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Petition for Post-Certification Amendment
Hanford Energy Park Peaker
CEC Docket No. 01-EP-7

Hanford Battery Energy Storage System
115 kV Cable Interconnection Project

MRP San Joaquin Energy, LLC

March 4, 2022

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1.0 INTRODUCTION

MRP San Joaquin Energy, LLC (MRP) owns and operates the Hanford Energy Park Peaker (HEPP or peaker plant) simple-cycle generating plant in the City of Hanford, Kings County, California. The HEPP is a natural-gas fueled peaker plant. The HEPP was licensed by the California Energy Commission (CEC) in 2001 as a nominal 95 megawatt (MW) peaker plant that currently operates at 99.4 MW. MRP hereby requests an amendment to the certification for the HEPP (01-EP-7) pursuant to Title 20, California Code of Regulations, Section 1769(a)(1).

The requested amendment would allow for the planned Hanford Battery Energy Storage System (BESS) project planned by Hanford BESS LLC to interconnect the HEPP interconnection facilities in order to be able to transmit power to the California Independent System Operator (CAISO)-managed electrical grid. The planned Hanford BESS is a separate facility from the HEPP and is located on a separate parcel to the west of the peaker plant. Based on coordination with the CEC in 2021, the CEC determined that the Hanford BESS project could be appropriately permitted by the City of Hanford (City) without CEC involvement. Accordingly, the Hanford BESS was permitted and authorized via an Administrative Use Permit issued by the City on January 24, 2022 (see Appendix C). Subsequent to the City's issuance of project approval, the CEC has requested that a Petition for Post-Certification Amendment (Petition) be prepared and submitted to address the portion of the planned 115 kV cable interconnection from the Hanford BESS to is interconnection point with the HEPP interconnection facilities on the HEPP parcel. This Petition addresses and is limited to the portion of the Hanford BESS 115 kV cable interconnection on the western portion of the peaker plant property.

The Hanford BESS project as approved by the City offers the CAISO dispatchable energy storage resources to the CAISO-managed electrical grid to help meet critical peak electrical demand in California and to provide electrical transmission system stability. The batteries would be charged with mainly renewable power during the peak solar hours via the CAISO-managed electrical grid and not from the existing gas-fired peaker plant. The Hanford BESS is designed as a hybrid facility and would be capable of providing 131.4 MW of BESS electricity for up to 1 hour.

The Hanford BESS is planned to interconnect to the CAISO-managed electrical grid via the existing HEPP-owned interconnection facilities on the HEPP parcel by installation and operation of a short 115 kilovolt (kV) electrical cable between the BESS switchyard, which is located near the western border of the HEPP parcel, and the point of interconnection (POI) at the HEPP (see Figure 1 in Appendix A). Two options are being considered subject to final design by the selected construction contractor:

- Install 115 kV cable using an existing elevated pipe rack on the HEPP parcel
- Install 115 kV cable in conduit via trenching on the HEPP parcel

The maximum length of the 115 kV cable interconnection under both options is less than 200 feet. The planned activities on the HEPP parcel also may include minor easterly relocation of the three existing potential and current transformers (CT and PT) along with installation of small pad foundations at the new location. Installation of new small pad foundations, just west of HEPP's relocated CT's and PT's, will support a small steel structure required to make the transition from insulated cable to bare, uninsulated cable, to allow connection at the POI. The proposed construction activities will occur on previously disturbed and developed portions of the HEPP parcel associated with construction of the peaker plant in 2001. The HEPP site has been graded, compacted, and covered with concrete pads, asphalt, and/or gravel in the areas where the 115 kV Interconnection Project construction activities and cable installation will occur.

The environmental impact assessment presented in Section 5.0 herein concludes no significant environmental impacts are associated with the implementation of the actions specified in this Petition for Post-Certification Amendment, and that the project, as modified, will comply with all applicable laws, ordinances, regulations, and standards (LORS).

Accordingly, MRP respectfully requests that the requested modification be approved at the staff level as Staff Approved Project Change (SAPC) pursuant Title 20, California Code of Regulations, Section 1769(a)(1).

