2 Daily Monitoring Logs

Attachment 1

Figure



Basemap provided by National Geographic Society, Esri and their licensors
 © 2022. Westhaven Quadrangle, T19S R19E S27,34. The topographic representation depicted in this map may not portray all of the features currently found in the vicinity today and/or features depicted in this map may have changed since the original topographic map was assembled.

 Project Location

0 1,000 2,000 Feet



Attachment 2

Daily Monitoring Logs



Cultural Resources Daily Monitoring Report

Project Number: 25-18563		Project Name: Henrietta BESS
Monitor: Edgar Garcia		
Date: September 28, 2026	Start Time (24 hour): 07:45	Stop Time (24 hour): 16:30
Weather (Temperature, wind speed, cloud cover, precipitation): 80 ° F, 7mph mph, 0 %, None		
Start Location: Zone 11S 239132E 4014455N		

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):

13:11 - Hand digging

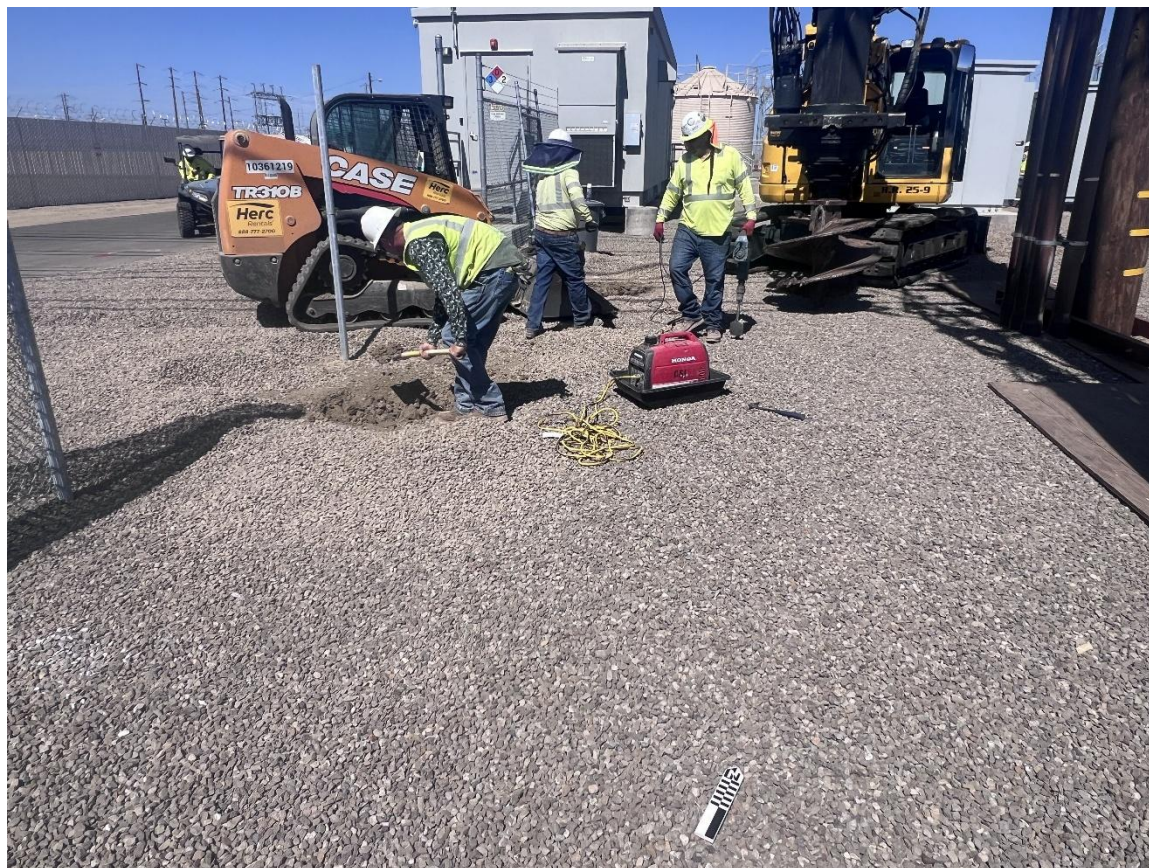
Type of Monitoring: Continuous Monitoring

Additional Notes: Second hole was a darker brown.

Location: 11S 239132E 4014455N

Depth of Ground Disturbance: 18 inch depth

Soils/Lithology Description: Light brown clay loam.



13:11 Facing north



Cultural Resources Daily Monitoring Report

The crew wrapped up with the initial hand dig and will switch to auger by machine.

13:20 - Hand dig/augering

Type of Monitoring: Continuous Monitoring

Additional Notes: First hole (north of second by approximately 5 meters).

Location: 11S 239134E 4014519N

Depth of Ground Disturbance: 18 inches

Soils/Lithology Description: Light brown clay loam



13:20 Facing east

Hand dug first hole to get diameter right, 18 inch depth.

13:36 - Hand digging/augering

Type of Monitoring: Continuous Monitoring

Additional Notes: Second hole is darker than first. Same clay loam

Location: 11S 239137E 4014520N

Depth of Ground Disturbance: 18 inches

Soils/Lithology Description: Light brown; clay loam.

Cultural Resources Daily Monitoring Report



13:plan view
Second hole.

16:31 - Augering

Type of Monitoring: Continuous Monitoring

Additional Notes: Terminated augering their southern hole at 17 feet. Did not complete augering their northern hole.

Location: 11S 239137E 4014520N

Depth of Ground Disturbance: 17 feet

Soils/Lithology Description: Light brown clay loam

Cultural Resources Daily Monitoring Report



16:31 Facing north
Crew done for the day. Holes covered.

16:32 - Augering

Type of Monitoring: Continuous Monitoring

Additional Notes: The crew dumps their load of spoils and spreads it south of where they are augering.

Location: 11S 239137E 4014521N

Depth of Ground Disturbance: Spoil pile

Soils/Lithology Description: Brown clay loam

Cultural Resources Daily Monitoring Report



16:32 Facing south
Spoils being spread south of auger location.

Summary of project related communications:

Gave the crew a WEAP training at the morning tailgate meeting. Monitored the crew dig two holes, first by shovel to get the diameter right (48 inches). Then monitored their digging by mechanical auger. Checked the spoils as well.

☒ **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



Cultural Resources Daily Monitoring Report

Project Number: 25-18563		Project Name: Henrietta BESS
Monitor: Edgar Garcia		
Date: September 29, 2026	Start Time (24 hour): 08:00	Stop Time (24 hour): 16:30
Weather (Temperature, wind speed, cloud cover, precipitation): 86 ° F, 2mph mph, 0 %, None		
Start Location: Zone 11S 239139E 4014517N		

Worker Environmental Education Program provided: ☐ Yes ☒ (No, already provided on 9/28/26 to the same crew)

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

08:22 - Hand digging

Type of Monitoring: Continuous Monitoring

Additional Notes: Did not terminate their southern hole. Still need to clean up and get to grade, 21 feet 6 inches. At approximately 19 to 20 feet, the soil turns to a sandy loam. Terminated both holes at 21 feet 6 inches at 9:30 am.

Location: 11S 239132E 4014455N

Depth of Ground Disturbance: 21 feet, 6 inches

Soils/Lithology Description: Light brown clay loam.





Cultural Resources Daily Monitoring Report

08:22 Facing south
Hole at 17 feet

08:39 - Hand dig/augering

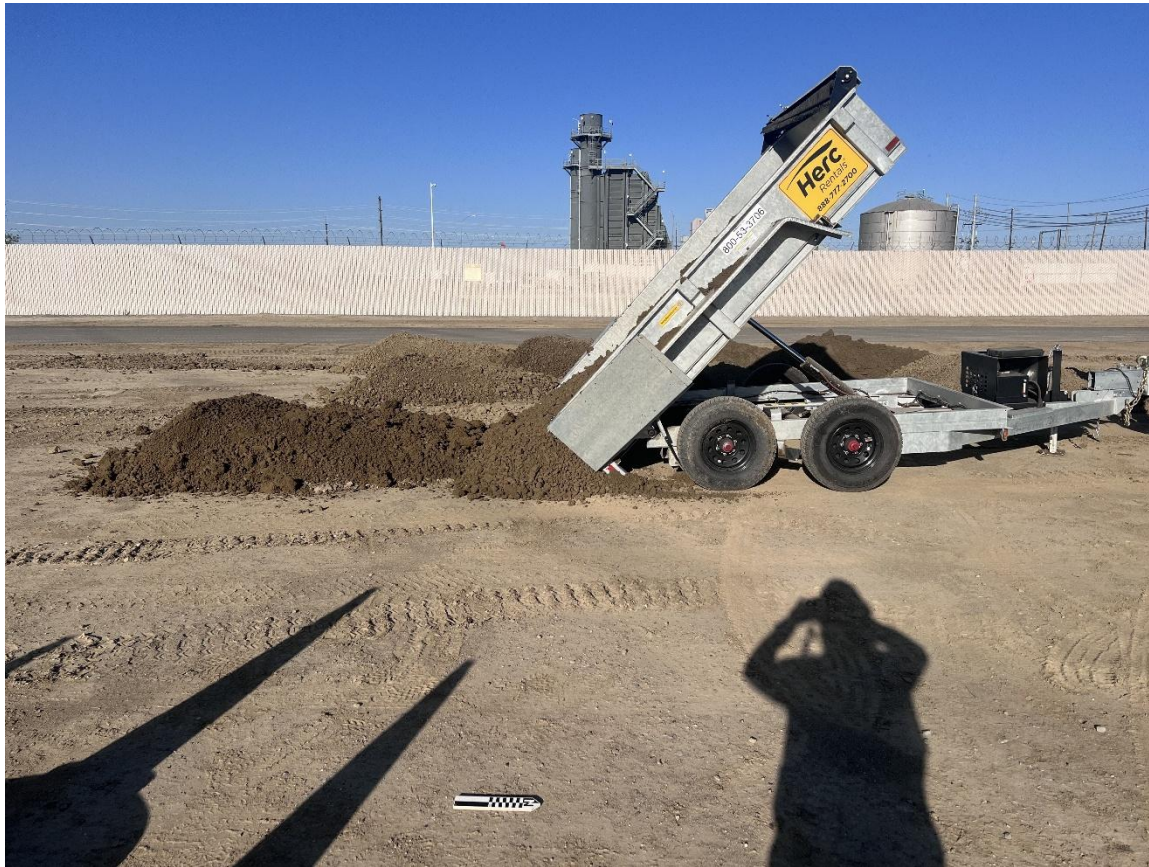
Type of Monitoring: Continuous Monitoring

Additional Notes: Spoils pile is located in the staging area/lot.

Location: 11S 239152E 4014443N

Depth of Ground Disturbance: 18 inches

Soils/Lithology Description: Light brown clay loam



08:39 Facing west
Spoils pile at the lot.

08:46 - Hand digging/augering

Type of Monitoring: Continuous Monitoring

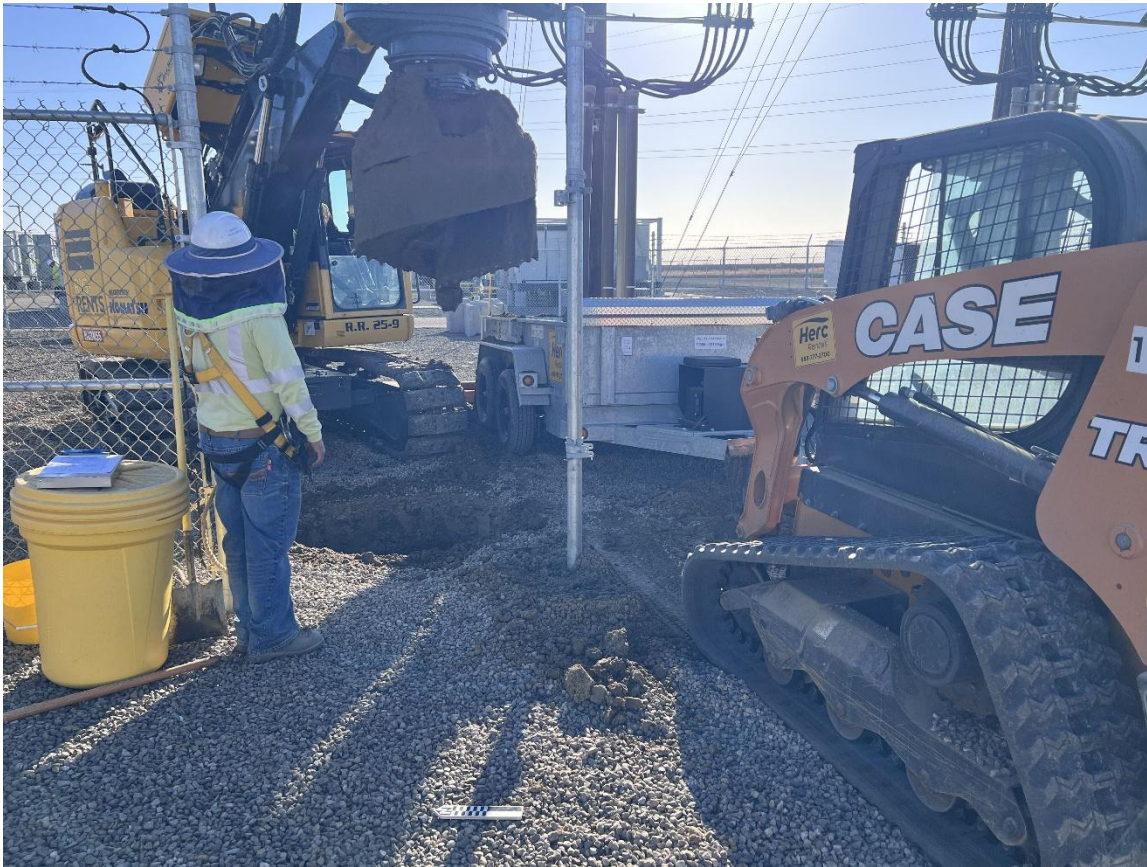
Additional Notes: Augering the northern hole.

Location: 11S 239136E 4014521N

Depth of Ground Disturbance: 18"

Soils/Lithology Description: Light brown; clay loam.

Cultural Resources Daily Monitoring Report



08:46 Facing east
Northern hole.

09:10 - Augering

Type of Monitoring: Continuous Monitoring

Additional Notes: Photo taken right before they hit grade at 21 feet 6 inches.

Location: 11S 239136E 4014521N

Depth of Ground Disturbance: 21 feet 6 inches

Soils/Lithology Description: Light brown sandy loam; soil turns to sandy loam at about 19 to 20 feet.

Cultural Resources Daily Monitoring Report



09:10 Facing east
Northern hole almost at grade.

13:28 - Augering

Type of Monitoring: Continuous Monitoring

Additional Notes: Crew begins their 3rd hole approximately 100 meters west of the first two holes.

Location: 11S 239060E 4014515N

Depth of Ground Disturbance: Spoils pile

Soils/Lithology Description: Brown clay loam

Cultural Resources Daily Monitoring Report



13:28 Facing east
Start of 3rd hole being augered.

14:44 - Augering

Type of Monitoring: Continuous Monitoring

Additional Notes: Silty clay loam at depth of 20 feet. Terminated 3rd hole at 21 feet 6 inches.

Location: 11S 239060E 4014515N

Depth of Ground Disturbance: 21 feet 6 inches

Soils/Lithology Description: Silty clay loam

Cultural Resources Daily Monitoring Report



14:44 Facing east
Terminated 3rd hole at 21'6".

14:56 - Augering

Type of Monitoring: Continuous Monitoring

Additional Notes: More moisture in soil in 3 and 4th hole than 1 and 2.

Location: 11S 239060E 4014515N

Depth of Ground Disturbance: 3 feet

Soils/Lithology Description: Light brown clay loam

Cultural Resources Daily Monitoring Report



14:56 Facing north
Beginning 4th hole.

16:20 - Augering

Type of Monitoring: Continuous Monitoring

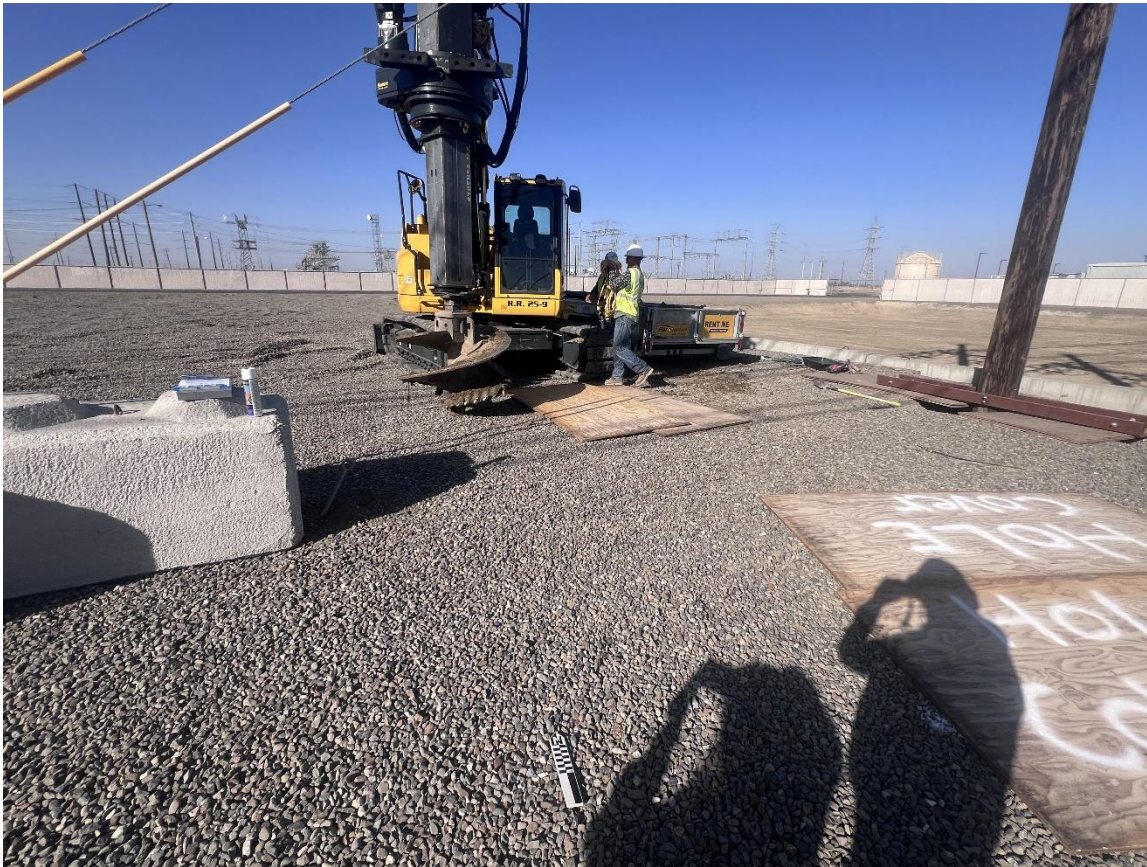
Additional Notes: Only reached 18 feet by the end of the day, will continue and finish the 4th hole tomorrow to get to grade (21 feet 6 inches). Covered holes after being done for the day.

Location: 11S 239060E 4014515N

Depth of Ground Disturbance: 18 feet

Soils/Lithology Description: Silty clay loam; more moisture than 1 and 2. Not fully sand like 1 and 2 at 20 feet.

Cultural Resources Daily Monitoring Report



16:20 Facing north

Crew is done for the day, covered the 3rd and 4th hole after reaching 18 feet for the day.

Summary of project related communications:

Confirmed start time for last day of digging, tomorrow 9/30..

☒ **COMPLIANCE**

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

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

Native American Monitor present? ☐ Yes ☒ No

Archaeological Discovery Made? ☐ Yes ☒ No

Safety Concerns? ☐ Yes ☒ No



Daily Monitoring Report

Project Number: 25-18563		Project Name: Henrietta BESS
Monitor: Edgar Garcia		
Date: September 30, 2026	Start Time (24 hour): 06:30	Stop Time (24 hour): 10:37
Weather (Temperature, wind speed, cloud cover, precipitation): 74 ° F, 2mph mph, 0 %, None		
Start Location: Zone 11S 239060E 4014515N		

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):

07:16 - Augering

Type of Monitoring: Continuous Monitoring

Location: 11S 239060E 4014515N

Depth of Ground Disturbance: 21 feet 6 inches.

Soils/Lithology Description: Light brown clay loam, some sand.



07:16 Facing north

The crew begins to finish their 4th augered hole, with 3 feet 6 inches left to auger.



Daily Monitoring Report

07:23 - Augering

Type of Monitoring: Continuous Monitoring

Additional Notes: Terminated their 4th and final hole at 21 feet 6 inches. More moisture than first two holes but never got to a sandy loam like the first two holes either.

Location: 11S 239060E 4014515N

Depth of Ground Disturbance: 21 feet 6 inches

Soils/Lithology Description: Light brown clay loam with some sand. More moisture than first two holes.



07:23 Facing north

Terminated 4th hole at 21 feet 6 inch depth.

13:36 - Hand digging/augering

Type of Monitoring: Continuous Monitoring

Additional Notes: Spoil pile that is to be spread across the lot.

Location: 11S 239129E 4014429N

Depth of Ground Disturbance: 0

Soils/Lithology Description: Light brown; mostly clay loam.

Daily Monitoring Report



13:36 Facing northeast

Last load being dumped into the spoil pile that will be spread across the lot.

09:29 - Grading/spreading spoils

Type of Monitoring: Continuous Monitoring

Additional Notes: Monitored the crew spread their spoils across the lot.

Location: 11S 239122E 4014448N

Depth of Ground Disturbance: Less than 2 feet

Soils/Lithology Description: Mostly light brown clay loam spoils, some sandy loam spoils from auger holes 1 and 2.

Daily Monitoring Report



09:29 Facing northeast

The crew beginning to spread their spoil pile.

10:09 - Grading/spreading spoil pile

Type of Monitoring: Continuous Monitoring

Additional Notes: Monitored the crew spread the spoil pile across the lot. Checked the ground after they spread the pile as well. Checked in with Andreas that there wouldn't be any more ground disturbance today and got the okay to head offsite

Location: 11S 239180E 4014449N

Depth of Ground Disturbance: Less than 2 inches

Soils/Lithology Description: Mostly light brown clay loam, some sandy loam from auger holes 1 and 2.

Daily Monitoring Report



10:09 Facing southwest

Spreading spoils complete, checked the ground after for any cultural resources (negative).

☒ **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 Monthly Compliance Report for September 2026 (PAL-4)

October 14, 2026
Project No: 25-18563

Jon Boyer
Henrietta BESS LLC
16027 25th Avenue
Kings County, California 93245
Via email: jboyer@mrpgenco.com

Subject: Paleontological Resources Summary Report, September 2026, Henrietta Battery Energy Storage System (BESS) Project, Unincorporated Kings County, California

Dear Mr. Boyer:

Rincon Consultants, Inc. (Rincon) was retained by Henrietta BESS, LLC to provide paleontological services for the Henrietta Battery Energy Storage System (BESS) Project (Project) located along 25th Avenue, in unincorporated Kings County, near the City of Lemoore, 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 pole replacements in September 2026:

Monitoring: Paleontological monitoring was conducted on three days, September 28 through 30, 2026, in areas where construction activity occurred in previously undisturbed sedimentary geologic units with high paleontological sensitivity (i.e., excavations of 4.5 feet or deeper).

Discoveries: No fossils were observed during monitoring.

Compliance: No non-compliance activities were observed.

Look ahead: At the time of this report, no future activities requiring paleontological monitoring are scheduled for this project.

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



Andrew McGrath, PhD
Henrietta BESS Project
Paleontological Resource Specialist

Attachment 1

Daily Monitoring Logs



Monitor: Bailey Foster Date: September 28, 2026
Project Number: 25-18563 Project Name: Henrietta BESS
Work Start Time: 08:00 Work End Time: 16:30 Total Monitoring Hours: 8.5

1. Monitoring Locations:

Monitoring occurred in unincorporated Kings County, near the City of Lemoore, CA. Behind and to the east of the main power plant was the site. It was surrounded by a solar farm and housed multiple rows of batteries.

Work occurred next to the battery complex at power poles connecting from the main plant to the batteries.

2. Construction Activities Monitored:

Crew; Civil Substations. Manual digging about a foot and a half down and 3 feet wide. An augur was used to reach 20 feet and maintain the 3 foot diameter.

3. Monitoring Actions:

Visual observations when the augur was scraping the pit walls and bringing up sediment, digging through spoils piles, and dry sifting when possible.

4. Non-Compliance Recommendation?: ☐ YES ☒ NO

5. Paleontological Resources Observed? ☐ YES ☒ NO

6. Geological Observations:

Brown to very dark brown clay. The top few feet were very compact and had some pebbles and gravel. As they dug deeper, the clay got darker, more malleable, and there were less pebbles intermixed.

7. Other Notes and Observations:

Breaking ground is scheduled from Mon through Wed. The crew expect to be done with the project as a whole by either Thursday or Friday. Bio and Arch monitors were present.

8. Photographs



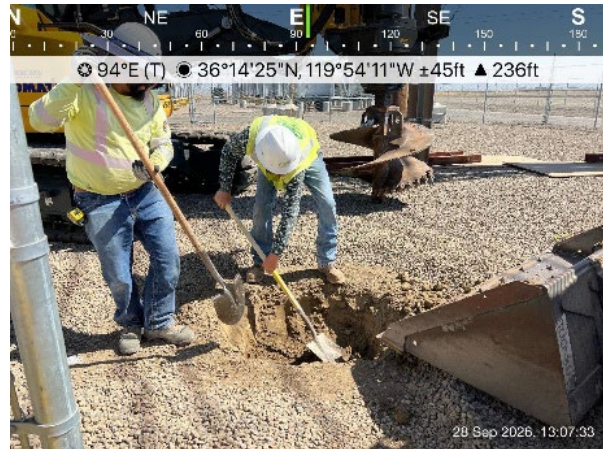
Overview of the project area. Pictured is the augur and power poles that need to be moved forward. The little dozer was used to carry off excavated material.



After manually digging was completed. The second hole looked like this as well. Estwing for scale. Brown clay and gravel is present.



Spoils pile of deeper material with the Estwing for scale. This is the darker, moist clay with no gravel intermixed. Any gravel or pebbles seen are from the makeshift parking lot and base of the project area.



Manually digging to give the augur a guide as it drills. The dozer is holding material to be dumped in spoils piles.



The second hole. Brown clay with gravel can be seen. Estwing for scale.



Monitor: Bailey Foster Date: September 29, 2026
Project Number: 25-18563 Project Name: Henrietta BESS
Work Start Time: 08:00 Work End Time: 16:30 Total Monitoring Hours: 8.5

1. Monitoring Locations:

Monitoring occurred in unincorporated Kings County, near the City of Lemoore, CA. Behind and to the east of the main power plant was the site. It was surrounded by a solar farm and housed multiple rows of batteries.

Work occurred next to the battery complex at power poles connecting from the main plant to the batteries.

2. Construction Activities Monitored:

Crew; Civil Substations. An augur was used to drill to 21.5 feet and 48 inches wide. No manual digging with shovels today.

3. Monitoring Actions:

Visual observations when the augur was scraping the pit walls and bringing up sediment, digging through spoils piles, and dry sifting when possible.

4. Non-Compliance Recommendation?: ☐ YES ☒ NO

5. Paleontological Resources Observed? ☐ YES ☒ NO

6. Geological Observations:

Brown to dark brown clay with minimal gravel and pebbles. At around 20ft, there was a layer of dark brown sandy to clay loam. The clay loam was observed to have black streaks and small gravel (heavily eroded granite?) pebbles.

7. Other Notes and Observations:

8. Photographs



Crew digging the 5 ft hole. The auger is seen in this photo.



Brown clay from a spoils pile. Rock hammer for scale.



The crew prepared the poles to be inserted into the bore holes dug this morning and yesterday.



Dark brown sandy loam found at about 20 ft deep. Rock hammer for scale.



Completing the 2nd bore hole with a scale and north arrow.



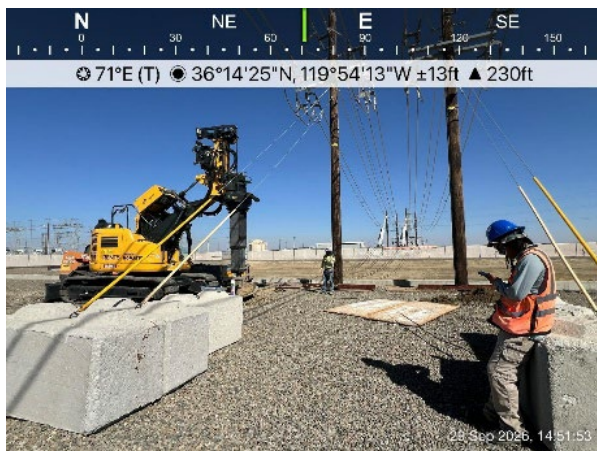
Drilling the 3rd bore hole using the auger. The previous two poles are to the top left of the photo, behind the fence and out of frame.



Clay loam dug up from the 3rd hole. Rock hammer for scale.



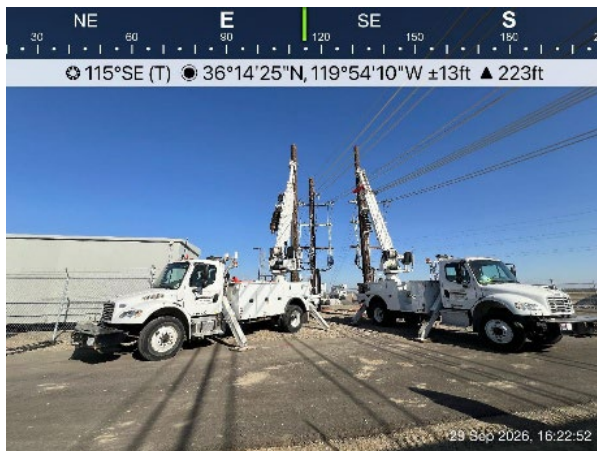
The completion of the 3rd bore hole. Rock hammer and north arrow for scale.



Beginning to drill the 4th and final pole hole using the augur. In the background, you can see two trucks holding up the poles so they're stable in the wet cement.



End of day. The final two bore holes are completed and covered with wood.



End of day. The first two poles are stabilized by trucks.



Monitor: Bailey Foster **Date:** September 30, 2026
Project Number: 25-18563 **Project Name:** Henrietta BESS
Work Start Time: 06:15 **Work End Time:** 10:45 **Total Monitoring Hours:** 4.5

1. Monitoring Locations:

Monitoring occurred in unincorporated Kings County, near the City of Lemoore, CA. Behind and to the east of the main power plant was the site. It was surrounded by a solar farm and housed multiple rows of batteries.

Work occurred next to the battery complex at power poles connecting from the main plant to the batteries.

2. Construction Activities Monitored:

Monitored the Civil Substations crew. An augur was used to drill to 21.5 feet and 48 inches wide. No manual digging with shovels today.

The crew left off on a hole that was 18 feet, so they finished the last few feet.

The spoils were spread using a bulldozer over the parking area and flattened.

A water truck helped with smoothing out the material.

3. Monitoring Actions:

Visual observations when the augur was scraping the pit walls and bringing up sediment, digging through spoils piles, and dry sifting when possible.

4. Non-Compliance Recommendation?: ☐ YES ☒ NO

5. Paleontological Resources Observed? ☐ YES ☒ NO

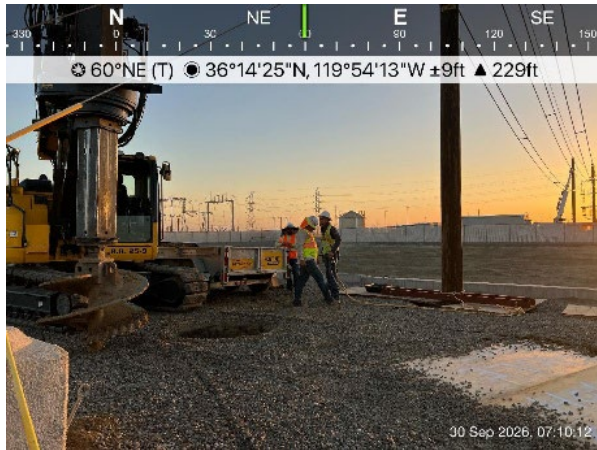
6. Geological Observations:

Brown to dark brown clay at the 18-19 foot mark. Dark brown clay loam to silty clay at 20 feet and deeper. Material was moist and sticky to the touch.

7. Other Notes and Observations:

Today's the last day of digging. The only thing needed was the last few feet on the final hole. The crew will water down and flatten the spoils piles over the parking area, which was not monitored.

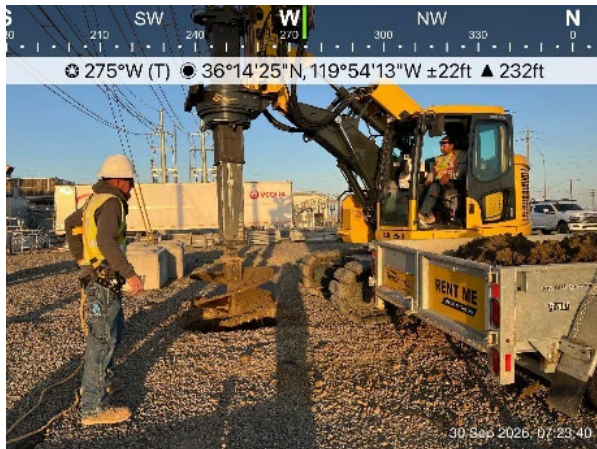
8. Photographs



Start of the day. Finishing up the 21.5 ft hole with the auger. The previously dug poles are to the east.



Dark brown clay loam to silty clay found past 18ft.



End of drilling. Crew was finished using the auger and completed the last 21.5 ft hole.



Spoils pile of the clay loam/silty clay. It was moist and sticky to touch.



Crew began spreading the spoils in the parking area using a bulldozer and water truck.



End of day. Spreading of the spoils is complete.