1.1 Background

The HEPP site and adjacent properties are zoned heavy industrial and are located in the Kings Industrial Park. The HEPP is located on Assessor Parcel Number 018-242-061-000 (9.91 acres) at 10596 Idaho Avenue. The HEPP was licensed by the CEC in 2001 (see CEC Docket No. 01-EP-7, as amended). The proposed BESS 115 kV Interconnection Project was not envisioned at the time the HEPP was permitted by the CEC in 2001.

MRP plans to perform the 115 kV cable installation related work on the peaker parcel in the second or third quarter of 2023.

1.2 20 CCR Section 1769 Information Requirements

The information presented in Section 2.0, below, contains the information required pursuant to Title 20, California Code of Regulations (CCR), Section 1769(a)(1).

2.0 DESCRIPTION OF PROPOSED CHANGES

This section addresses the requirements of Title 20, CCR, Section 1769(a)(1)(A).

2.1 115 kV Cable Interconnection: Description of the Proposed Modification

2.1.1 Existing Facility Overview

The HEPP is a nominal 99.4-megawatt natural-gas fired simple-cycle peaking facility consisting of two aero-derivative General Electric LM6000 combustion turbine-generator sets operating in simple-cycle mode equipped with water injection for NOx control. The HEPP connects to the CAISO-managed electrical grid via the existing PG&E GWF Hanford 115 kV Switching Station located on the peaker parcel to the south of the peaker facility (see Figure 1 in Appendix A).

2.1.2 Planned Modifications

The planned 115 kV Interconnection Project activities and modifications will be performed on the western portion of the HEPP parcel in the area between the HEPP power block to the north and the peaker switchyard/PG&E GWF Hanford 115 kV Switching Station to the south (see Figure 1 in Appendix A).

The 115 kV POI for the BESS is located on the HEPP parcel approximately 200 feet to the east of the BESS switchyard. The POI is immediately adjacent to the existing HEPP generator step-up unit (GSU) transformer and is located in the area between the GSU and HEPP main circuit breaker. At this location, the POI allows the BESS facility to directly access PG&E's transmission system using the existing HEPP and PG&E switchyard infrastructure. No modifications to the existing HEPP switchyard are required. PG&E will provide and install several relays needed to support this additional generation.

There are two options under consideration for routing the 115 kV cable from the Hanford BESS switchyard to the POI on the HEPP parcel as follows:

- Install 115 kV cable using an existing elevated pipe rack on the HEPP parcel
- Install 115 kV cable in conduit via trenching on the HEPP parcel

Summary information for the two cable installation methods under consideration follows.

Existing Cable Tray

This option would involve placing the 115 kV cable overhead in the HEPP's existing elevated pipe rack in the area. It is expected that the top level of the existing pipe rack could accommodate the 115 kV cable in cable tray although some minor structural modifications may be required to

accommodate the added weight and minimum turning radius of the cable. The expected outside diameter of the insulated 115 kV cable is approximately 3 to 4 inches. This option would require further engineering evaluation prior to selection and implementation.

Buried Conduit in Trench

This option would involve trenching to place the 115 kV cable in PVC conduit in an underground duct bank (see cross section diagram on Figure 2 in Appendix A). The duct bank would be filled with Fluidized Thermal Backfill (FTB) designed to provide proper heat dissipation from the cable. A reinforced concrete slab would be placed on top of the FTB to provide protection to the cable. Select backfill would be placed on top of the protective concrete slab to bring the area to finished grade. The expected dimensions of the trench are up to approximately 4-feet wide by 5- to 6-feet deep and up to approximately 200 feet in length on the HEPP parcel. Under this option and assumed specifications, approximately 180 cubic yards of excavated material would need to be removed and disposed of offsite in an approved manner.

Electrical Equipment Relocation and Foundation Work at POI

Minor work at the POI is required to make the BESS 115 kV electrical connection between the high side of the existing HEPP GSU and the 115 kV breaker. The existing current transformer (CT) and potential transformer (PT) support structures may need to be relocated 15 to 20 feet to the east. Existing foundations would need to be removed. To support the new BESS cabling at the POI, it is anticipated that up to six new foundations will be required to support the 115 kV BESS cable configuration. It is expected that these foundations will be approximately 4 feet square and extend 2 to 3 feet below ground surface. A new structural steel support structure will be provided to transition from the underground insulated cable to the bare cable needed to coordinate the 115 kV cable connections.