Appendix C

Henrietta California Energy Commission Compliance Matrix

Henrietta BESS Project
Environmental Construction and Compliance Matrix

Key
Complete
Ongoing
Not Applicable

Short Summary	Activity Description	Full CoC Text	Applicable Y/N (T&S/BESS)	Status																				
Construction Fugitive Dust Mitigation Plan	Preparation of a Construction Fugitive Dust Mitigation Plan, to be submitted to the CPM at least 60 days prior to the commencement of construction.	Prior to breaking ground at the project site, the project owner shall prepare a Construction Fugitive Dust Mitigation Plan that will specifically identify fugitive dust mitigation measures that will be employed for construction activities at the Henrietta Peaker Project site and related facilities. The Construction Fugitive Dust Mitigation Plan shall specifically identify measures to limit fugitive dust emissions from construction of the project site and linear facilities. Measures that shall be addressed include the following: - the identification of the employee parking area(s) and surface of the parking area(s); - the frequency of watering of unpaved roads and disturbed areas; - the application of chemical dust suppressants; - the use of gravel in high traffic areas; - the use of paved access aprons; - the use of sandbags to prevent run off; - the use of posted speed limit signs limiting speed to 10 MPH; - the use of wheel washing areas prior to large trucks leaving the project site; - the methods that will be used to clean tracked-out mud and dirt from the project site onto public roads; - the use of windbreaks at appropriate locations; - the suspension of all earth moving activities under windy conditions; and - the use of on-site monitoring devices. Verification: At least sixty (60) days prior to breaking ground at the project site, the project owner shall provide the California Energy Commission Compliance Project Manager (CPM) with a copy of the Construction Fugitive Dust Mitigation Plan for approval.	Yes, T&S	Submitted to CEC 6/30/23 (CHM 7/10/23)																				
			Yes, BESS	Submitted to CEC 8/7/23 (CHM 8/28/23)																				
Construction Equipment Emission Mitigation	The project shall submit to the CPM for approval the qualifications of the CMM at least 45 days prior to the due date for the Diesel Construction Equipment Mitigation Plan. The project shall submit the Diesel Construction Equipment Mitigation Plan to the CPM for approval 30 calendar days prior to rough grading on the project site. The project shall submit the Report of Change and Mitigation Implementation to the CPM for approval no later than 10 working days following the use of the specific construction equipment on either the project site or the associated linear facilities. The project owner shall submit a Report of Emergency Termination of Mitigation to the CPM for approval, as required, no later than 10 working days following the termination of the identified mitigation measure. The CPM will monitor the approval of all reports submitted by the project owner in consultation with CARB, limiting the review time for any one report to no more than 20 working days.	The project owner shall mitigate, to the extent practical, construction related emission impacts from off-road, diesel-fired construction equipment. Available measures that may be used to mitigate construction impacts include the following: 1. catalyzed diesel particulate filters (CDPF); 2. ultra-low-sulfur diesel fuel, with a sulfur content of 15 ppm or less(ULSD); or 3. diesel engines certified to EPA and CARB 1996 or newer off-road equipment emission standards. Additionally, the project owner shall restrict idle time, to the extent practical, to no more than 10 minutes. The use of each mitigation measure is to be determined in advance by a Construction Mitigation Manager (CMM), who will be available at the project site(s). The CMM must be approved by the CPM prior to the submission of any reports. The CMM shall submit the following reports to the CPM for approval: 1. Construction Mitigation Plan 2. Reports of Change and Mitigation Implementation 3. Reports of Emergency Termination of Mitigation, as necessary Diesel Construction Equipment Mitigation Plan The Construction Mitigation Plan shall be submitted to the CPM for approval prior to rough grading on the project site, and must include the following: 1. A list of all diesel fueled, off-road, stationary or portable construction-related equipment to be used either on the project construction site or the construction sites of the related linear facilities. Equipment used less than a total of 10 consecutive days need not be included in this list. 2. Each piece of construction equipment listed under item (1) must demonstrate compliance with the following mitigation requirements as detailed in CEC Decision. 3. If compliance cannot be demonstrated as specified under item (2), then the project owner may appeal for relief to the CPM. However, the owner must demonstrate that they have made a good faith effort to comply as specified under item (2). Report of Change and Mitigation Implementation Following the initiation of construction activities, and if changes to mitigation measures are necessary, the CMM shall submit a Report of Change and Mitigation Implementation to the CPM for approval. This report must contain at a minimum the cause of any deviation from the Construction Mitigation Plan, and verification of any Construction Mitigation Plan measures that were implemented. The following is acceptable proof of compliance; other methods of proof of compliance must be approved by the CPM. 1. EPA or CARB 1996 off-road equipment emission standards a. A copy of the certificate from EPA or CARB. 2. Purchase and use of ultra-low-sulfur fuel (15 ppm or less). a. Receipt or other documentation indicating type and amount of fuel purchased, from whom, where delivered and on what date; and b. A copy of the text included in the contract agreement with all contractors and sub-contractors for use of the ultra-low-sulfur fuel in diesel burning construction equipment as identified in the Construction Mitigation Plan. 3. Installation of CDPF a. The suitability of the use of CDPFs is to be determined by a qualified mechanic or engineer who must submit a report to the CPM for approval. b. Installation is to be verified by a qualified mechanic or engineer. 4. Construction equipment engine idle time a. A copy of the text included in the contract agreement with all contractors and sub-contractors to keep engine idle time to 10 minutes or less to the extent practical. Report of Emergency Termination of Mitigation If a specific mitigation measure is determined to be detrimental to a piece of construction equipment or is determined to be causing significant delays in the construction schedule of the project or the associated linear facilities, the mitigation measure may be terminated immediately. However, notification containing an explanation for the cause of the termination must be sent to the CPM for approval. All such causes are restricted to one of the following justifications and must be identified in any Report of Emergency Termination of Mitigation. 1. The measure is excessively reducing normal availability of the construction equipment due to increased downtime for maintenance, and/or power output due to an excessive increase in back pressure. 2. The measure is causing or is reasonably expected to cause significant engine damage. 3. The measure is causing or is reasonably expected to cause a significant risk to nearby workers or the public. 3. Any other seriously detrimental cause which has approval by the CPM prior to the change being implemented. Verification: The project owner shall submit to the CPM for approval the qualifications of the CMM at least forty five (45) days prior to the due date for the Diesel Construction Equipment Mitigation Plan. The project owner shall submit the Diesel Construction Equipment Mitigation Plan to the CPM for approval 30 calendar days prior to rough grading on the project site or start of construction on any associated linear facilities. The project owner shall submit the Report of Change and Mitigation Implementation to the CPM for approval no later than 10 working days following the use of the specific construction equipment on either the project site or the associated linear facilities. The project owner shall submit a Report of Emergency Termination of Mitigation to the CPM for approval, as required, no later than 10 working days following the termination of the identified mitigation measure. The CPM will monitor the approval of all reports submitted by the project owner in consultation with CARB, limiting the review time for any one report to no more than 20 working days.	Yes, T&S	CMM info sent 7/10/23 & 8/28/23 Emissions Memo sent 7/28/23, T&S Diesel Equipment list submitted 9/11/23																				
Air District Emission Offset Requirements	Air emissions offsets for HPP	The project owner shall surrender to the District emission offsets in the following amounts, in addition to those listed in AQ-2 , to fully mitigate project emissions of all non-attainment pollutants and their precursors: Required Offsets (lbs/quarter) <table border="1"> <thead> <tr> <th>Pollutant</th> <th>1st Quarter</th> <th>2nd Quarter</th> <th>3rd Quarter</th> <th>4th Quarter</th> </tr> </thead> <tbody> <tr> <td>PM10</td> <td>7,300</td> <td>7,300</td> <td>7,300</td> <td>7,300</td> </tr> <tr> <td>VOC</td> <td>1,388</td> <td>1,456</td> <td>1,456</td> <td>1,388</td> </tr> <tr> <td>SO2</td> <td>1,320</td> <td>1,320</td> <td>1,320</td> <td>1,320</td> </tr> </tbody> </table> This condition serves to augment the offset requirements listed in District Condition AQ-2, by adding the additional CEQA mitigation proposed by the Applicant for PM10, VOC and SO2. Verification: At least five (5) days prior to commencing construction, the project owner shall provide to the CPM a copy of the documentation from the District proving that the required emission reduction credits have been surrendered.	Pollutant	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	PM10	7,300	7,300	7,300	7,300	VOC	1,388	1,456	1,456	1,388	SO2	1,320	1,320	1,320	1,320	No	
Pollutant	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter																				
PM10	7,300	7,300	7,300	7,300																				
VOC	1,388	1,456	1,456	1,388																				
SO2	1,320	1,320	1,320	1,320																				
These CoCs assumed to not be applicable to BESS project as they're noted to apply per turbine unit unless otherwise identified.																								
Appointment of the Designated Biologist	Project shall submit the required information about the Designated Biologist at least 30 days prior to mobilization for site activities.	Site mobilization and/or ancillary facilities preparation (described as any ground disturbing activity other than allowed geotechnical work) shall not begin until an Energy Commission Compliance Project Manager (CPM) approved Designated Biologist is available to be on-site. The Designated Biologist must meet the following minimum qualifications: 1. a Bachelor's Degree in biological sciences, zoology, botany, ecology, or a closely related field; 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; 3. at least one year of field experience with biological resources found in or near the project area; and 4. an ability to demonstrate to the satisfaction of the CPM the appropriate education and experience for the biological resources tasks that must be addressed during project construction and operation. If the CPM determines the proposed Designated Biologist to be unacceptable, the project owner shall submit another individual's name and qualifications for consideration. If the approved Designated Biologist needs to be replaced, the project owner shall obtain approval of a new Designated Biologist by submitting to the CPM the name, qualifications, address, and telephone number of the proposed replacement. No habitat disturbance will be allowed in any designated sensitive areas until the CPM approves a new Designated Biologist and the new Designated Biologist is on-site. Verification: At least thirty (30) days prior to the start of site mobilization activities, or an alternative timeframe agreed upon with the CPM, the project owner shall submit to the CPM for approval the name, qualifications, address, and telephone number of the individual selected by the project owner as the Designated Biologist. If a Designated Biologist is replaced, the information on the proposed replacement as specified in the Condition must be submitted in writing at least ten working days prior to the termination or release of the preceding Designated Biologist.	Yes	Submitted to CEC 6/19/23 CPM approval 7/21/23																				

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Designated Biologist Duties	The Designated Biologist shall monitor site and document/report as required to avoid sensitive bio resources, special status species, and wetlands.	The CPM approved Designated Biologist shall perform the following during project site mobilization construction and operation: 1. Advise the project owner's Construction Manager, supervising construction and operations engineer on the implementation of the biological resources Conditions of Certification; 2. Supervise or conduct mitigation, monitoring, and other biological resources compliance efforts, particularly in areas requiring avoidance or containing sensitive biological resources, such as wetlands and special status species; and 3. Notify the project owner and the CPM of any non-compliance with any biological resources Condition of Certification. <u>Verification:</u> During project site mobilization and construction, the Designated Biologist shall maintain written records of the tasks described above, and summaries of these records shall be submitted along with the Monthly Compliance Reports to the CPM. During project operation, the Designated Biologist shall submit record summaries in the Annual Compliance Report.	Yes	Ongoing, Biological Monthly Compliance Monitoring Summaries provided in MCRs
Designated Biologist Authority	The project owner's Construction Manager shall halt, if necessary, all construction activities in areas specifically identified by the Designated Biologist as sensitive to assure that potential significant biological resource impacts are avoided. The Designated Biologist shall inform the project owner and the Construction Manager when to resume construction, and advise the CPM if any corrective actions are needed or have to be instituted.	The project owner's Construction Manager shall act on the advice of the Designated Biologist to ensure conformance with the Biological Resources Conditions of Certification. Protocol: The project owner's Construction Manager shall halt, if necessary, all construction activities in areas specifically identified by the Designated Biologist as sensitive to assure that potential significant biological resource impacts are avoided. The Designated Biologist shall: 1. Inform the project owner and the Construction Manager when to resume construction, and 2. Advise the Energy Commission CPM if any corrective actions are needed or have to be instituted. <u>Verification:</u> Within twenty four (24) hours of a Designated Biologist notification of non-compliance with a Biological Resources Condition of Certification or a halt of construction, the project owner shall notify the CPM by telephone of the circumstances and actions being taken to resolve the problem or the non-compliance with a condition. For any necessary corrective action taken by the project owner, a determination of success or failure will be made by the CPM within five (5) 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.	Yes	Ongoing, Active Nest Management Plans provided in MCRs, as applicable
Worker Environmental Awareness Program	The Designated Biologist will develop a WEAP reviewing onsite and nearby biological resources to be given to all employees working on site on or before their first day of work. The contractor shall track WEAP attendance and submit to the CMP in the monthly Compliance Report as well as keep records of WEAP-trained individuals for at least 6 months. Copies of the WEAP shall be provided to the CPM for review at least 30 days prior to the start of site activities/mobilization.	The project owner shall develop and implement a CPM-approved Worker Environmental Awareness Program in which each of its employees, as well as employees of contractors and subcontractors who work on the project site or related facilities (including the access road, laydown area, transmission lines, water and gas lines) during project mobilization construction and operation , are informed about sensitive biological resources associated with the project. The Worker Environmental Awareness Program must: 1. be developed by the Designated Biologist and consist of an on-site or training center presentation in which supporting written material is made available to all participants; 2. discuss the locations and types of sensitive biological resources on the project site and adjacent areas; 3. present the reasons for protecting these resources; 4. present the meaning of various temporary and permanent habitat protection measures; and 5. identify whom to contact if there are further comments and questions about the material discussed in the program. The specific program can be administered by a competent individual(s) acceptable to the Designated Biologist. Each participant in the on-site Worker Environmental Awareness Program shall sign a statement declaring that the individual understands and shall abide by the guidelines set forth in the program materials. The person administering the program shall also sign each statement. New workers shall receive environmental awareness training on or before their first day of work. <u>Verification:</u> At least thirty (30) days prior to the start of site mobilization, or an alternative timeframe agreed upon with the CPM, the project owner shall provide two (2) copies of the Worker Environmental Awareness Program and all supporting written materials prepared by the Designated Biologist and the name and qualifications of the person(s) administering the program to the CPM for approval. The project owner shall state 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. The signed statements for the construction phase shall be kept on file by the project owner and made available for examination by the CPM for a period of at least six (6) months after the start of commercial operation. During project operation, signed statements for active project operational personnel shall be kept on file for six (6) months, following the termination of an individual's employment.	Yes	Complete: T&S WEAP provided to CPM 7/28/23 and provided in MCR-1, BESS construction WEAP training was included in MCR-3 Ongoing: Cumulative WEAP Training Tracker provided in MCRs
Compensatory Habitat	Buy habitat mitigation credits for HPP	Prior to the start of any site mobilization activities, the project owner shall acquire 10 credits from the Kern Water Bank Habitat Conservation Plan (KWBHCP) to satisfy the requirements for Federal and State Incidental Take Permits (issued by the US Fish & Wildlife Service and California Department of Fish & Game, respectively). <u>Verification:</u> At least twenty (20) days prior to the start of site mobilization activities, the project owner shall submit to the CPM documentation (letter, receipt, and a copy of the check) that it has secured 10 acres of mitigation credits through the KWBHCP. Verification of the purchase of 10 compensatory credits from the KWBHCP will satisfy the need for acquiring a Federal or California-State Incidental Take Permit. A summary of the KWBHCP's terms and conditions will be incorporated into the BRMIMP.	No	

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Biological Resources Mitigation Implementation and Monitoring Plan	The project's BRMIMP shall be submitted to the CPM for review at least 30 days prior to the start of site activities/mobilization. The CPM will determine acceptability of the BRMIMP within 45 days of receipt. Within 30 days of construction completion, the project shall provide a written report summarizing BRMIMP-related actions during construction and identifying any outstanding items.	The project owner shall submit to the CPM for review and approval a copy of the final Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP) and shall implement the measures identified in the plan. Any changes to the adopted BRMIMP shall be made in consultation with Energy Commission staff, CDFG and the USFWS. The final BRMIMP shall identify: 1. All biological resources mitigation, monitoring, and compliance measures recommended by the Applicant referred to, as well as those contained in, Condition of Certification BIO-7 (and other mitigation requirements); 2. All permits the Applicant expects to obtain; 3. The responsibilities of the parties involved; 4. The proposed lines of communication; 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. The required habitat compensation strategy, including provisions for acquisition, enhancement, and management for any temporary and permanent loss of sensitive biological resources; 8. All measures that will be taken to avoid or mitigate temporary disturbances from construction activities; 9. All locations, on a map of suitable scale, of laydown areas and areas requiring temporary protection and avoidance during construction; 10. Aerial photographs of all areas to be disturbed during project construction activities - one set prior to site disturbance and one set subsequent to completion of mitigation measures. Includes planned timing of aerial photography and a description of why times were chosen; 11. The duration for each type of monitoring and a description of monitoring methodologies and frequency; 12. Performance standards to be used to help decide if/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. Biological resources related facility closure measures; and 15. A process for proposing plan modifications to the CPM and appropriate agencies for review and approval. Verification: At least thirty (30) days prior to start of any project site mobilization activities, or an alternative timeframe agreed upon by the CPM, the project owner shall provide the CPM with two (2) copies of the draft final version of the BRMIMP for this project, and the CPM will determine the plan's acceptability within forty-five (45) days of receipt. The project owner shall notify the CPM no less than five (5) working days before implementing any modifications to the BRMIMP to obtain CPM approval. Within thirty (30) days after completion of project construction, the project owner shall provide to the CPM, for review and approval, a written report identifying which items of the BRMIMP have been completed, a summary of all modifications to mitigation measures made during the project's construction phase, and which mitigation and monitoring plan items are still outstanding.	Yes Submitted to CEC 7/26/23. Approved by CEC 8/15/23 Completion of project Construction Report: Pending
Specific Mitigation Measures	All mitigation measures in BIO-7 shall be included in the BRMIMP.	The project owner shall implement the mitigation measures identified below and incorporate them into the final BRMIMP (BIO-6). Protocol: The project owner shall: 1. site transmission line poles, access roads, pulling sites, and storage and parking areas to avoid sensitive resources whenever possible; 2. design and construct transmission lines and poles to reduce the likelihood of electrocutions of large birds; 3. implement a Worker Environmental Awareness Program; 4. clearly mark construction area boundaries with stakes, flagging, and/or rope or cord to minimize inadvertent degradation or loss of adjacent habitat during facility construction/modernization. All equipment storage will be restricted to designated construction zones or areas that are currently not considered sensitive species habitat; 5. provide a Designated Biologist to monitor all activities that may result in incidental take of listed species or their habitat. Specifically, the designated monitor shall be present during all activities that occur outside the fenced power plant site; 6. fence and provide wildlife escape ramps for construction areas that contain steep-walled holes or trenches. Fence shall be constructed of hardware cloth or similar materials that are approved by USFWS and CDFG; 7. fence the power plant site and keep all gates closed at night to avoid kit fox movement into the site; 8. inspect the natural gas line trenches each morning for entrapped animals prior to further pipeline construction. Daily construction will be allowed to begin only after trapped animals are able to escape voluntarily; 9. during the natural gas pipeline construction period, inspect all pipes, culverts, or similar structures with a diameter of 4-inches or greater for sensitive species (such as kit fox) prior to pipe burial. Pipes to be left in trenches overnight shall be capped; 10. provide a post-construction compliance report, within forty-five (45) calendar days of completion of the project, to the CPM; 11. make certain that all food-related trash is disposed of in closed containers and removed at least once a week. Feeding of wildlife shall be prohibited; 12. report all inadvertent deaths of sensitive species to the appropriate project representative. Injured animals shall be reported to the USFWS and CDFG, and the project owner shall follow instructions that are provided by USFWS and CDFG; and 13. in the event that sensitive species are observed within the active construction area, the designated biologist shall immediately cease all construction near the sighting location and inform the CPM and the appropriate resource agencies (USFWS and CDFG). Verification: All mitigation measures and their implementation methods shall be included in the BRMIMP (BIO-6). Two (2) copies of the CPM approved BRMIMP must be provided to the CPM five (5) days prior to site mobilization.	Yes --
Swainson's Hawk Impact, Avoidance, Minimization, and Mitigation Measures	Pre-construction Swainson's hawk surveys shall be conducted within 30 days of commencement of staging or ground disturbance. At least 10 days of the commencement of staging or ground disturbance, the project shall submit a report summarizing studies, results, and necessary future avoidance measures/actions.	Pre-construction Swainson's hawk surveys shall be conducted within 30 days of February 15 through September 1, if construction activities occur during this time. The Designated Biologist shall perform pre-construction surveys in accordance with the following guidelines: 1) Surveys shall be conducted according to the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000). 2) Project site mobilization and construction activities shall begin, after a pre-construction Swainson's hawk nesting survey within ½ mile, in accordance with the following: a) If the pre-construction survey determines there are no nesting Swainson's hawk pair and the Compliance Project Manager (CPM) and California Department of Fish and Wildlife (CDFW) concur, site mobilization and construction activities are allowed to commence. b) If a Swainson's hawk pair is nesting within ½ mile, site mobilization and construction activities must wait to begin until the non-nesting season of September 2 through February 14. c) If construction begins during the Swainson's hawk non-nesting season (September 2 through February 14) and an active nest is found within ½ mile of the project disturbance area during the nesting season (February 15 – September 1), then a qualified biologist experienced with raptor behavior shall be retained by the project owner to monitor the nest and shall along with the project owner consult with CPM and CDFW to determine the best course of action necessary to avoid nest abandonment or take of individuals. Work may be allowed to proceed if raptors are not exhibiting agitated behavior such as defensive flights at intruders, getting up from a brooding position, or flying off the nest. The Designated Biologist approved for raptor monitoring shall be on-site daily (from February 15 – September 1) while construction related activities are taking place. In consultation with the CPM and CDFW and depending on the behavior of the raptors, over time it may be determined that the on-site biologist may no longer be necessary due to the raptors' acclimation to construction related activities. Verification: The project owner shall submit a report to the CPM and CDFW no less than 10 days prior to the start of any ground disturbing activities or construction equipment staging, that describes when Swainson's hawk surveys were completed, identification and qualifications of the biologist conducting the surveys, observations, and, if required, updates to the BRMIMP based upon findings. If project-related work is required within a Swainson's hawk nest buffer, the project owner shall submit the name and qualification of the proposed biologist to the CPM for approval no less than 30 days prior to disturbance within ½ mile of an active nest. The designated biologist shall contact the CPM and CDFW within 2 days of a work stoppage due to disturbance to the nesting Swainson's hawks. No less than 30 days after completion of construction within ½ mile of an active nest, the project owner shall provide to the CPM a written construction termination report identifying the results of monitoring during disturbance within the nest buffer.	Yes, T&S Submitted to CDFW and CEC 8/18/23
Compensatory Habitat Mitigation for San Joaquin Kit Fox	At least 30 days prior to the start of site mobilization activities, the project owner shall submit to the CPM documentation (letter, receipt, and a copy of the check) that it has secured at least 13 acres of mitigation credits through the KWBHCP. Within 30 days following start of site mobilization, the project owner shall submit to the CPM a revised BRMIMP that includes a summary of the KWBHCP's terms and conditions.	Prior to the start of any site mobilization or construction activities, the project owner shall acquire at least 13 acres of conservation credits from the Kern Water Bank in accordance with the Kern Water Bank Habitat Conservation Plan. Verification: At least 30 days prior to the start of site mobilization activities, the project owner shall submit to the CPM documentation (letter, receipt, and a copy of the check) that it has secured at least 13 acres of mitigation credits through the KWBHCP. Within 30 days following start of site mobilization, the project owner shall submit to the CPM a revised BRMIMP that includes a summary of the KWBHCP's terms and conditions.	N/A, BESS n/a- work commencing outside of reporting window.
			Yes Proof of purchase provided to CEC 7/21/23

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Designated Cultural Resource Specialist	CRS qualifications shall be submitted at least 45 days prior to start of ground disturbance. CRS shall provide qualifications of the Cultural Resources Monitors at least 20 days prior to ground disturbance activities. At least 10 days prior to start of ground disturbance, the project shall confirm in writing that approved CRS is available for onsite work and prepared to implement CR conditions.	Prior to the start of ground disturbance, the project owner shall provide the California Energy Commission Compliance Project Manager (CPM) with the name and resume of its Cultural Resources Specialist (CRS), and one alternate CRS, if an alternate is proposed, who will be responsible for implementing all cultural resources conditions of certification. (1) The resume for the CRS and alternate, if an alternate is proposed, shall include information that demonstrates that the CRS meets the minimum qualifications specified in the U.S. Secretary of Interior Guidelines, as published in the Code of Federal Regulations, 36 CFR Part 61. The technical specialty of the CRS shall be appropriate to the needs of this project and shall include a background in anthropology, archaeology, history, architectural history or a related field The background of the CRS shall include at least three years of archaeological or historic, as appropriate, resource mitigation and field experience in California; (2) The CRS may obtain qualified cultural resource monitors to monitor as necessary on the project. Cultural resource monitors shall meet the following qualifications: A BS or BA degree in anthropology, archaeology, historic archaeology or a related field and one year experience monitoring in California; or An AS or AA in anthropology, archaeology, historic archaeology or a related field and four years' experience monitoring in California; or Enrollment in upper division classes pursuing a degree in the fields of anthropology, archaeology, historic archaeology or a related field and two years of monitoring experience in California. (3) The project owner shall ensure that the CRS completes any monitoring, mitigation and curation activities necessary to this project and fulfills all the requirements of these conditions of certification. The project owner shall also ensure that the CRS obtains additional technical specialists, or additional monitors, if needed, for this project. The project owner shall also ensure that the CRS evaluates any cultural resources that are newly discovered or that may be affected in an anticipated manner for eligibility to the California Register of Historic Resources (CRHR). Moreover, the project owner shall ensure that all archaeological technical reports are submitted in Archaeological Resource Management Report (ARRM) format as recommended by the California Office of Historic Preservation (OHP). Verification: (1) At least forty-five (45) days prior to the start of ground disturbance, the project owner shall submit the name and statement of qualifications of its CRS and alternate CRS, if an alternate is proposed, to the CPM for review and approval. At least ten (10) days prior to the termination or release of the CRS, the project owner shall submit the resume of the proposed new CRS to the CPM for review and approval. (2) At least twenty (20) days prior to ground disturbance, the CRS shall provide a letter naming anticipated monitors for the project and stating that the identified monitors meet the minimum qualifications for cultural resource monitoring required by this condition. If additional monitors are obtained during the project, the CRS shall provide additional letters to the CPM, identifying the monitor and attesting to the monitor's qualifications. The letter shall be provided one week prior to the monitor beginning on-site duties. At least ten (10) days, prior to the start of ground disturbance, 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 of certification.	Yes	CRS Submitted to CEC 6/19/ CPM approval 7/21/23, CPM provided 8/18/23, certification provided 8/18/23, T&S Reduction approved 9/12/23.
Project Maps Showing Ground Disturbance	At least 40 days prior to the start of ground disturbance, the project shall provide the CRS and the CPM with project maps, drawings, and proposed schedule/phases of the ground disturbance. At least 30 days prior to the start of ground disturbance on each phase of the project, following initial ground disturbance, copies of maps and drawings reflecting additional phases of the project, shall be provided to the CPM for review and approval. A copy of the current schedule of anticipated project activity and a copy of current maps shall be submitted in each MCR.	(1) Prior to the start of ground disturbance, the project owner shall 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 individual artifacts. If the CRS requests enlargements or strip maps for linear facility routes, the project owner shall provide them with copies to the CPM. If the footprint of the power plant or linear facilities changes, the project owner shall provide maps and drawings reflecting these changes, to the CRS and the CPM. Maps shall identify all areas of the project where ground disturbance is anticipated. (2) If construction of this project will proceed in phases, maps and drawings may be submitted in phases. A letter identifying the proposed schedule of each project phase shall be provided to the CPM. Prior to implementation of additional phases of the project, current maps and drawings shall be submitted to the CPM. (3) At a minimum, the CRS shall consult weekly with the project superintendent or construction field manager, until ground disturbance is completed, to confirm area(s) to be worked during the next week. A current schedule of anticipated project activity shall be provided to the CRS on a weekly basis during ground disturbance and provided to the CPM in each Monthly Compliance Report (MCR). Verification: (1) At least forty (40) days prior to the start of ground disturbance, the project owner shall provide the designated cultural resources specialist and the CPM with the maps and drawings. (2) If this is to be a phased project, a letter identifying the proposed schedule of the ground disturbance or construction phases of the project shall also be submitted. (3) If at least thirty (30) days prior to the start of ground disturbance on each phase of the project, following initial ground disturbance, copies of maps and drawings reflecting additional phases of the project, shall be provided to the CPM for review and approval. (4) If there are changes to the scheduling of the construction phases of the project, a letter shall be submitted to the CPM within five (5) days of identifying the changes. A copy of the current schedule of anticipated project activity and a copy of current maps shall be submitted in each MCR.	Yes	(1) Complete - Site Plan Sent to CRS 10/30 (2-4) Ongoing - Schedules, plans and all project updates provided to CRS and CPM in weekly and Monthly Cultural Compliance Reports
Cultural Resources Monitoring and Mitigation Plan	Prepare and submit the CRMP to the CPM at least 30 days prior to the start of ground disturbance for review and approval. At least 30 days prior to the start of ground disturbance, the Project shall submit a letter to the CPM agreeing to pay any curation fees generated from archaeological investigation materials collected during construction. Within 90 days of completion of ground disturbance, if cultural materials are collected requiring curation, a copy of the agreement with the curation facility shall be provided to the CPM.	Prior to the start of ground disturbance the designated cultural resources specialist shall prepare, and the project owner shall submit to the CPM for review and approval, a Cultural Resources Monitoring and Mitigation Plan (CRMP), identifying specific measures to minimize potential impacts to sensitive cultural resources. Approval of the CRMP, by the CPM, shall occur prior to any ground disturbance. Protocol: The Cultural Resources Monitoring and Mitigation Plan shall include, but not be limited to, the following elements and measures. a.A discussion of the inclusion of Native American observers or monitors, the procedures to be used to select them, and their role and responsibilities. Native American monitors/consultants shall be provided an opportunity to provide comments regarding the choice of the curation facility. b.A discussion of the location(s) where monitoring of project construction activities is deemed necessary. Monitoring shall be conducted full time, during ground disturbance that exceeds the level of previous disturbance at the project site and in the vicinity of the Awanal Road Cutoff. c.A discussion of the requirement that, if there is an unanticipated discovery, all cultural resources encountered will be recorded on a DPR form 523 and mapped (may include photos). d.A discussion that all archaeological materials collected as a result of the archaeological investigations shall be curated in accordance with The State Historical Resources Commission's "Guidelines for the Curation of Archaeological Collections," into a retrievable storage collection in a public repository or museum. The public repository or museum must meet the standards and requirements for the curation of cultural resources set forth at Title 36 of the Code of Federal Regulations, Section 79. If there is an unanticipated discovery and materials are collected, an addendum to the CRMP shall be provided that discusses any requirements, specifications, or funding needed for curation of the materials to be delivered for curation and how requirements, specifications and funding will be met. The name and phone number of the contact person at the institution shall also be included. In addition, information shall be included indicating that the project owner will pay all curation fees and that any agreements concerning curation will be retained and available for audit for the life of the project. e.A discussion of the proposed Cultural Resource Report (CRR) which shall be prepared according to ARMR Guidelines. The CRR shall include all cultural resource information obtained as a result of this project. All survey reports, monitoring records and additional research reports not previously submitted to the CHRIS shall be included as an appendix to the CRR. Comments provided by Native American monitors/consultants regarding newly discovered Native American artifacts shall be included in this report. This report shall be submitted to the CPM after the conclusion of ground disturbance (including landscaping). This report shall be considered final upon approval by the CPM. Verification: At least thirty (30) days prior to the start of ground disturbance, the project owner shall provide the Cultural Resources Monitoring and Mitigation Plan, prepared by the designated cultural resource specialist, to the CPM for review and written approval. At least thirty (30) days prior to ground disturbance the project owner shall submit a letter to the CPM indicating that they will pay any curation fees for curation of any collected archaeological artifacts. The CRR shall be submitted to the CPM within ninety (90) days after completion of ground disturbance (including landscaping) for review and approval. Within ten (10) days after CPM approval, the project owner shall provide documentation to the CPM that copies of the CRR have been provided to the curating institution (if archaeological materials were collected), the SHPO and the CHRIS.	Yes	Submitted to CEC 7/12/23, approved by CEC 8/22/23
Cultural Resource Awareness Training	A Cultural Resources WEAP shall be provided weekly for all new employees during periods of ground disturbance. An information brochure will also be prepared and distributed to all employees. Worker acknowledgement forms shall be included in the Monthly Compliance Report for all WEAP-trained employees.	Worker Environmental Awareness Training for all new employees shall be conducted on a weekly basis, prior to and during periods of ground disturbance. Concerns of representative of the Santa Rosa Rancheria regarding treatment of Native American artifacts and burials shall be incorporated into the training program. The training may be presented in the form of a video. The training shall include a discussion of applicable laws and penalties under the law. Training shall also include samples or visuals of artifacts that might be found in the project vicinity and the information that the CRS, alternate CRS or monitor has the authority to halt construction in the event of a discovery or unanticipated impact to a cultural resource. The training shall also instruct employees to halt or redirect work in the vicinity of a find and to contact their supervisor and the CRS or monitor. An informational brochure shall be provided that identifies reporting procedures in the event of a discovery. Workers shall sign an acknowledgement form that they have received training and a sticker shall be placed on hard hats indicating that environmental training has been completed. Verification: Copies of signed acknowledgement forms shall be provided in the MCR.	Yes	Complete: T&S WEAP provided to CPM 7/28/23 and provided in MCR-1, BESS construction WEAP training was included in MCR-3 Ongoing: Cumulative WEAP Training Tracker provided in MCRs

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Cultural Resource Specialist Authority	This CoC details the powers of the CRS. At least 30 days prior to ground disturbance, the project shall provide a letter to the CPM and the CRS confirming the CRS and Cultural Resource Monitors have the authority to halt ground disturbance in the vicinity of a cultural resource discovered. Discoveries shall be reported to the CPM within 24 hours of discovery.	The CRS, alternate CRS and the Cultural Resources Monitor(s) shall have the authority to halt or redirect construction if previously unknown cultural resource sites or materials are encountered or if known resources may be impacted in a previously unanticipated manner. If such resources are found, the halting or redirection of construction shall remain in effect until all of the following have occurred: the CRS has notified the CPM and the project owner of the find and the work stoppage; the CRS, the project owner, and the CPM have conferred and determined what, if any, data recovery or other mitigation is needed; and any necessary data recovery and mitigation has been completed. If data recovery or other mitigation measures are required, the CRS and/or the alternate CRS and cultural resource monitor(s), including Native American monitor(s), shall monitor these data recovery and mitigation measures, as needed. For any cultural resource encountered, the project owner shall notify the CPM within 24 hours after the find. All required data recovery and mitigation shall be completed expeditiously unless all parties agree to additional time. Verification: At least thirty (30) days prior to the start of ground disturbance, the project owner shall provide the CPM with a letter confirming that the CRS, alternate CRS and cultural resources monitor(s) have the authority to halt construction activities in the vicinity of a cultural resource find and stating that the CRS will notify the CPM and project owner within 24 hours after a find.	Yes	Certification provided 8/22/23
Cultural Resource Specialist Duties	CRS or monitor shall be onsite for any ground disturbance that exceeds previously disturbed soil, but is not required to monitor other activities that do not warrant monitoring. Native American Monitors shall be retained to monitor activities in areas where Native American artifacts may be encountered. Daily monitoring reports shall be completed by monitors. The CRS shall send a weekly summary report reporting on monitoring, and resources discovery, or lack thereof. Each Monthly Compliance Report shall include a weekly summary reports. CoC outlines process for how to respond if resources are discovered and should be referenced if needed.	(1) The CRS, alternate CRS, or monitors shall monitor ground disturbance full time in the vicinity of the project site where project ground disturbance exceeds previously disturbed soil. Cultural resources monitoring shall also occur full time on the gas pipeline in the vicinity of the Avenal Cutoff Road. Additional monitoring shall occur at the discretion of the CRS. In the event that the CRS determines that full-time monitoring is not necessary in certain locations, a letter providing a detailed justification for that decision to reduce the level of monitoring shall be provided to the CPM for review and approval. (2) Monitors shall keep a daily log of any monitoring or cultural resource activities and the CRS shall prepare a weekly summary report on the progress or status of cultural resources-related activities. The CRS may informally discuss cultural resources monitoring and mitigation activities with Energy Commission technical staff. (3) The CRS shall notify the project owner and the CPM, by telephone, of any incidents of non-compliance with any cultural resources conditions of certification within 24 hours of becoming aware of the situation. The CRS shall also recommend corrective action to resolve the problem or achieve compliance with the conditions of certification. (4) Native American monitor shall be obtained to monitor ground disturbance in areas where Native American artifacts may be 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 will be monitored. Native American monitors shall also be given an opportunity to comment on any discovered Native American artifacts. These comments shall be included in the CRS required in CUL-3. Verification: (1) During the ground disturbance phases of the project, if the CRS wishes to reduce the level of monitoring occurring at the project, a letter identifying the area(s) where the CRS recommends the reduction and justifying the reductions in monitoring shall be submitted to the CPM for review and approval. (2) During the ground disturbance phases of the project, the project owner shall include in the MCR to the CPM copies of the weekly summary reports prepared by the CRS regarding project-related cultural resources monitoring. Copies of daily logs shall be retained and made available for audit by the CPM as needed. (3) Within 24 hours of recognition of a non-compliance issue, the CRS shall notify the CPM by telephone of the problem and of steps being taken to resolve the problem. The telephone call shall be followed by an e-mail or fax detailing the non-compliance issue and the measures necessary to achieve resolution of the issue. Daily logs shall include forms detailing any instances of non-compliance with conditions of certification. In the event of a non-compliance issue, a report written no sooner than two weeks after resolution of the issue that describes the issue, resolution of the issue and the effectiveness of the resolution measures, shall be provided in the next MCR. (4) One week prior to ground disturbance in areas where there is a potential to discover Native American artifacts, the project owner shall send notification to the CPM identifying the person(s) retained to conduct Native American monitoring. If efforts to obtain the services of a qualified Native American monitor are unsuccessful, the project owner shall immediately inform the CPM who will initiate a resolution process.	Yes	(1) Ongoing/Not Applicable: Level of monitoring is consistent with Cultural Resources Monitoring and Mitigation Plan (2) Ongoing: Weekly summary reports provided to CPM and in MCRs (3) Ongoing: Non-compliance events provided in MCRs as applicable (4) Complete: Provided information on Native American monitors to CPM on 10/27/2023
Designated Paleontological Resources Specialist	Paleontological Resource Specialist qualifications shall be submitted at least 60 days prior to start of construction. The CPM shall provide confirmation of approval of the Paleontological Resource Specialist.	Prior to the start of any project-related construction activities (defined as any construction-related vegetation clearance, ground disturbance and preparation, and site excavation activities), the project owner shall ensure that the designated paleontological resource specialist approved by the CPM is available for field activities and prepared to implement the conditions of certification. The designated paleontological resources specialist shall be responsible for implementing all the paleontological conditions of certification and for using qualified personnel to assist in this work. Protocol: The project owner shall provide the CPM with the name and statement of qualifications for the designated paleontological resource specialist. The statement of qualifications for the designated paleontological resources specialist shall demonstrate that the specialist meets the following minimum qualifications: a degree in paleontology or geology or paleontological resource management and at least three years of paleontological resource mitigation and field experience in California, including at least one year's experience leading paleontological resource mitigation and field activities. The statement of qualifications shall include a list of specific projects the specialist has previously worked on; the role and responsibilities of the specialist for each project listed; and the names and phone numbers of contacts familiar with the specialist's work on these referenced projects. If the CPM determines that the qualifications of the proposed paleontological resource specialist do not satisfy the above requirements, the project owner shall submit another individual's name and qualifications for consideration. If the approved, designated paleontological resource specialist is replaced prior to completion of project mitigation, the project owner shall obtain CPM approval of the new designated paleontological resource specialist by submitting the name and qualifications of the proposed replacement to the CPM, at least ten (10) days prior to the termination or release of the preceding designated paleontological resource specialist. Should emergency replacement of the designated specialist become necessary, the project owner shall immediately notify the CPM to discuss the qualifications of its proposed replacement specialist. Verification: At least sixty (60) days prior to the start of construction (or a lesser number of days mutually agreed to by the project owner and the CPM), the project owner shall submit the name, statement of qualifications, and the availability for its designated paleontological resource specialist, to the CPM for review and approval. The CPM shall approve or disapprove of the proposed paleontological resource specialist. At least ten (10) days prior to the termination or release of a designated paleontological resource specialist, the project owner shall obtain CPM approval of the replacement specialist by submitting to the CPM the name and resume of the proposed new designated paleontological resource specialist. Should emergency replacement of the designated specialist become necessary, the project owner shall immediately notify the CPM to discuss the qualifications of its proposed replacement specialist.	Yes	Submitted to CEC 6/7/23, CPM approval 7/21/23; Submitted to CEC 5/28/24, Approved 5/29/24 Termination or release letter: Ongoing