Total maximum surface disturbance for the planned 115 kV Interconnection Project facilities at the HEPP site is less than 0.1 acre for cable installation (trench option) and electrical equipment foundation relocation/construction work combined. Maximum cut (soil) and fill (grout) quantities are estimated to be approximately 190 cubic yards for the combined trench cable installation option (~180 cubic yards) and up to six relocated and/or new concrete pad foundations (4 feet by 4 feet by 3 feet deep) (~10 cubic yards total).

The area required for the above ground and in-ground cable alignment options are generally shown on Figure 1 in Appendix A.

2.2 Construction

Installation of the 115 kV Interconnection Project will be staged to occur over an estimated 8- to 10-week period in the 2nd or 3rd quarter of 2023. Transformer work that may be required to relocate the existing CT's and PT's and the required work to install connections at the POI will occur during an HEPP planned outage.

The workforce for the 115 kV Interconnection Project work on the HEPP parcel is estimated to be up to about 10-15 workers at any one time.

Truck traffic for deliveries of equipment and materials, hauling of removed foundations and excess spoil from excavations, and delivery of concrete and grout, as applicable, on the HEPP parcel is estimated to reach up to 10 truck trips per day for several days. It is estimated that a total of approximately 50 truck trips will be required over the estimated 8- to 10-week construction period.

The primary construction equipment required for installation of the 115 kV Interconnection Project components will vary slightly depending on the cable installation option selected. Construction equipment for installation of the 115 kV Interconnection Project facilities on the HEPP are anticipated to include:

- All-terrain forklift
- 35-ton wheel mounted crane
- Man-lift
- Backhoe
- Excavator/trenching machine
- Sheep's foot compactor
- Front-end loader
- Welding machine
- Miscellaneous hand tools

FTB and concrete needs for backfilling and foundation pads will be supplied by pre-mix concrete truck deliveries.

As available, construction equipment will be CARB-certified, Tier 4 for all applicable equipment.

Construction activities will be limited to the hours of 7 a.m. to 8 p.m. and all equipment and vehicles would comply with the noise requirements of the City of Hanford. The City of Hanford's Noise requirements relate to nuisance and are specified in the City of Hanford's Municipal Code, Title 9 – Public Peace, Morals and Welfare, Chapter 9.10 Loud or Annoying Noises, 9.10.060

Noises Prohibited. The provisions include general prohibitions against loud and/or annoying noises (no numerical sound thresholds specified).

Construction of the 115 kV Interconnection Project facilities on the HEPP parcel is not expected to require use of additional hazardous materials and/or to generate hazardous wastes in reportable quantities at the HEPP. As applicable, construction equipment will be fueled and maintained offsite. All construction debris will be stored and removed for offsite recycling or disposal in an approved manner.

Minimal water is expected to be required for construction of the 115 kV Interconnection Project facilities on the HEPP parcel. Under the cable installation in conduit via trenching option, minimal water may be needed for fugitive dust control and compaction of soil as applicable. It is estimated that less than 1,000 gallons of water will be required and that the minimal construction water needs will be met by the construction contractor.

Construction activities will be performed in compliance with all applicable CEC Conditions of Certification for the HEPP.

2.3 Operation and Maintenance

Once installed, the 115 kV Interconnection Project facilities will allow the Hanford BESS project to dispatch electricity to the CAISO-managed electrical grid via the existing HEPP interconnection facilities. Once the Hanford BESS 115 kV Interconnection Project at the HEPP is complete, no non-routine operation and maintenance activities are anticipated to be required at the HEPP relative to the addition of the 115 kV Interconnection Project facilities.

Once installed, the new 115 kV Interconnection Project facilities will not increase the HEPP workforce needs, water usage, air or noise emissions, and/or require use of new hazardous materials and/or to generate additional hazardous wastes in reportable quantities.

3.0 NECESSITY OF PROPOSED CHANGE

This section addresses the requirements of Title 20, CCR, Section 1769(a)(1)(B).

The 115 kV Interconnection Project on the HEPP parcel is needed to integrate the Hanford BESS project on the adjacent parcel to the west with the HEPP and the electrical grid in an efficient manner with minimal environmental impact.

4.0 NEW INFORMATION OR CHANGE IN CIRCUMSTANCES THAT NECESSITATED THE CHANGE

This section addresses the requirements of Title 20, CCR, Section 1769(a)(1)(C).

The modifications are not based on information that was known during the certification proceeding as the proposed modifications are in part a response to California's increasing need for more electricity during peak hours and to help integrate renewable energy resources. The 115 kV Interconnection Project will allow the Hanford BESS Project to interconnect to the electrical grid in conjunction with the HEPP and to be available to help California meet its energy reliability needs.

5.0 ANALYSIS OF THE POTENTIAL EFFECTS THAT THE PROPOSED CHANGE WILL HAVE ON THE ENVIRONMENT AND MITIGATION MEASURES PROPOSED

This section addresses the requirements of Title 20, CCR, Section 1769(a)(1)(D).

The HEPP was licensed by the CEC in 2001 (see CEC Docket No. 01-EP-7, as amended). The proposed BESS project was not envisioned at the time the HEPP was permitted by the CEC in 2001.

5.1 Background

The HEPP Application for Certification was certified by the CEC on May 10, 2001, and began commercial operation on September 3, 2001. The HEPP sells electricity into the CAISO-managed electrical grid. The HEPP site is zoned heavy industrial and is located in the Kings Industrial Park. The HEPP is located on Assessor Parcel Number (APN) 018-242-061 (9.91 acres) at 10596 Idaho Avenue in the City of Hanford in Kings County, California.

The requested amendment would allow for the Hanford BESS project on the adjacent parcel APN 018-242-055 to the west to interconnect to the electrical grid via the HEPP interconnection to the PG&E GWF Hanford 115 kV Switching Station. The 115 kV Interconnection Project consists primarily of a short 115 kV electrical cable interconnection from the BESS switchyard on the adjacent parcel to the west of the HEPP to the POI on the HEPP site. The 115 kV Interconnection Project is planned to be implemented in the 2nd or 3rd quarter of 2023. The Hanford BESS project, including the plan to interconnect the Hanford BESS to the electrical grid via the HEPP, was approved by the City of Hanford in January 2022 (see Appendix C). The 115 kV Interconnection Project cable installation options under consideration on the HEPP parcel are all located on previously disturbed and developed portions of the HEPP site.

5.2 Environmental Topic Areas Addressed

The CEC's Final Decision for the Hanford Energy Park Peaker Project was issued on June 21, 2001 and incorporated the Conditions of Certification presented in the May 5, 2001 CEC Staff Assessment for Emergency Permit into the Decision by reference. The CEC Staff Assessment included a fatal flaw analysis for the HEPP with references to other related prior applications and assessments.

Pertinent CEC licensing related documents (2001) for the HEPP include the following:

- CEC 2001a. Final Decision for the Application for Certification of the Hanford Energy Park Peaker Project by GWF Power Systems. CEC Docket No. 01-EP-07. June 21, 2001.
- CEC 2001b. Hanford Energy Park Peaker Project Staff Assessment for Emergency Permit. May 5, 2001.
- GWF Power Systems, Inc. 2001. Hanford Energy Park Peaker Project, California Emergency Power Plant Application. April 6, 2001, as amended.

In addition, the current Conditions of Certification (COC) that were updated in 2020 for the HEPP are pertinent to the planned 115 kV Interconnection Project (see Appendix B herein for a copy). As applicable, the existing Conditions of Certification are adequate for the 115 kV Interconnection Project and no new CEC Conditions are expected to be necessary.

An assessment of the potential effects that the proposed Hanford BESS 115 kV Interconnection Project will have on the environment with consideration of the topics in the CEC Final Decision and the Staff Assessment, by reference, as well as the current COC, follows. The following topic areas are addressed:

- Air Quality
- Biological Resources
- Cultural Resources
- Hazardous Materials Management
- Land Use
- Noise
- Paleontological Resources
- Soil and Water Resources
- Traffic and Transportation
- Visual Resources
- Waste Management
- Worker Safety

- Facility Design, Transmission System Engineering, and General Conditions

5.3 Air Quality

5.3.1 CEC Certification of HEPP

This Petition for Post-Certification Amendment does not require changes to the air quality information as described in the Commission Decision (CEC 2001a, b) and subsequent Commission Orders. The proposed project will not result in an increase in the HEPP's hourly or annual emissions above currently permitted limits. HEPP is not requesting any revisions to its hourly, daily, or annual emission or operational limits to accommodate the project. The project will not result in any impacts to public health associated with air emissions. No air quality permits are expected to be required associated with the 115 kV Interconnection Project.