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Paleontological Resources Monitoring & Mitigation Plan	At least 45 days prior to the start of construction, the project owner shall provide the CPM with a copy of the Paleontological Resources Monitoring and Mitigation Plan prepared by the designated Paleontological Resource Specialist for review and approval.	Prior to the start of project construction, the designated paleontological resource specialist shall prepare a Paleontological Resources Monitoring and Mitigation Plan to identify general and specific measures to minimize potential impacts to sensitive paleontological resources, and submit this plan to the CPM for review and approval. After CPM approval, the project owner's designated paleontological resource specialist shall be available to implement the Monitoring and Mitigation Plan, as needed, throughout project construction. Protocol: The project owner shall develop a Paleontological Resources Monitoring and Mitigation Plan in accordance with the guidelines of the Society of Vertebrate Paleontologists (SVP, 1994) that shall include, but not be limited to, the following elements and measures: A discussion of the sequence of project-related tasks, such as any pre-construction surveys, fieldwork, flagging or staking; construction monitoring; mapping and data recovery; fossil preparation and recovery; identification and inventory; preparation of final reports; and transmittal of materials for curation; Identification of the personnel expected to assist with each of the tasks identified within this condition for certification, a discussion of the mitigation team leadership and organizational structure, and the inter-relationship of tasks and responsibilities; Where monitoring of project construction activities is deemed necessary, the extent of the areas where monitoring is to occur and a schedule for the monitoring; An explanation that the designated paleontological resource specialist shall have the authority to halt or redirect construction in the immediate vicinity of a vertebrate fossil find until the significance of the find can be determined; A discussion of equipment and supplies necessary for recovery of fossil materials and any specialized equipment needed to prepare, remove, load, transport, and analyze large-sized fossils or extensive fossil deposits; Inventory, preparation, and delivery for curation into a retrievable storage collection in a public repository or museum, which meets the Society of Vertebrate Paleontologists standards and requirements for the curation of paleontological resources; and Identification of the institution that has agreed to receive any data and fossil materials recovered during project-related monitoring and mitigation work, discussion of any 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. At least forty-five (45) days prior to the start of construction (or a lesser number of days mutually agreed to by the project owner and the CPM), the project owner shall provide the CPM with a copy of the Paleontological Resources Monitoring and Mitigation Plan prepared by the designated paleontological resource specialist for review and approval. If the plan is not approved, the project owner, the designated paleontological resource specialist, and the CPM shall meet to discuss comments and negotiate necessary changes.	Yes	Submitted to CEC 6/29/23
Worker Paleontological Resources Awareness Program	At least 30 days prior to site mobilization/commencement of ground disturbance, the project shall submit a WEAP for paleontological resources for approval by the CPM. The contractor shall track WEAP attendance and submit to the CPM in the Monthly Compliance Report.	Prior to ground disturbance, and throughout the project construction period, as needed for all new employees, the project owner and the designated paleontological resource specialist shall prepare and conduct CPM-approved training for all project managers, construction supervisors, and workers who operate ground disturbing equipment. The project owner and construction manager shall provide the workers with the CPM-approved set of procedures for reporting any sensitive paleontological resources or deposits that may be discovered during project-related ground disturbance. The paleontological training program shall discuss 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 also include the set of reporting procedures that workers are to follow if paleontological resources are encountered during project activities. The training program shall be presented by the designated paleontological resource specialist and may be combined with other training programs prepared for cultural and biological resources, hazardous materials, or any other areas of interest or concern. Verification: At least thirty (30) days prior to site mobilization, or a lesser number of days agreed to by the CPM, the project owner shall submit to the CPM for review, comment, and written approval, the proposed employee training program and the set of reporting procedures the workers are to follow if paleontological resources are encountered during project construction. If the employee training program and set of procedures are not approved, the project owner, the designated paleontological resource specialist, and the CPM shall meet to discuss comments and necessary changes, before the beginning of construction. Documentation for training of additional new employees shall be provided in subsequent Monthly Compliance Reports, as appropriate.	Yes	Complete: T&S WEAP provided to CPM 7/28/23 and provided in MCR-1, BESS construction WEAP training was included in MCR-3 Ongoing: Cumulative WEAP Training Tracker provided in MCRs
Designated Paleontological Resources Specialist Duties	The project shall include in the Monthly Compliance Reports a summary of paleontological activities conducted by the designated paleontological resource specialist.	The designated paleontological resource specialist shall be present at all times he or she deems appropriate to monitor construction-related grading, excavation, trenching, and/or augering in areas where potential fossil bearing sediments have been identified. If the designated paleontological resource specialist determines that full-time monitoring is not necessary in certain portions of the project area or along portions of the linear facility routes, the designated specialist shall notify the project owner. Verification: The project owner shall include in the Monthly Compliance Reports a summary of paleontological activities conducted by the designated paleontological resource specialist.	Yes	Ongoing: Paleontological Monthly Compliance Report provided in MCR
Paleontological Resource Recovery	If encountered, paleontological resources shall be recovered, handled, recorded, and reported. The project owner shall maintain in its compliance files copies of signed contracts or agreements with the designated paleontological resource specialist and other qualified research specialists who will ensure the necessary data and fossil recovery, mapping, preparation for analysis, analysis, identification and inventory, and preparation for and delivery of all significant paleontological resource materials collected during data recovery and mitigation for the project.	The project owner, through the designated paleontological resource specialist, shall ensure recovery, preparation for analysis, analysis, identification and inventory, the preparation for curation, and the delivery for curation of all significant paleontological resource materials encountered and collected during the monitoring, data recovery, mapping, and mitigation activities related to the project. Verification: The project owner shall maintain in its compliance files copies of signed contracts or agreements with the designated paleontological resource specialist and other qualified research specialists who will ensure the necessary data and fossil recovery, mapping, preparation for analysis, analysis, identification and inventory, and preparation for and delivery of all significant paleontological resource materials collected during data recovery and mitigation for the project. The project owner shall maintain these files for a period of three years after completion and approval of the CPM-approved Paleontological Resources Report and shall keep these files available for periodic audit by the CPM.	Yes	not currently applicable
Paleontological Resource Report	The confidential Paleontological Resources Report shall be submitted to the CPM for review and approval within 90 days following completion of the analysis of the recovered fossil materials, if applicable.	The project owner shall ensure preparation of a Paleontological Resources Report by the designated paleontological resource specialist. The Paleontological Resources Report shall be completed following completion of the analysis of the recovered fossil materials and related information. The project owner shall submit the paleontological report to the CPM for approval. Protocol: The report shall include (but not be limited to) a description and inventory list of recovered fossil materials; a map showing the location of paleontological resources encountered; determinations of sensitivity and significance; and a statement by the paleontological resource specialist that project impacts to paleontological resources have been mitigated. Verification: The project owner shall submit a copy of the Paleontological Resources Report to the CPM for review and approval under a cover letter stating that it is a confidential document. The report is to be prepared and submitted to the CPM by the designated paleontological resource specialist within ninety (90) days following completion of the analysis of the recovered fossil materials.	Yes	Ongoing
Tanker Truck Standards	Aqueous ammonia deliveries shall meet federal standards and be documented in Monthly Compliance Reports.	All aqueous ammonia deliveries to the facility shall be in tanker trucks that meet or exceed the U.S. Department of Transportation requirements for hazardous materials as established in the Code of Federal Regulations No. 49 Parts 171-180. Verification: The project owner shall include in its Monthly Compliance Reports, copies of all regulatory permits/licenses acquired by the project owner and/or subcontractors concerning the transport of aqueous ammonia and other hazardous materials.	No	
Gas Pipeline Standards	The natural gas pipeline shall be designed to meet California Public Utilities Commission General Order 112-D & E and SBA standards, or any successor standards.	The natural gas pipeline shall be designed to meet California Public Utilities Commission General Order 112-D & E and SBA standards, or any successor standards. The pipeline will be designed to withstand seismic stresses. The project owner shall incorporate the following safety features into the design and operation of the pipeline: (1) butt welds shall be x-rayed; (2) the pipeline shall be pressure tested prior to the introduction of natural gas; (3) the pipeline shall be surveyed for leakage annually; (4) the pipeline route shall be marked to prevent rupture by heavy equipment excavating in the area; (5) valves shall be installed to locate leaks; and (6) appropriate corrosion measures shall be used. Verification: Prior to the introduction of natural gas into the pipeline, the project owner shall submit the design and operational specifications of the pipeline to the CPM for review and approval.	No	
Hazardous Materials Inventory	CPM shall provide approval for any storage, handling, or use of materials that exceed reportable quantities per state code. The Project shall provide in the Annual Compliance Report a list of hazardous materials used at the facility in reportable quantities.	The project owner shall obtain the advance approval of the CPM if the facility intends to store, handle or use a material in quantities that exceed those specified in Title 19 of the California Code of Regulations, section 2770.5. Verification: The project owner shall provide to the CPM, in the Annual Compliance Report, a list of those materials designated as regulated substances as set forth in Title 19 of the California Code of Regulations. The list shall also include the maximum quantities of these substances at the facility. Copies of the list, from the Annual Report, should also be provided to the Kings County Environmental Health Department (KCEHD) and the Kings County Fire Department (KCFD).	Yes	not currently applicable
Hazardous Materials Business Plan	At least forty-five (45) days prior to the... The project owner shall develop and provide a Hazardous Materials Business Plan update for BESS project.	The project owner shall develop and provide a Hazardous Materials Business Plan. Verification: At least forty-five (45) days prior to the initial startup of the HPP facility, the owner shall undertake a hazardous materials floor plan exercise with the KCEHD and KCFD and provide a copy of the Plan, commented on by the KCEHD, to the CPM and KCFD.	Yes	Submitted via CERS 1/5/24
Risk Management Plan	At least 45 days prior to the initial startup of the HPP facility, the project owner shall furnish a final copy of the CaIARP Risk Management Plan to the CPM.	The project owner shall develop and provide a CaIARP Risk Management Plan (RMP). The RMP shall include discussions on the potential for double-wallig all ammonia related piping, potential for underground placement of the ammonia storage tank, adequate secondary containment for the ammonia unloading area, and procedures for the safe delivery of ammonia, as a minimum. The secondary containment shall be designed to hold 110 percent of the tanker truck. Verification: At least forty-five (45) days prior to the initial startup of the HPP facility, the project owner shall furnish a final copy of the RMP to the CPM. An initial draft shall be provided to the CPM and KCEHD for review and comments. The final RMP shall be approved by the CPM	No	

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Agricultural Mitigation Plan	30 days prior to site mobilization, the project owner shall provide the CPM with the finalized agricultural mitigation plan.	Prior to the start of construction, the project owner shall submit an agricultural mitigation plan subject to the approval of the CPM. The agricultural mitigation plan shall include details as to how the on-site preservation of agricultural land on the subject property not converted for the power generation facility is to occur. Verification: Thirty (30) days prior to site mobilization, the project owner shall provide the CPM with the finalized agricultural mitigation plan.	No	
Agricultural Protection Notice	30 days prior to the start of commercial operation, the project owner shall provide to the CPM, a copy of their signed, notarized and recorded Notice, Disclosure and Acknowledgement of Agricultural Land Use Protection and Right to Farm Policies of the County of Kings, pursuant to Section 2 of Ordinance No. 546 (Right To Farm Ordinance) of the County of Kings. Verification: Thirty (30) days prior to the start of commercial operation, the project owner shall provide to the CPM, a copy of their signed, notarized and recorded Notice, Disclosure and Acknowledgement of Agricultural Land Use Protection and Right to Farm Policies for the County of Kings.		No	
County Zoning Compliance for BESS	30 days prior to the start of construction, the project owner shall provide to the CPM for approval, a site plan showing the HPP project in yard area compliance with the Kings County Zoning Ordinance.	Prior to the start of construction, the project owner shall provide to the CPM a site plan with dimensions showing the locations of the proposed buildings and structures in compliance with the minimum yard area requirements (setbacks) from the property line as stipulated in the Kings County Zoning Ordinance. Verification: Thirty (30) days prior to the start of construction, the project owner shall provide to the CPM for approval, a site plan showing the HPP project in yard area compliance with the Kings County Zoning Ordinance.	Yes, BESS	Submitted to KC & CBO 10/25/23
Pre-construction Notice & Construction Noise Complaint Hotline	Project will notify all residents within 1/2-mile of the site at least 15 days prior to the commencement of ground disturbing activities and provide the CPM confirming the notification has occurred as part of the first Monthly Compliance Report.	At least fifteen (15) days prior to the start of project-related ground disturbing activities, the project owner shall notify all residents and business owners within one-half mile of the site, by mail or other effective means, of the commencement of project construction. At the same time, the project owner shall establish and disseminate a telephone number for use by the public to report any undesirable noise conditions associated with the construction and operation of the project. The telephone number shall be posted at the project site during construction in a manner visible to passersby. 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 maintained until the project has been operational for at least one year. Verification: The project owner shall transmit to the Energy Commission Compliance Project Manager (CPM) in the first Monthly Construction Report following the start of project-related ground disturbing activities, a statement, signed by the project manager, attesting that the above notification has been performed, and describing the method of that notification. This statement shall also attest that the telephone number has been established.	Yes	Complete: Noise Memo submitted to the CEC informed the CEC that no notifications were required per NOISE-1 as no residents exist within 0.5-mile of the Project. Per NOISE-1, a representative of the contractor(s) was identified, and their name and phone number was posted at the Project site.
Noise Complaint Process	If a noise complaint is received, the complaint will be filed within 5 days with the appropriate agencies as outlines in the CoC.	Throughout the construction and operation of the project, the project owner shall document, investigate, evaluate, and attempt to resolve all project-related noise complaints. The project owner or authorized agent shall: 1. use the Complaint Resolution Form or functionally equivalent procedure acceptable to the CPM, to document and respond to each noise complaint; 2. attempt to contact the person(s) making the noise complaint within 24 hours; 3. conduct an investigation to determine the source of noise related to the complaint; 4. if the noise is project related, take all feasible measures to reduce the noise at its source; and 5. if the noise is project related, 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 (5) days of receiving a noise complaint, the project owner shall file a copy of the Noise Complaint Resolution Form, or similar instrument approved by the CPM, with the local jurisdiction, and 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 Noise Complaint Resolution Form when the mitigation is finally implemented.	Yes	Ongoing/Not Applicable: no noise complaints have been received to date
Operating Noise Limitation	Within fifteen (15) days after completing the post-construction survey, the project owner shall submit a summary report of the survey to the local jurisdiction, and to the CPM. After project completion, a noise survey shall be conducted to confirm that no significant impacts to nearby receptors will be caused by the operation of the project.	The project design and implementation shall include appropriate noise mitigation measures adequate to ensure that operation of the project will not cause resultant noise levels to exceed the ambient background noise level (L90) at residential receivers by more than 5 dBA, and that the noise due to plant operations will comply with the noise standards of the Kings County General Plan. No new pure tone components may be produced by operation of the project. No single piece of equipment shall be allowed to stand out as a source of noise that draws legitimate complaints. Pressure relief valves shall be adequately treated or located to preclude noise that draws legitimate complaints. Protocol: Within thirty (30) days of the project first achieving an output of 80 percent or greater of rated capacity, the project owner shall conduct a 25-hour community noise survey at the same Site 1 used for the ambient noise survey (i.e., housing at NAS Lemoore). The survey shall also include the one-third octave band pressure levels to ensure that no new pure-tone noise components have been introduced. If the results from the survey indicate that the project noise level at the residential location exceeds the standards and requirements cited above, additional mitigation measures shall be implemented to reduce noise to a level of compliance with these limits. Verification: Within fifteen (15) days after completing the post-construction survey, the project owner shall submit a summary report of the survey to the local jurisdiction, and to the CPM. Included in the post-construction survey report will be a description of any additional mitigation measures necessary to achieve compliance with the above listed noise limits, and a schedule, subject to CPM approval, for implementing these measures. Within 15 days of implementation of the mitigation measures, the project owner shall submit to the CPM a summary report of a new noise survey, performed as described above and showing compliance with this condition.	Yes	Not Applicable: As stated in noise memo provided to CEC on 8/8 a post-construction survey is not necessary since there are no residents within 0.5-mile of the Project
Construction Time Restrictions	Noise levels at the nearest residential noise receptor shall not exceed thresholds. If nighttime construction occurs, monitoring at random evening times when nighttime construction activities are in progress will be required. The first Monthly Construction Report will include a statement to CPM acknowledging that the restrictions will be observed throughout the construction of the project and monitoring data.	Construction noise levels as measured at any affected residence shall be limited to 60 dBA Leq during daytime hours (7 a.m. to 10 p.m.) and 45 dBA Leq during nighttime hours (10 p.m. to 7 a.m.). If construction noise levels exceed an hourly average noise level of 60 dBA Leq daytime or 45 dBA Leq nighttime, the construction equipment that is the source of the excessive noise shall be shut down or the noise mitigated to a noise level below 60 dBA Leq or 45 dBA Leq, respectively. Verification: The Project Owner shall monitor noise levels at the nearest residential noise receptor at random evening times when nighttime construction activities are in progress. The project owner shall transmit to the CPM in the first Monthly Construction Report a statement acknowledging that the above restrictions will be observed throughout the construction of the project and monitoring data.	Yes	Not applicable: Noise memo submitted to CEC 8/18 stating no nearby residences
One-Time School Facility Fee	Pay one time school fee	The project owner shall pay the one-time statutory school facility development fee as required at the time of filing for the in-lieu building permit with the Kings County. Verification: The project owner shall provide proof of payment of the statutory development fee in the Monthly Compliance Report following the payment.	No	
Overweight & Oversize Vehicles	The project shall obtain all necessary CalTrans permits for overweight/overweight transportation and include copies in the Monthly Compliance Reports. In addition, the project owner shall retain copies of these permits and supporting documentation in its compliance file for at least six months after the start of commercial operation.	The project owner shall comply with the California Department of Transportation (Caltrans) and Kings County on limitations on vehicle sizes and weights. In addition, the project owner or their contractor shall obtain necessary transportation permits from Caltrans and all relevant jurisdictions for roadway use. Verification: In the Monthly Compliance Reports, the project owner shall submit copies of any overweight and overweight transportation permits received during that reporting period. In addition, the project owner shall retain copies of these permits and supporting documentation in its compliance file for at least six months after the start of commercial operation.	Yes	Ongoing: Reporting provided in MCRs as applicable
On-Site Parking	At least 60 days prior to any ground disturbance activity, the project shall submit a parking and staging plan for all phases of project construction to Kings County for review and comment and to the CPM for review and approval.	During construction of the power plant and all related facilities, the project owner shall arrange for on-site construction-period parking. Verification: At least sixty (60) days prior or prior to any ground disturbance activity, the project owner shall submit a parking and staging plan for all phases of project construction to Kings County for review and comment and to the CPM for review and approval.	Yes	Complete: CEC Approved 6/27/23
Licensed Hazardous Materials Haulers	The project shall include in its Monthly Compliance Reports to the CPM copies of all permits and licenses acquired by the project owner and/or subcontractors concerning the transportation of hazardous substances	The project owner shall ensure that all federal and state regulations for the transportation of hazardous materials are observed during both construction and operation of the facility and that all permits and/or licenses are secured from the California Highway Patrol and Caltrans for the transportation of hazardous material. Verification: The project owner shall include in its Monthly Compliance Reports to the CPM copies of all permits and licenses acquired by the project owner and/or subcontractors concerning the transportation of hazardous substances	Yes	Ongoing: Reporting provided in MCRs as applicable
Encroachment Permits	In the Monthly Compliance Reports, the project shall submit copies of any encroachment permits received during that reporting period. In addition, the project shall retain copies of these permits and supporting documentation in its compliance file for at least six months after the start of commercial operation.	The project owner or their contractor shall comply with Kings County and Caltrans limitations for encroachment into public rights-of-way and shall obtain necessary encroachment permits from Caltrans and all relevant jurisdictions. Verification: In the Monthly Compliance Reports, the project owner shall submit copies of any encroachment permits received during that reporting period. In addition, the project owner shall retain copies of these permits and supporting documentation in its compliance file for at least six months after the start of commercial operation.	Yes	Not Applicable: Project is located on privately owned site and encroachment permits not required
Designated Routes	The project shall provide a copy of the designated route in its contracts for truck deliveries and maintain copies onsite for inspection by the CPM.	The project owner shall designate travel routes for construction workers and truck deliveries in consultation with Kings County and Caltrans. Verification: The project owner shall provide a copy of the designated route in its contracts for truck deliveries and maintain copies onsite for inspection by the CPM.	Yes	Complete: Provided to DOT 3/2/23