5.3.2 Environmental Analysis

The proposed 115 kV Interconnection Project will involve construction activities for an estimated 8 to 10 weeks. It is expected that construction activities will result in minor tailpipe emissions from operation of construction equipment, truck deliveries, and workforce travel to and from the site. In addition, minor fugitive dust emissions may result from excavation activities associated with trenching operations/spoil piles, electrical equipment foundation removal, and foundation construction. The limited extent of construction activities and the use of Tier 4 equipment as available will ensure air emissions are minimized.

5.3.3 Mitigation Measures

The 115 kV Interconnection Project impacts on air quality and greenhouse gases (GHG) are less than significant and, therefore, will not require additional mitigation measures.

5.3.4 Consistency with LORS

The project will continue to conform to applicable laws related to air quality and GHG.

5.3.5 Conditions of Certification

The proposed modifications do not require changes to the COCs for air quality. The project will comply with CEC Condition AQ-1, Construction Fugitive Mitigation Plan (CEC 2020).

5.3.6 References

CEC. 2020. Hanford Energy Park Peaker Project (01-EP-07), Conditions of Certification as Amended. Updated January 29, 2020.

5.4 Biological Resources

5.4.1 CEC Certification of HEPP

This Petition for Post-Certification Amendment does not require changes to the biological resources information as described in the Commission Decision (CEC 2001a, b) and subsequent Commission Orders. The planned 115 kV Interconnection Project will be installed in paved or graveled portions of the existing HEPP power block area where there is no natural habitat for sensitive, threatened, or endangered species.

5.4.2 Environmental Analyses

The 115 kV Interconnection Project modifications to the HEPP will not result in construction or operational phase related impacts to sensitive biological resources. The 115 kV Interconnection Project will involve installation of aboveground and/or underground 115 kV cable and may include the need to relocate CT and PT foundations in previously graded and developed portions of the HEPP site between the peaker plant on the north and the HEPP switchyard/PG&E switchyard facilities to the south. No soil or vegetation is present in the areas of proposed surface disturbance as they are covered with asphalt or gravel. Construction activities on the HEPP site will not disturb any nesting areas, water resources/wetlands, or burrows.

Operation and maintenance of the 115 kV Interconnection Project facilities on the HEPP site will not result in ground disturbing activities that could adversely impact biological resources.

In summary, no adverse impacts to biological resources associated with construction or operation of the 115 kV Interconnection Project are expected to occur.

5.4.3 Mitigation Measures

The modifications associated with the planned 115 kV Interconnection Project will not create a significant impact on biological resources that will require additional mitigation measures.

5.4.4 Consistency with LORS

The project conforms to applicable laws related to biological resources.

5.4.5 Conditions of Certification

The proposed modifications do not require changes to the COCs for biological resources (CEC 2020).

The project will comply with COCs for Biological Resources, including those summarized below, as applicable:

- BIO-4: Construction methods identified in "Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996" (APLIC 1996) will be utilized in order to reduce risk of large bird electrocution by electric transmission lines and any interconnection between structures, substations and transmission lines.

- BIO-8: All construction pipes, culverts, or similar structures with a diameter of 4- inches or greater that are stored at a construction site for one or more overnight periods will be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the USFWS has been consulted.

- BIO-9: Site mobilization will not begin until a Staff approved Designated Biologist is available to be onsite, if deemed appropriate by the CEC.

- BIO-11: The requirements of the Biological Resources Mitigation Implementation and Monitoring Plan will be adhered to, as applicable.

5.4.6 References

APLIC. 1996. APLIC: Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996.

CEC 2001a. Final Decision for the Application for Certification of the Hanford Energy Park Peaker Project by GWF Power Systems. CEC Docket No. 01-EP-07. June 21, 2001.

CEC 2001b. Hanford Energy Park Peaker Project Staff Assessment for Emergency Permit. May 5, 2001.