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Roadway Repairs	Prior to start of construction, the project shall photograph sections of public roadways that will be affected by project construction traffic. The project shall provide the CPM and the Kings County and for Caltrans with copies of these photographs. Within thirty (30) days of the completion of project construction, the project will meet with the CPM and Kings County and Caltrans to determine and receive approval for the action necessary and schedule to complete the repair of identified sections of public roadways to original or as near original condition as possible.	Following completion of construction of the power plant and all related facilities, the project owner shall return all roadways to original or as near original condition as possible. Protocol: Prior to start of construction, the project owner shall photograph sections of public roadways that will be affected by project construction traffic. The project owner shall provide the CPM and the affected jurisdiction: Kings County and/or Caltrans with copies of these photographs. Verification: Within thirty (30) days of the completion of project construction, the project owner will meet with the CPM and Kings County and Caltrans to determine and receive approval for the action necessary and schedule to complete the repair of identified sections of public roadways to original or as near original condition as possible.	Yes	Pre-Con Photos taken 8/22/23. Once construction completes, project owner will meet with CPM, Kings County, and Caltrans to discuss repairs, if applicable.
Traffic Control Plan	At least 30 days prior to start of construction the project owner shall provide to the CPM for review and approval, a copy of its traffic control and implementation program that has been reviewed and commented on by the Kings County, Fresno County, Caltrans, and the City of Lemoore.	Prior to the start of construction, the project owner shall consult with Kings County, Fresno County, Caltrans, and the City of Lemoore to prepare and submit a construction traffic control plan and implementation program which addresses the following issues to the extent practical: •Timing of heavy equipment and building material deliveries; •Signing, lighting, and traffic control device placement; •provision of a person to direct traffic if necessary for workers leaving the site during the peak period of construction; •on-site parking for construction workers; •establishing construction work hours outside of peak traffic periods; •maintain emergency access; •temporary travel lane closures; •maintaining access to adjacent property, •requirements for construction worker ridesharing; and •traffic conflicts with other ongoing or planned projects The project owner shall submit the traffic control plan to Kings County and Caltrans for review and comments, and to the CPM for review and approval. Verification: At least thirty (30) days prior to start of construction the project owner shall provide to the CPM for review and approval, a copy of its traffic control and implementation program that has been reviewed and commented on by the jurisdictions.	Yes	Complete: CEC Approved 6/27/23
Construction Visual Remediation	At least 60 days prior to the start of site mobilization, the project shall submit a site restoration plan to the CPM for review and approval. The project owner shall notify the CPM within seven (7) days after completing the surface restoration that the areas disturbed during construction are ready for inspection.	The project owner shall ensure that visual impacts of the project construction are adequately mitigated by implementing the following measures: All evidence of construction activities, including ground disturbance due to staging and storage areas, shall be removed and remediated upon completion of construction. Any vegetation removed in the course of construction will be replaced on a 1-to-1, in-kind basis. Such replacement planting shall be monitored for a period of three years to ensure survival. During this period, all dead plants shall be replaced. Protocol: The project owner shall submit a plan for restoring the surface conditions of any right-of-way disturbed during construction of the transmission line and underground pipelines. The plan shall include grading to the original grade and contouring and revegetation of the rights-of-way. The project owner shall not implement the plan until receiving written approval of the submittal from the California Energy Commission Compliance Project Manager (CPM). Verification: At least sixty (60) days prior to the start of site mobilization, the project owner shall submit the plan to the CPM for review and approval. If the CPM notifies the project owner that any revisions of the plans are needed before the CPM will approve the plan, within thirty (30) days of receiving that notification, the project owner shall submit to the CPM a revised plan. The project owner shall notify the CPM within seven (7) days after completing the surface restoration that the areas disturbed during construction are ready for inspection.	No	
Structure Color Plan	All publicly visible surfaces shall be painted a neutral color mimicking the surrounding environment. Prior to painting exposed services, the Project shall identify the selected color for CPM approval. At least thirty (30) days prior to construction, the project owner shall submit its proposed plan to the CPM for review and approval. Not less than 30 (thirty) days prior to the start of commercial operation, the project owner shall notify the CPM that all structures treated during manufacture and all structures treated in the field are ready for inspection. The project owner shall provide a status report regarding treatment maintenance in the Annual Compliance Report.	Prior to the first turbine roll, the project owner shall treat project structures, including the transmission facilities, buildings and fences in appropriate colors or hues that minimize visual intrusion and contrast by blending with the surrounding landscape, and shall treat those items in non-reflective, appropriately textured finishes. The project owner shall ensure that the transmission facilities use non-specular conductors, and non-reflective and non-refractive insulators. A specific treatment plan shall be developed for CPM approval to ensure that the proposed colors and treatment do not unduly contrast with the surrounding landscape. The plan shall be submitted sufficiently early to ensure that any pre-colored buildings, structures, and linear facilities will have colors approved and included in bid specifications for such buildings or structures, to the extent practicable. Prior to submittal of the plan to the CPM, the project owner shall submit the plan to the Kings County Planning Department for review and comment. Protocol: Following review of the treatment plan by the Kings County Planning Department and submittal of the County's comments to the CPM, the project owner shall submit the treatment plan for the project to the CPM for review and approval. The treatment plan shall include: •specifications, and 11" x 17" color simulations, of the treatment proposed for use on project structures, including structures treated during manufacture; •a list of each major project structure, building, tank, and fence specifying the color(s) proposed for each item; •documentation that a non-reflective finish will be used on all project elements visible to the public; •documentation that non-specular conductors, and non-reflective and non-refractive insulators will be used on the transmission facilities; •a procedure to ensure proper treatment maintenance for the life of the project, and •documentation that fences and walls for the project will comply with the applicable requirements in the Kings County zoning ordinance, that relates to visual resources. After approval of the plan by the CPM, the project owner shall implement the plan according to the schedule and shall ensure that the treatment is properly maintained for the life of the project. For any structures that are treated during manufacture, the project owner shall not specify the treatment of such structures to the vendors until the project owner receives notification of approval of the treatment plan by the CPM. The project owner shall not perform the final treatment on any structures until the project owner receives notification of approval of the treatment plan from the CPM. Verification: At least thirty (30) days prior to construction, the project owner shall submit its proposed plan to the CPM for review and approval. If the CPM notifies the project owner that any revisions of the plans are needed before the CPM will approve the plan, within 30 (thirty) days of receiving that notification, the project owner shall submit to the CPM a revised plan. Not less than 30 (thirty) days prior to the start of commercial operation, the project owner shall notify the CPM that all structures treated during manufacture and all structures treated in the field are ready for inspection. The project owner shall provide a status report regarding treatment maintenance in the Annual Compliance Report.	Yes, BESS	Complete: CEC notified 9/8/23 that battery color is standard, and CoC is N/A.
Shielded Lighting for BESS	At least 60 days prior to ordering the exterior lighting, the project shall provide the lighting plan to the CPM for review and approval to include shielded lighting. The project shall notify the CPM within seven (7) days of completing exterior lighting installation that the lighting is ready for inspection.	Prior to first turbine roll, the project owner shall design and install all lighting such that light bulbs and reflectors are not visible from public viewing areas and illumination of the vicinity and the nighttime sky is minimized during both project construction and operation. The project owner shall develop and submit a lighting plan for the project to the CPM for review and approval. Prior to submittal of the plan to the CPM, the project owner shall submit the plan to the Kings County Planning Department for review and comment. Lighting shall not be installed before the plan is approved. Protocol: Following review of the lighting plan by the Kings County Planning Department and submittal of the Department's comments to the CPM, the project owner shall submit the lighting plan for the project to the CPM for review and approval. The lighting plan shall require that: • all new night lighting shall be of minimum necessary brightness consistent with operational safety; • exterior lighting and parking lot lighting shall be provided in accordance with the Kings County ordinance; • non-glare light fixtures shall be specified; • lighting shall be designed so that exterior light fixtures are hooded, with lights directed downward or toward the area to be illuminated and so that backscatter to the nighttime sky is minimized. The design of this outdoor lighting shall be such that the luminescence or light source is shielded to prevent light trespass outside the project boundary; • high illumination areas not occupied on a continuous basis such as maintenance platforms or the main entrance shall be provided with switches or motion detectors to light the area only when occupied; and • a complaint resolution form shall be used by plant operations, to record all lighting complaints received and to document the resolution of those complaints. All records of lighting complaints shall be kept in the on-site compliance file. Verification: At least sixty (60) days prior to ordering the exterior lighting, the project owner shall provide the lighting plan to the CPM for review and approval. If the CPM notifies the project owner that any revisions of the plan are needed before the CPM will approve the plan, within thirty (30) days of receiving that notification, the project owner shall submit to the CPM a revised plan. The project owner shall notify the CPM within seven (7) days of completing exterior lighting installation that the lighting is ready for inspection.	Yes, BESS	Lighting plans approved with the electrical package on 6/14/24

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Signage Materials	Signage shall use materials as specified in the CoC. At least 60 days prior to installing signage, the project owner shall submit the plan to the CPM for review and approval. The project owner shall notify the CPM within 7 days after completing installation of the signage that they are ready for inspection.	Where signs are visible by the public, the project owner shall design project signs using non-reflective materials and unobtrusive colors. The project owner shall ensure that signs comply with the applicable Kings County zoning requirements that relate to visual resources. The design of any signs required by safety regulations shall conform to the criteria established by those regulations. Protocol: The project owner shall submit a signage plan for the project to the Kings County Planning Department for review and comment, and to the CPM for review and approval. The submittal to the CPM shall include the Department's comments. The project owner shall not implement the plan until the project owner receives approval of the submittal from the CPM. Verification: At least sixty (60) days prior to installing signage, the project owner shall submit the plan to the CPM for review and approval. If the CPM notifies the project owner that revisions of the plan are needed before the CPM will approve the submittal, within thirty (30) days of receiving that notification, the project owner shall prepare and submit to the CPM a revised submittal. The project owner shall notify the CPM within seven (7) days after completing installation of the signage that they are ready for inspection.	Yes	Signage materials approved with the electrical package on 6/14/24 and submitted to Kings County on 10/2/24
Landscape Screening	At least 60 days prior to the start of commercial operation, the project shall submit the perimeter landscape plan for screening of the site to the south and west to the CPM for review and approval. The project shall notify the CPM within 7 days after completing installation of the landscape screening that the planting and irrigation system are ready for inspection. The project shall report landscape maintenance activities, including replacement of dead vegetation, for the previous year of operation in the Annual Compliance Report.	Prior to the start of commercial operation, the project owner shall prepare and implement an approved perimeter landscape plan to partially screen the west and south views of the power plant to the greatest extent possible. Fast growing tree species, such as but not limited to evergreens, shall be used to ensure that maximum screening is achieved as quickly as possible. Plant species shall be selected that will blend the landscaping into the surrounding environment. Suitable irrigation shall be installed, if necessary, to ensure survival of the plantings. Landscaping shall be installed consistent with the Kings County zoning ordinance. Protocol: Prior to the start of commercial operation, the project owner shall submit a perimeter landscape plan to the Kings County Planning Department for review and comment, and to the CPM for review and approval. The submittal to the CPM shall include the Department's comments. The plan shall include, but not be limited to: 1.a detailed landscape, grading, and irrigation plan, at a reasonable scale, which includes a list of proposed tree and shrub species and installation sizes, and a discussion of the suitability of the plants for the site conditions and mitigation objectives. A list of potential tree species that would be viable in this location shall be prepared by a qualified arborist familiar with local growing conditions, with the objective of providing the widest possible range of species from which to choose. The plan shall demonstrate how the screening conditions called for above shall be met, including evidence provided by a qualified professional arborist that the species selected are both viable and available; 2.maintenance procedures, including any needed irrigation and a plan for routine annual or semi-annual debris removal for the life of the project; and 3.a procedure for monitoring for and replacement of unsuccessful plantings for the life of the project. The project owner shall not implement the plan until the project owner receives approval of the plan from the CPM. Verification: At least sixty (60) days prior to the start of commercial operation, the project owner shall submit the perimeter landscape plan to the CPM for review and approval. If the CPM notifies the project owner that revisions of the plan are needed before the CPM will approve the submittal, within 30 (thirty) days of receiving that notification, the project owner shall prepare and submit to the CPM a revised submittal. The project owner shall notify the CPM within 7 (seven) days after completing installation of the landscape screening that the planting and irrigation system are ready for inspection. The project owner shall report landscape maintenance activities, including replacement of dead vegetation, for the previous year of operation in the Annual Compliance Report.	No	
Waste Generator ID Number	The project shall obtain unique hazardous waste generator identification numbers from the DTSC if necessary, keep copies of the identification numbers on file at the project site, and notify the CPM via the monthly compliance report of their receipt.	The project owner and, if necessary, its construction contractor shall obtain unique hazardous waste generator identification numbers from the Department of Toxic Substances Control (DTSC) in accordance with DTSC regulatory authority. Verification: The project owner and its construction contractor shall keep copies of the identification numbers on file at the project site and notify the CPM via the monthly compliance report of their receipt.	Yes	Not Applicable: No hazardous waste generation for tap and switch or BESS Project activities
Waste Management Plan	No less than 30 days prior to the start of construction the project owner shall submit the construction waste management plan to the CPM for review. The operation waste management plan shall be submitted no less than 30 days prior to the start of project operation. In the Annual Compliance Reports, the project owner shall document the actual waste management methods used during the year compared to planned management methods.	Prior to the start of construction and operation, the project owner shall prepare and submit to the Energy Commission CPM, for review and comment, a waste management plan for all wastes generated during construction and then operation and maintenance of the facility, respectively. The plans shall contain, at minimum, the following: •a description of all waste streams, including projections of frequency, amounts generated, and hazard classifications; •methods of managing each waste, including but not limited to: waste testing methods to assure correct classification, specific waste segregation and storage procedures and facilities, treatment methods and companies contracted with for treatment services, methods of transportation and companies contracted with for transportation, disposal requirements and sites, employee hazmat training, employee protection, spill response and reporting, and recycling and waste minimization/reduction plans. These methods must include, but not be limited to, the eight Waste Mitigation Measures listed by the Applicant in section 8.13.7 of the AFC; and •methods to be put into place to audit and ensure continuing compliance with the Workplan and all applicable LORS. Verification: No less than thirty (30) days prior to the start of construction the project owner shall submit the construction waste management plan to the CPM for review. The operation waste management plan shall be submitted no less than 30 days prior to the start of project operation. The project owner shall submit any required revisions within 20 days of notification by the CPM (or mutually agreed upon date). In the Annual Compliance Reports, the project owner shall document the actual waste management methods used during the year compared to planned management methods.	Yes	Submitted 6/6/23 (for T&S and BESS)
Waste Management Enforcement Action	The project shall notify the CPM in writing within 10 days of becoming aware of any impending enforcement action.	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 ten (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.	Yes	not currently applicable
Registered Professional Engineer/Geologist	At least 30 days prior to the start of construction, the project owner shall submit the name, affiliation, qualifications and experience of the Registered Professional Engineer or Geologist contracted for consultation to the CPM for approval.	The project owner shall have a Registered Professional Engineer or Geologist, with experience in remedial investigation and feasibility studies, available for consultation during soil excavation and grading activities. Verification: At least thirty (30) days prior to the start of construction, the project owner shall submit the name, affiliation, qualifications and experience of the Registered Professional Engineer or Geologist contracted for consultation to the CPM for approval.	Yes	Submitted to CEC 6/19/23, CPM approval 7/21/23
Contaminated Soil Excavation	The unidentified crystalline substance along with any other potentially contaminated soil unearthed during excavation at either the proposed site or in linear facilities shall be the subject of a review and evaluation by a Registered Professional Engineer or Geologist. The project owner shall submit any reports filed to the CPM within 5 days of their receipt.	The unidentified crystalline substance found in soil at the site as reported in the Phase I ESA along with any other potentially contaminated soil unearthed during excavation at either the proposed site or in linear facilities as evidenced by discoloration, odor, detection by handheld instruments, or other signs, shall be the subject of a review and evaluation by a Registered Professional Engineer or Geologist. This review and evaluation shall include at a minimum: •an inspection of the site, •a determination of the need for sampling to confirm the nature and extent of contamination, •actions to ensure that verbal notification has been made to the project owner and the CPM, and •the filing of a written report to the project owner and the CPM stating the recommended course of action. 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 Central Valley Regional Water Quality Control Board, the Kings County Division of Environmental Health Services (CUPA), and the Northern California Regional Office of the California Department of Toxic Substances Control for guidance and possible oversight. Verification: The project owner shall submit any reports filed by the Registered Professional Engineer or Geologist to the CPM within five (5) days of their receipt.	Yes	not currently applicable
Erosion Control Plan	The Erosion Control Plan shall be submitted to the CPM at least 60 days prior to start of any site mobilization activities. Approval of the final plan by the CPM must be received prior to the initiation of any site mobilization activities.	Prior to beginning any site mobilization activities, the project owner shall obtain CPM approval for an Erosion Control Plan that addresses all project elements. The plan submitted for CPM approval shall also contain provisions as needed, for containing and treating any contaminated soil or groundwater, and include any changes made to address the final design of the project. The plan shall apply to both construction and operation. It shall include final construction drainage design and all applicable Best Management Practices (BMP) for on and off site project facilities, including final site drainage plans and locations of BMP's. Verification: The Erosion Control Plan shall be submitted to the Compliance Project Manager (CPM) at least sixty (60) days prior to start of any site mobilization activities. Approval of the final plan by the CPM must be received prior to the initiation of any site mobilization activities.	Yes, BESS	Approved 12/16/2023
SWPPP for BESS	At least 60 days prior to the start of any site mobilization activities, the SWPPP for Construction Activity, including certification letter from KC, shall be submitted to the CPM for approval. Prior to the start of site mobilization, the project shall receive and provide proof to the CPM of having received an NPDES permit for construction activities. Approval of the final SWPPP by the CPM must be received prior to initiation of any site mobilization activities.	The project owner shall obtain a General NPDES permit for discharge of storm water associated with construction activity from the CVRWQCB, and obtain CPM approval of the related Stormwater Pollution Prevention Plan (SWPPP) for construction activity. The SWPPP shall include final construction drainage design, and specify BMP's for all on and off-site project facilities and shall comply with and incorporate Kings County Public Works Agency regulations, including those regulations and guidelines pertinent to areas with shallow groundwater. This includes final site drainage plans and locations of BMPs. The project owner shall submit site drainage plans detailing collection of storm water from roadways, parking areas and all other areas subject to vehicular use. Verification: At least sixty (60) days prior to the start of any site mobilization activities, the SWPPP for Construction Activity shall be submitted to the CPM for approval. Prior to the start of site mobilization, the project owner shall receive and provide proof to the CPM of having received an NPDES permit for construction activities. The SWPPP must comply with and incorporate Kings County Public Works Agency Grading Permit requirements. A letter from the Kings County Building Department addressing compliance with their grading permit requirements must be submitted with the SWPPP. A narrative and construction drawings detailing collection and process stream for storm water from contact areas of the site which are subject to vehicular use shall be submitted to the CPM. Approval of the final SWPPP by the CPM must be received prior to initiation of any site mobilization activities.	Yes	Approved 12/16/2023

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Sanitary Sewage Disposal	30 days prior to site mobilization, the project shall provide evidence of compliance with Kings County Sewage Disposal Regulations to the CPM for approval.	Due to the shallow groundwater underlying the site, the project owner shall submit construction drawings demonstrating compliance with county regulations for the on-site sewage disposal system, including a vertical cross-section showing proximity to groundwater as delineated in the geotechnical report performed by Kleinfelder, Inc., and dated November 1, 2001. A letter from the Kings County Building Department addressing compliance, with county requirements must be submitted with the drawings. <u>Verification:</u> Thirty (30) days prior to site mobilization, the project owner shall provide evidence of compliance with Kings County Sewage Disposal Regulations to the CPM for approval.	No	
Wastewater Disposal	The project shall maintain records of wastewater hauled off-site and submit to the CPM as part of the project owner's annual compliance report. The CPM shall be notified of any change in the waste disposal contract, contractors or sub-contractors within 30 days of the change.	The project owner shall not discharge any waste water off-site, except as delivered to licensed waste disposal contractors as described in Section 2.2.9.1 of the Application for Certification. The project owner shall supply the CPM with copies of the contract between the project owner and the waste disposal contractor, as well as copies of the contractor's permits and certifications relative to the hauling and disposal of the process wastes and contact storm water wastes. To the extent practicable, notification of any changes in waste disposal contractor or subcontractors shall be made to the CPM within 30 days of the change. <u>Verification:</u> The project owner shall maintain records of wastewater hauled off-site, including hauler's Chain of Custody or other signed and dated receipts. Copies of these records shall be submitted to the CPM as part of the project owner's annual compliance report. Before operation of the power plant, the CPM will be supplied with copies of the waste disposal contract and the contractor's certifications and permits. The CPM shall be notified of any change in the contract, contractors or sub-contractors within 30 days of the change.	No	
Storm Water Runoff Monitoring	The project shall submit a biannual storm water monitoring program to assess the basin as required by CWRWQCB and submit to the CPM for approval 60 days prior to initiation of site mobilization activities. The project shall submit results of the monitoring program, including laboratory reports, to the CPM as part of the annual compliance report.	The project owner shall implement a biannual storm water monitoring program to assess the quality of storm water discharges to the evaporation/percolation basin during two storm events as required by the Central Valley Regional Water Quality Control Board. The monitoring program shall include sampling methodology and analytes. Analytes shall include pH, total organic compounds, total suspended solids and specific conductance. The CPM may require additional analytes if additional concerns arise. If the CPM, in consultation with the RWQCB, determines that the ground or surface water quality is being impacted by use of parking areas and roadways, the CPM, in consultation with the RWQCB, shall require the project owner to prepare a mitigation plan which shall include collection and treatment of petroleum byproducts and suspended solids. <u>Verification:</u> The project owner shall submit a storm water monitoring program to the CPM for approval sixty (60) days prior to initiation of site mobilization activities. The project owner shall submit results of the monitoring program, including laboratory reports, to the CPM as part of the annual compliance report.	Yes, BESS	SWPPP submitted to the CEC on 1/30/25
Groundwater Quality Monitoring	Ground water wells shall be installed and used to monitor groundwater.	To provide background perched groundwater quality information, GWF shall submit a plan for approval that identifies how the project owner will install and sample perched water from a groundwater monitoring well. <u>Verification:</u> The project owner shall submit ground water data including depth to groundwater information prior to the submission of the SWPPP to the CPM approval. The monitoring program shall include sampling methodology and analytes. The project owner shall submit results of the monitoring program, including laboratory reports, to the CPM. The groundwater monitoring well shall be screened at a depth of 6-9 feet located on the project parcel (in the NW corner of the property if the current ground conditions allow access). The well annulus shall be sealed with a mixture of bentonite clay and cement. The well shall be equipped with a locking cover and protected with a concrete filled pipe beland set in concrete. Analytes shall include pH, total organic compounds, total suspended solids and specific conductance. Additional wells and monitoring may be required based on the initial well test results, if the results indicate the perched water is of high quality and has beneficial uses. If the CPM determines additional monitoring and/or wells are required based upon the initial results, the project owner shall submit for CPM approval a groundwater monitoring plan. If a groundwater monitoring plan is required, approval of the final plan by the CPM must be received prior to initiation of any site mobilization activities.	No	
Storm Water Pollution Prevention Program (Operation)	At least 60 days prior to the start of operation, the SWPPP for operation shall be submitted to the CPM for review and approval. The project owner shall provide a copy of the operational NPDES permit, or letter from the CWRWQCB stating that an NPDES permit is not required. Approval of the operational SWPPP by the CPM must occur prior to the initiation of operations.	The Project Owner shall prepare a SWPPP for operation of the proposed project. The submittal shall include a copy of the operational NPDES permit or a letter stating that an NPDES permit is not required. <u>Verification:</u> At least sixty (60) days prior to the start of operation, the SWPPP for operation shall be submitted to the CPM for review and approval. The project owner shall provide a copy of the operational NPDES permit, or letter from the CWRWQCB stating that an NPDES permit is not required. Approval of the operational SWPPP by the CPM must occur prior to the initiation of operations.	Yes	SWPPP submitted to the CEC on 1/30/25
Water Use Metering	The project owner shall install metering devices, record water usage on a monthly basis, and submit, as part of its annual compliance report, a water use summary to the CPM on an annual basis for the life of the project.	The project owner shall install metering devices and record on a monthly basis the amount of water used by the project. The annual summary shall include the monthly range and monthly average of daily usage in gallons per day, and total water used by the project on a monthly and annual basis in acre-feet. The annual summary shall also include the yearly range and yearly average water use by the project. This information shall be supplied to the CPM. <u>Verification:</u> The project owner shall submit, as part of its annual compliance report, a water use summary to the CPM on an annual basis for the life of the project.	Yes	During operations
Water Source Reporting	The project shall submit as part of its annual compliance report a Water Use Summary to the CPM on an annual basis for the life of the project.	Water used for the HPP shall be CVP water allocated to the 7 acres of the HPP parcel converted to Manufacturing and Industrial Use and SWP entitlement water as described in the county of Kings will serve letter dated August 23, 2001 and the memorandum from Michael Nordstrom dated September 20, 2001. The project owner shall submit a water use summary annually. The water use summary shall state the source and quantity of the water used at HPP on a monthly basis, whether the water used was obtained from the current year allocation or the banked surplus allocations from previous years. The water use summary shall include the percentage of the entitlements delivered for the current year from the SWP and CVP, as well as, the amount of the current years water banked for future use and cumulative total banked water available for future use. <u>Verification:</u> The project owner shall submit as part of its annual compliance report a Water Use Summary to the CPM on an annual basis for the life of the project.	Yes	During operations
Design Project in Accordance with CA Building Code and Applicable LORS	Project to be design and built to all appropriate requirements and standards. Within 30 days after receipt of the Certificate of Occupancy, the project shall submit to the 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 shall provide the CPM a copy of the Certificate of Occupancy within 30 days of receipt from the CBO.	The project owner shall design, construct and inspect the project in accordance with the 1998 California Building Code (CBC) and all other applicable engineering LORS in effect at the time initial design plans are submitted to the CBO for review and approval. (The CBC in effect is that edition that has been adopted by the California Building Standards Commission and published at least 180 days previously.) 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 1998 CBC is in effect, the 1998 CBC 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. <u>Verification:</u> Within thirty (30) days after receipt of the Certificate of Occupancy, the project owner shall submit to the California Energy Commission 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 [1998 CBC, Section 109 - Certificate of Occupancy].	Yes	Post Certificate of Occupancy
Facility Design	At least 60 days prior to the start of rough grading, the project shall submit to the CBO and to the CPM the schedule of facility design submittals, 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 the CoC. 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 MCR.	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. <u>Verification:</u> At least sixty (60) 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 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 Table 1 in the CoC. 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.	Yes, BESS	Current schedule found in Appendix B

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Payment of Fees	The project shall make the required payments to the CBO in accordance with the agreement between the project and the CBO. The project 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 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 1998 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.	Yes	Ongoing: Reporting provided in MCRs as applicable
Assignment of Resident Engineer	At least 30 days prior to the start of rough grading, the project shall submit to the CBO for review and approval, the name, qualifications 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.	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. Protocol: 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(s) 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 thirty (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 name, qualifications 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 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.	Yes, BESS	Complete: Submitted to CPM via stamp on Site Plan
Resident Engineer Tasks	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.	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; 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; D) a mechanical engineer; and E) an electrical engineer. [California Business and Professions Code section 6704 et seq., and sections 6730 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 [1998 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. Protocol: A. The civil engineer shall: 1. 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 2. 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. Protocol: B. The geotechnical engineer or civil engineer, experienced and knowledgeable in the practice of soils engineering, shall: 1. Review all the engineering geology reports, and prepare final soils grading report; 2. Prepare the soils engineering reports required by the 1998 CBC, Appendix Chapter 33, Section 3309.5 – Soils Engineering Report, and Section 3309.6 – Engineering Geology Report; 3. Be present, as required, during site grading and earthwork to provide consultation and monitor compliance with the requirements set forth in the 1998 CBC, Appendix Chapter 33, section 3317, Grading Inspections; 4. Recommend field changes to the civil engineer and RE; 5. Review the geotechnical report, field exploration report, laboratory tests, and engineering analyses detailing the nature and extent of the site soils that may be susceptible to liquefaction, rapid settlement or collapse when saturated under load; and 6. Prepare reports on foundation investigation to comply with the 1998 CBC, Chapter 18 section 1804, Foundation Investigations. 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 [1998 CBC, section 104.2.4, Stop orders]. Protocol: 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. Protocol: 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. Protocol: 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 thirty (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.	Yes, T&S	Complete: Submitted to CPM via stamp on Site Plan

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Special Inspector Duties	At least 15 days prior to the start of an activity requiring special inspection, the project 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 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.	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 1998 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. Protocol: 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 [1998 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). <u>Verification:</u> At least fifteen (15) days 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.	Yes	Ongoing: Inspection reports provided in MCRs as applicable
Design Discrepancies	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 and submit to the CBO for review and approval. The project shall transmit a copy of the CBO's approval of any corrective action taken to resolve a discrepancy to the CPM in the next MCR.	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 [1998 CBC, 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. <u>Verification:</u> 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.	Yes	Ongoing: Correspondence with CBO on design discrepancies provided in MCRs as applicable
Work Completion Notice	Within 15 days of the completion of any work, the project shall submit to the CBO and the CPM via MCR a written notice that the completed work is ready for final inspection, and 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 shall submit to the CPM a letter stating that the above documents have been stored and indicate the storage location of such documents.	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. When the work and the "as-built" and "as graded" plans conform to the approved final plans, the project owner shall notify the CPM regarding the CBO's final approval. The marked up "as-built" drawings for the construction of structural and architectural work shall be submitted to the CBO. Changes approved by the CBO shall be identified on the "as-built" drawings [1998 CBC, Section 108, Inspections]. The project owner shall retain one set of approved engineering plans, specifications and calculations at the project site or at another accessible location during the operating life of the project [1998 CBC, Section 106.4.2, Retention of Plans]. <u>Verification:</u> Within fifteen (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.	Yes	Complete: Tap and switch As-Built provided on 1/23/24 and included in MCR-6 (January 2024); completion inspection on 5/15/24. Ongoing: BESS As-Built to be provided once construction completed
Drainage Plan Approval	At least 15 days prior to the start of site grading, the project shall submit the drainage plan, an E&S plan, any associated calculations, and soils report to the CBO for design review and approval. In the next MCR following the CBO's approval, the project shall submit a written statement certifying that the documents have been approved by the CBO.	Prior to the start of site grading, 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 as required by the 1998 CBC [Appendix Chapter 33, Section 3309.6, Soils Engineering Report and Section 3309.6, Engineering Geology Report]. <u>Verification:</u> At least fifteen (15) days prior to the start of site grading (or a lesser number of days mutually agreed to by the project owner and the CBO), 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.	Yes, BESS	Complete: Submitted to CBO 10/2, approval provided in MCR-2 (September 2022)
Unexpected Geological Conditions	The project owner shall notify the CPM, within 5 days, when earthwork and construction is stopped as a result of unforeseen adverse geologic/soil conditions. Within five days 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.	The resident engineer shall, if appropriate, stop all earthwork and construction in the affected areas when the responsible geotechnical engineer or 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 [1998 CBC, Section 104.2.4, Stop orders]. <u>Verification:</u> The project owner shall notify the CPM, within five (5) days, when earthwork and construction is stopped as a result of unforeseen adverse geologic/soil conditions. Within five days 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.	Yes	Ongoing/Not applicable: To date earthwork and construction has not been stopped as a result of unforeseen adverse geologic/soil conditions
Construction Discrepancies	Within 5 days of the discovery of any discrepancies as described in the CoC, the resident engineer shall transmit to the CBO and the CPM a Non-Conformance Report (NCR), and the proposed corrective action. 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.	The project owner shall perform inspections in accordance with the 1998 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, the CBO, and the CPM [1998 CBC, Appendix Chapter 33, Section 3317.7, Notification of Noncompliance]. The project owner shall prepare a written report detailing all discrepancies and non-compliance items, and the proposed corrective action, and send copies to the CBO and the CPM. <u>Verification:</u> Within five (5) days of the discovery of any discrepancies, the resident engineer shall transmit to the CBO and the CPM a Non-Conformance Report (NCR), and the proposed corrective action. 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.	Yes	Ongoing/Not applicable: No non-conformances reported
E&S As-Built Certification	Within thirty 30 days of the completion of the erosion and sediment control mitigation and drainage facilities, the project shall submit to the CBO 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. The project shall submit a copy of this report to the CPM in the next Monthly Compliance Report.	After completion of finished grading and erosion and sedimentation control and drainage facilities, the project owner shall obtain the CBO's approval of the final "as-graded" grading plans, and final "as-built" plans for the erosion and sedimentation control facilities [1998 CBC, Section 108, Certificate of Occupancy]. <u>Verification:</u> Within thirty (30) days of the completion of the erosion and sediment control mitigation and drainage facilities, the project owner shall submit to the CBO 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. The project owner shall submit a copy of this report to the CPM in the next Monthly Compliance Report.	Yes	Erosion and sediment control mitigation and drainage facilities not completed

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Certification of Structural Plans for T&S	At least 30 days prior to the start of any increment of construction of any structure or component listed in Table 1 of CoC GEN-2, the project owner shall submit to the CBO, with a copy to the CPM, the responsible design engineer's signed statement that the final design plans, specifications and calculations conform with all of the requirements set forth in the Energy Commission's Decision. The project owner shall submit to the CPM a copy of a statement from the CBO that the proposed structural plans, specifications, and calculations have been approved and are in conformance with the requirements set forth in the applicable engineering LORS.	Prior to the start of any increment of construction of any major structure or component listed in Table 1 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 1, above): 1.Major project structures; 2.Major foundations, equipment supports and anchorage; 3.Large field fabricated tanks; 4.Turbine/generator pedestal; and 5.Switchyard structures. 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. Protocol: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 [1998 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 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 on-site fabrication and installation of each structure, equipment support, or foundation [1998 CBC, Section 106.4.2, Retention of plans and Section 106.3.2, Submittal documents]; and 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 [1998 CBC, Section 106.3.4, Architect or Engineer of Record]. <u>Verification:</u> At least thirty (30) days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of any increment of construction of any structure or component listed in Table 1 of Condition of Certification GEN-2 above, the project owner shall submit to the CBO, with a copy to the CPM, the responsible design engineer's signed statement that the final design plans, specifications and calculations conform with all of the requirements set forth in the Energy Commission's Decision. If the CBO discovers non-conformance with the stated requirements, the project owner shall resubmit the corrected plans to the CBO within 20 days of receipt of the non-conforming submittal with a copy of the transmittal letter to the CPM. The project owner shall submit to the CPM a copy of a statement from the CBO that the proposed structural plans, specifications, and calculations have been approved and are in conformance with the requirements set forth in the applicable engineering LORS.	Yes, T&S	Complete: Approved as of 9/7/23
Certification of Structural Plans for BESS			Yes, BESS	Complete: Structural Plans Approved as of 3/13/2024; Switchyard Structural Plans Approved 5/28/24
CBO Structural Design Approval for T&S	If a discrepancy is discovered in any of the CoC-described parameters, the project owner shall, within five days, prepare and submit an NCR describing the nature of the discrepancies to the CBO, with a copy of the transmittal letter to the CPM [1998 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.	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 1998 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. <u>Verification:</u> 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 to the CBO, with a copy of the transmittal letter to the CPM [1998 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.	Yes, T&S	Complete
CBO Structural Design Approval for BESS			Yes, BESS	Ongoing/Not Applicable: No design changes proposed
Final Plan Design Changes for T&S	The project shall coordinate with the CBO on design changes to the final plans and notify the CPM via MCR, when the CBO has approved the revised plans.	The project owner shall submit to the CBO design changes to the final plans required by the 1998 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 the CBO prior notice of the intended filing. <u>Verification:</u> 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.	Yes	Complete - No design changes proposed and As Builts submitted
Final Plan Design Changes for BESS			Yes	Design changes proposed on June 17, 2024. CBO provided first round of comments on June 20, 2024.
Hazardous Material Tank/Vessel Reporting	At least 30 days prior to the start of installation of the tanks or vessels containing 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 shall send copies of the CBO approvals of plan checks to the CPM in the following Monthly Compliance Report. The project shall also transmit a copy of the CBO's inspection approvals to the CPM in the Monthly Compliance Report following completion of any inspection.	Tanks and vessels containing quantities of toxic or hazardous materials exceeding amounts specified in Chapter 3, Table 3-E of the 1998 CBC shall, at a minimum, be designed to comply with Occupancy Category 2 of the 1998 CBC. <u>Verification:</u> At least thirty (30) days (or a lesser number of days mutually agreed to by the project owner and the CBO) 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.	No	

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Piping and Plumbing Design Plans	At least 30 days prior to the start of any increment of major piping or plumbing construction listed in Table 1, Condition of Certification GEN-2, 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.	Prior to the start of any increment of major piping or plumbing construction, 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 Table 1, 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 [1998 CBC, Section 106.3.2, Submittal Documents, Section 108.3, Inspection Requests, Section 108.4, Approval Required; 1998 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 not be 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 [1998 CBC, Section 104.2.2, Deputies]. <u>Verification:</u> At least thirty (30) days (or a lesser number of days mutually agreed to by the project owner and the CBO) prior to the start of any increment of major piping or plumbing construction listed in Table 1, 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.	Yes	Complete: Compliance with LORS previously included in MCR: 1 (August 2023) Ongoing: Inspection reports provided in MCRs as needed
Pressure Vessels	At least thirty (30) days 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 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.	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 [1998 CBC, Section 108.3 – Inspection Requests]. Protocol: 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. <u>Verification:</u> At least thirty (30) days (or a lesser number of days mutually agreed to by the project owner and the CBO) 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.	No	
HVAC and Refrigeration Calculations, Plans and Specifications	At least 30 days 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.	Prior to the start of construction of any heating, ventilating, air conditioning (HVAC) or refrigeration system, the project owner shall submit to the CBO for design review and approval the design plans, specifications, calculations and quality control procedures for that 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 [1998 CBC, Section 108.7, Other Inspections; Section 106.3.4, Architect or Engineer of Record]. <u>Verification:</u> At least thirty (30) days (or a lesser number of days mutually agreed to by the project owner and the CBO) 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.	Yes	Enclosure HVAC is included in electrical and fire protection design packages.
Electrical Design Documents	At least 30 days prior to the start of each increment of electrical construction and systems 480 volts or higher, with exceptions noted in the CoC, 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.	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 1998, 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 [1998 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. lightning energy calculations. C. The following activities shall be reported to the CPM in the Monthly Compliance Report: receipt or delay of major electrical equipment; testing or energization of major electrical equipment; and 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. <u>Verification:</u> At least thirty (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 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.	Yes	Complete: Previously included in MCR: 1 (Aug 2023) for Tap and Switch Electrical Plan approved by CBO on 6/14/24 for BESS construction
CPUC General Order 95	At least 30 days prior to the start of line-related ground disturbance, submit PG&E letter of intention to comply with listed permits to CPM.	The project owner shall ensure that PG&E erects the proposed transmission line according to the requirements of CPUC's GO-95, GO-52, applicable requirements of Title 8, California Code of Regulations, Section 2700 et seq. and PG&E's EMF-reduction guidelines arising from CPUC Decision 93-11-013. <u>Verification:</u> At least thirty (30) days before start of line-related ground disturbance, the Applicant shall submit to the Commission's Compliance Project Manager (CPM) a letter from PG&E stating PG&E's intention to ensure compliance with this requirement.	No	
Radio & TV Interference	Records shall be kept of any radio or television reception line related complaints.	The project owner shall verify implementation of PG&E's plan for identifying and correcting any complaints of interference with radio or television reception. PG&E shall maintain any records of such complaints and remediation for 5 years. <u>Verification:</u> The Applicant shall ensure that all reports of line-related complaints are summarized by PG&E for the proposed line and provided to the Applicant for submittal to the CPM in the Annual Compliance Report.	No	
Electric & Magnetic Fields Mitigation	PG&E to develop specific plans to measure pre- and post-energization strengths. Project shall ensure that the measurements are filed with CPM within 60 days of completion of measurements.	The Applicant shall ensure that PG&E establishes a specific plan to engage a qualified consultant or PG&E employee to measure the strengths of the line's electric and magnetic fields before and after the line is energized. Measurements should be made at representative points along the edge of the right-of-way for which field strength estimates were provided. <u>Verification:</u> The project owner shall obtain copies of the pre- and post-energization measurements and file them with the CPM within sixty (60) days after completion of the measurements.	No	

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Transmission Line Fire Safety	During the first 5 years of plant operation, the project owner shall ensure that PG&E summarizes all inspection results together with any fire prevention activities carried out along the line route. Such summaries shall be obtained by the Applicant and submitted in the Annual Compliance Report.	The Applicant shall ensure that PG&E implements a specific plan to ensure that the line's proposed route is kept free of combustible material, as required under the provisions of Section 4292 of the Public Resources Code and Title 14, California Code of Regulations, Section 1250. <u>Verification:</u> During the first five (5) years of plant operation, the project owner shall ensure that PG&E summarizes all inspection results together with any fire prevention activities carried out along the line route. Such summaries shall be obtained by the Applicant and submitted in the Annual Compliance Report.	No	
Transmission Line Shock Safety	At least 30 days before the line is energized, the Applicant shall obtain a copy of this implementation plan from PG&E and submit it to the CPM.	The Applicant shall ensure that PG&E implements a plan under which all permanent metallic objects within the line route are grounded according to industry standards. <u>Verification:</u> At least thirty (30) days before the line is energized, the Applicant shall obtain a copy of this implementation plan from PG&E and submit it to the CPM.	No	
Transmission Facility Design Submittals	At least 60 days prior to the start of construction, the project 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 equipment (see a list of major equipment in Table 1: Major Equipment in CoC). Additions and deletions shall be made to the table only with CPM and CBO approval. The owner shall provide schedule updates in the Monthly Compliance Report.	The project owner shall furnish to the CPM and to the 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. <u>Verification:</u> At least sixty (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 equipment (see a list of major equipment in Table 1: Major Equipment 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. Table 1: Major Equipment DESCRIPTION Breakers Power House 12.5 kV Switchyards 12.5 kV Buses Underground cables Disconnects Take off facilities Overhead lines Switchyard control building Step-up transformer Others	Yes	There were revisions to the schedule and activities that were discussed and approved via phone conversation with the CPM for December 2023 on November 27, 2023. Previous revisions to the schedule and activities were included in MCR-1 (Aug 2023)
Qualification of Engineers	At least 30 days prior to the start of rough grading, the project 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 owner shall notify the CPM of the CBO's approvals of the engineers within five days of the approval.	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. [California Business and Professions Code section 6704 et seq., and sections 6730 and 6736 requires 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 to 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. <u>Verification:</u> At least thirty (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.	Yes	Submitted to CPM via stamp on Site Plan
TSE Design Discrepancies	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 owner shall notify the CPM of the CBO's approval of the new engineer within five days of the approval.	The project owner shall keep the CBO informed regarding the status of engineering design and construction. If any discrepancy in design and/or construction is discovered, the project owner shall document the discrepancy and recommend the corrective action required. The discrepancy documentation shall become a controlled document and shall be submitted to the CBO for review and approval. The discrepancy documentation shall reference this condition of certification. <u>Verification:</u> The project owner shall submit monthly construction progress reports to the CBO and CPM to be included in response to TSE-3. The project owner shall transmit a copy of the CBO's approval or disapproval of any corrective action taken to resolve a discrepancy 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.	Yes	Previous revisions to the schedule and activities were previously included in MCR-1 (August 2023)
CBO Design Approval	At least 30 days prior to the start of each increment of construction, the owner shall submit to the CBO for review and approval of 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 compliance with the applicable LORS. The project shall send the CPM a copy of the transmittal letter in the next MCR.	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 energizing of major electrical equipment; and c) the number of electrical drawings approved, submitted for approval, and still to be submitted. <u>Verification:</u> At least thirty (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 compliance with the applicable LORS. The project owner shall send the CPM a copy of the transmittal letter in the next Monthly Compliance Report.	Yes	Sent to CEC 6/26/23

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Transmission Facility and Interconnection Approvals	At least 60 days prior to the start of construction of transmission facilities the owner shall submit to the CBO design documents as detailed in the CoC. If Cal-ISO approval is required, interconnection approval shall be provided to the CPM.	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 substitution of Compliance Project Manager (CPM) and CBO approved "equivalent" equipment and equivalent substation configurations are acceptable. The project owner shall submit the required number of copies of the design drawings and calculations as determined by the CBO. a. The power plant switchyard and outlet line shall meet or exceed the electrical, mechanical, civil and structural requirements of CPUC General Order 95 or National Electric Safety Code (NESC), Title 8 of the California Code of Regulations (Title 8), Articles 35, 36 and 37 of the "High Voltage Electric Safety Orders", National Electric Code (NEC), and related industry standards, and the California ISO Interconnection Procedures. b. Breakers and buses in the power plant switchyard and other switchyards, where applicable, shall be sized to comply with a short-circuit analysis. c. 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. d. Termination facilities shall comply with CPUC Rule 21 and PG&E applicable interconnection standards. e. The project conductors shall be sized to accommodate the full output from the HPP plant. f. The project owner shall provide an Executed Generator Special Facilities Agreement. g. The project owner shall provide evidence of approval from the California ISO for the modification of existing interconnection or generation facilities. <u>Verification:</u> At least sixty (60) days prior to the start of construction of transmission facilities, the project owner shall submit to the CBO for approval: a. Design drawings, specifications and calculations conforming with CPUC General Order (GO) 95 or NESC, Title 8, Articles 35, 36 and 37 of the "High Voltage Electric Safety Orders", NEC, CPUC Rule 21, applicable interconnection standards and related industry standards, for the poles/towers, foundations, anchor bolts, conductors, underground cables, grounding systems and major switchyard equipment. b. For each element of the transmission facilities identified above, 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 responsible charge, or other acceptable alternative verification, that the transmission element(s) will conform with CPUC General Order 95 or NESC, Title 8, California Code of Regulations, Articles 35, 36 and 37 of the, "High Voltage Electric Safety Orders", NEC, CPUC Rule 21, applicable interconnection standards, and related industry standards. c. Electrical one-line diagrams signed and sealed by the registered professional electrical engineer in responsible charge, a route map, and an engineering description of equipment and the configurations covered by requirements TSE-5 a) through g) above. d. Generator Special Facilities Agreement shall be provided concurrently to the CPM and CBO. Substitution of equipment and substation configurations shall be identified and justified by the project owner for CBO and CPM approval. e. Prior to the start of construction of any project modification requiring approval from the California ISO, provide the interconnection approval to the CPM. Interconnection approval for modification of existing facilities can be in the form of an approved Material Modification Assessment or written approval of the proposed changes to the project and the existing interconnection facilities from the interconnecting authority. Within 15 days after cessation of construction the project owner shall provide a statement to the CPM from the registered engineer in responsible charge (signed and sealed) that the switchyard and transmission facilities conform to the above listed requirements.	Yes, BESS	Interconnection Approvals sent to the CPM on 4/10/2024
Non-Conforming Changes	At least 60 days prior to the construction of transmission facilities, the project shall inform the CBO and the CPM of any impending changes which may not conform to requirements of TSE-5 and request approval to implement such changes.	The project owner shall inform the CPM and CBO of any impending changes, which may not conform to the requirements TSE-5 a) through f), and have not received CPM and CBO approval, and request approval to implement such changes. 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. <u>Verification:</u> At least sixty (60) days prior to the construction of transmission facilities or a lesser number of days agreed to by the CPM, the project owner shall inform the CBO and the CPM of any impending changes which may not conform to requirements of TSE-5 and request approval to implement such changes.	Yes, BESS	Approved
Post-Synchronization Submittal	Within 60 days after first synchronization of the project, the project owner shall transmit to the CPM and CBO all required engineer description(s) as detailed in the CoC.	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 GO-95 or NESC, Title 8, CCR, Articles 35, 36 and 37 of the, "High Voltage Electric Safety Orders", applicable interconnection standards, 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. <u>Verification:</u> Within sixty (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 GO-95 or NESC, Title 8, California Code of Regulations, Articles 35, 36 and 37 of the, "High Voltage Electric Safety Orders", CPUC Rule 21, and applicable interconnection standards, NEC, related industry standards, and these conditions shall be provided concurrently. 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 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 responsible charge.	Yes	Needed prior to synchronization
Synchronization Notice	The project shall provide copies of the Cal-ISO letter to the CPM when it is sent to the Cal-ISO 1 week prior to initial synchronization with the grid. A report of conversation with the Cal-ISO shall be provided electronically to the CPM 1 day before synchronizing the facility with the California transmission system for the first time.	The Applicant shall provide the following Notice to the California Independent System Operator (Cal-ISO) prior to synchronizing the facility with the California Transmission system: 1. At least one (1) week prior to synchronizing the facility with the grid for testing, provide the Cal-ISO a letter stating the proposed date of synchronization; and 2. At least one (1) business day prior to synchronizing the facility with the grid for testing, provide telephone notification to the ISO Outage Coordination Department, Monday through Friday, between the hours of 0700 to 1530 at (916)-351-2300. <u>Verification:</u> The Applicant shall provide copies of the Cal-ISO letter to the CPM when it is sent to the Cal-ISO one (1) week prior to initial synchronization with the grid. A report of conversation with the Cal-ISO shall be provided electronically to the CPM one (1) day before synchronizing the facility with the California transmission system for the first time.	Yes	Needed prior to synchronization
Construction Safety & Health Program- T&S	At least 30 days prior to the start of construction, the project shall submit to the CPM for review and approval a copy of the Project Construction Injury and Illness Prevention Program. The Construction Fire Protection and Prevention Plan Emergency Action Plan shall be submitted to the Kings County Fire Department for review and comment prior to submittal to the CPM.	The project owner shall submit to the CPM a copy of the Project Construction Injury and Illness Prevention Program, containing the following: A Construction Safety Program; A Construction Personal Protective Equipment Program; A Construction Exposure Monitoring Program; A Construction Emergency Action Plan; and A Construction Fire Protection and Prevention Plan. The Safety Program, the Personal Protective Equipment Program, and the Exposure Monitoring Program shall be submitted to the CPM for review and comment concerning compliance of the program with all applicable Safety Orders. The Construction Fire Protection and Prevention Plan and Emergency Action Plan shall be submitted to the Kings County Fire Department for review and comment prior to submittal to the CPM. <u>Verification:</u> At least thirty (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 Injury and Illness Prevention Program. The Construction Fire Protection and Prevention Plan Emergency Action Plan shall be submitted to the Kings County Fire Department for review and comment prior to submittal to the CPM.	Yes, T&S	Siemens submitted to CEC 7/28
Construction Safety & Health Program- BESS			Yes, BESS	Ameresco submitted to KCFD and CEC 10/11
Operation Safety & Health Program	At least 60 days prior to the start of operation, the project owner shall submit to the CPM a copy of the final version of the Project Operations and Maintenance Safety & Health Program. The Kings County Fire Department shall be provided a copy of the plan for review and comment. The program shall incorporate comments from Cal/OSHA, Consultation Service and the KCFD based on their reviews of the respective program components.	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; Operations and Maintenance Safety Program; 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 Cal/OSHA Consultation Service, for review and comment concerning compliance of the program with all applicable Safety Orders. The Operation Fire Protection Plan and the Emergency Action Plan shall also be submitted to the Kings County Fire Department for review and comment. <u>Verification:</u> At least sixty (60) days prior to the start of operation, the project owner shall submit to the CPM a copy of the final version of the Project Operations and Maintenance Safety & Health Program. The Kings County Fire Department shall be provided a copy of the plan for review and comment. The program shall incorporate comments from Cal/OSHA, Consultation Service and the KCFD based on their reviews of the respective program components.	Yes	Submitted to CPM and Kings County Fire Department on 10/14/24.
Worker Noise Control Program	At least 30 days prior to the start of project-related ground disturbing activities, the project owner shall submit to the CPM for review and approval, a noise control program. The project owner shall make the program available to OSHA upon request.	Prior to the start of project-related ground disturbing activities, 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. <u>Verification:</u> At least thirty (30) days prior to the start of project-related ground disturbing activities, the project owner shall submit to the CPM the above referenced program. The project owner shall make the program available to OSHA upon request.	Yes	Siemens submitted to CEC 7/28/23, Ameresco submitted to CEC 10/11/23

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Operational Noise Survey	An operational noise survey shall be conducted within 30 days of the facility being operational. 30 days after completing the occupational noise 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.	The project owner shall conduct an occupational noise survey to identify the noise hazardous areas in the facility. The survey shall be conducted within thirty (30) days after the facility is in full operation, and 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. <u>Verification:</u> Within thirty (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.	Yes	During operation
Operations Fire Prevention Plan	At least 60 days prior to the start of operation, the project owner shall submit to the CPM a copy of the final version of the Operations Fire Prevention Plan for review and approval. The KCFD shall also be provided a copy of the Plan for review and comment.	The project owner shall prepare and submit to the CPM an Operations Fire Prevention Plan describing the onsite fire protection systems that will be provided in this project. Specifically, information must be included on employee alarm/communication system, portable fire extinguisher placement and operation, fixed firefighting equipment placement and operation, fire control methods and techniques, hazardous materials and flammable and combustible liquid storage methods, methods for servicing and refueling vehicles and fire prevention training programs and requirements. Additionally, information shall be provided regarding the source of on-site firewater, including storage if applicable and fire department hook-ups. <u>Verification:</u> At least sixty (60) days prior to the start of operation, the project owner shall submit to the CPM a copy of the final version of the Operations Fire Prevention Plan for review and approval. ~~The KCFD shall also be provided a copy of the Plan for review and comment.~~ The project owner shall submit the fire protection plans for the Battery Energy Storage System (BESS) to the King County Fire Department (KCFD) for review and comment, to the Delegate Chief Building Official (DCBO) for plan check and inspection, and to the Compliance Project Manager (CPM) for review and approval. <u>Verification:</u> At least sixty (60) days prior to the start of construction of the BESS project, the project owner shall provide the complete set of BESS fire protection drawings and specifications to the KCFD for review and comment, to the DCBO for plan check approval and construction inspection, and to the CPM for review and approval.	Yes	Needed prior to operation
Fire Protection Drawings	At least 60 days prior to the start of construction of the BESS project, the project owner shall provide the complete set of BESS fire protection drawings and specifications to the KCFD for review and comment, to the DCBO for plan check approval and construction inspection, and to the CPM for review and approval.	The project owner shall submit a BESS hazard mitigation analysis per UL 9540A to the KCFD for review and comment, to the DCBO for plan check and inspection, and to the CPM for review and approval. The hazard mitigation analysis shall include consideration of potential thermal runaway fault conditions occurring within a single battery storage rack, cell module or cell array. The analysis shall include mitigations to prevent flammable gases released during fire, battery overcharging, and other abnormal operating conditions within the BESS from creating an explosion hazard that could injure workers or emergency first-responders. <u>Verification:</u> At least sixty (60) days prior to the start of construction of the BESS project, the project owner shall provide the hazard mitigation analysis to the KCFD for review and comment, to the DCBO for plan check and inspection and to the CPM for review and approval.	Yes, BESS	Plans approved on November 20, 2024
Hazard Mitigation Analysis	At least 60 days prior to the start of construction of the BESS project, the project owner shall provide the hazard mitigation analysis to the KCFD for review and comment, to the DCBO for plan check and inspection and to the CPM for review and approval.	The project owner shall submit a BESS hazard mitigation analysis per UL 9540A to the KCFD for review and comment, to the DCBO for plan check and inspection, and to the CPM for review and approval. The hazard mitigation analysis shall include consideration of potential thermal runaway fault conditions occurring within a single battery storage rack, cell module or cell array. The analysis shall include mitigations to prevent flammable gases released during fire, battery overcharging, and other abnormal operating conditions within the BESS from creating an explosion hazard that could injure workers or emergency first-responders. <u>Verification:</u> At least sixty (60) days prior to the start of construction of the BESS project, the project owner shall provide the hazard mitigation analysis to the KCFD for review and comment, to the DCBO for plan check and inspection and to the CPM for review and approval.	Yes, BESS	Submitted to CPM & KCFD on 9/14/23, additional UL9540A tests submitted 1/23/24
Fire Water Supply Plans	At least 60 days prior to the start of construction of the BESS, the project owner shall provide the fire water supply plans to the KCFD for review and comment, to the DCBO for plan check and inspection, and to the CPM for review and approval. Additionally, provide a copy of a letter from the project owner to the KCFD offering access to information and the facility for training of KCFD personnel for emergencies that could occur at the BESS facility.	The project owner shall provide an approved fire water supply for use by first responders when responding to an emergency related to the BESS. The project owner shall also provide access to information and the facility for the local fire department to conduct training. <u>Verification:</u> At least sixty (60) days prior to the start of construction of the BESS, the project owner shall: a) Provide the fire water supply plans to the KCFD for review and comment, to the DCBO for plan check and inspection, and to the CPM for review and approval. b) Provide a copy of a letter from the project owner to the KCFD offering access to information and the facility for training of KCFD personnel for emergencies that could occur at the BESS facility.	Yes, BESS	Fire Supply Plans submitted to CEC and KCFD on 8/19/24.