CEC. 2020. Hanford Energy Park Peaker Project (01-EP-07), Conditions of Certification as Amended. Updated January 29, 2020.

5.5 Cultural Resources

5.5.1 CEC Certification of HEPP

This Petition for Post-Certification Amendment does not require changes to the cultural resources information as described in the Final Decision and subsequent Commission Orders. The 2001 Commission Decision concluded that the HEPP project had the potential to adversely impact cultural resources and stipulated COCs CUL-1 and CUL-2 to mitigate impacts. The planned 115 kV Interconnection Project facilities are in areas at the HEPP site that have been previously disturbed during construction and operation of the current peaker facility which has been in continuous industrial use for power generation since 2001. As part of the permitting and

construction of the HEPP, complete cultural resources surveys and construction monitoring were performed and appropriate mitigation for impacts to cultural resources were implemented.

5.5.2 Environmental Analyses

The 115 kV Interconnection Project will not result in potential impacts greater than those analyzed in the Commission Decision (CEC 2001a, b) for the HEPP. The 115 kV Interconnection Project facilities will be installed in previously graded and now paved or graveled portions of the existing HEPP power block area where there is no exposed native soil. Installation of the 115 kV Interconnection Project facilities on the HEPP site will involve varying amounts of subsurface disturbance depending on the cable installation option that is selected. Subsurface excavation depths could extend below previous HEPP site preparation/grading depths into undisturbed native soil for the 115 kV cable installation methods involving trenching, as applicable. Subsurface disturbance into undisturbed native soil would have the potential to impact buried cultural resources.

The 115 kV Interconnection Project facilities will not alter the appearance of the HEPP site such that offsite historic resources could be affected.

With adherence to the existing CEC COCs for protection of cultural resources at the HEPP, no adverse impacts to cultural resources associated with construction or operation of the 115 kV Interconnection Project are expected to occur.

5.5.3 Mitigation Measures

The 115 kV Interconnection Project will not create a significant impact on cultural resources that will require additional mitigation measures.

5.5.4 Consistency with LORS

The project conforms to applicable LORS related to cultural resources.

5.5.5 Conditions of Certification

The proposed modifications do not require changes to the COCs for cultural resources (CEC 2020). The 115 kV Interconnection Project construction activities on the HEPP site will comply with existing COCs CUL-1 and CUL-2, as applicable.

5.5.6 References

CEC 2001a. Final Decision for the Application for Certification of the Hanford Energy Park Peaker Project by GWF Power Systems. CEC Docket No. 01-EP-07. June 21, 2001.

CEC 2001b. Hanford Energy Park Peaker Project Staff Assessment for Emergency Permit. May 5, 2001.

CEC. 2020. Hanford Energy Park Peaker Project (01-EP-07), Conditions of Certification as Amended. Updated January 29, 2020.

5.6 Hazardous Materials Management

5.6.1 CEC Certification of HEPP

This Petition for Post-Certification Amendment does not require changes to the hazardous materials management information as described in the Commission Decision and subsequent Commission Orders.

5.6.2 Environmental Analyses

The planned 115 kV Interconnection Project modifications to the HEPP will not result in the use of a new hazardous material onsite or increase the amount or delivery of hazardous materials used in excess of permitted quantities. Therefore, no impacts from hazardous materials handling are expected.

5.6.3 Mitigation Measures

The 115 kV interconnection modifications will not create a significant impact from hazardous materials handling that will require additional mitigation measures.

5.6.4 Consistency with LORS

The project conforms to applicable laws related to hazardous materials handling.

5.6.5 Conditions of Certification

The proposed modifications do not require changes to the COCs for hazardous materials handling.

5.7 Land Use

5.7.1 CEC Certification of HEPP

This Petition for Post-Certification Amendment does not require changes to the land use information as described in the 2001 Commission Decision and subsequent Commission Orders.

5.7.2 Environmental Analyses

The HEPP site is located in the City of Hanford in Kings County, California. The project site is designated HI by the Hanford General Plan Land Use Element and is located on the Kings Industrial Park at the southern edge of the city (CEC 2001a, b). The land use designation allows for utility operations and so the project is consistent with this designation. The project site is also classified as HI in the City of Hanford Zoning Code. The project is also consistent with the allowable uses within the HI zoning district.

The Hanford BESS Project was permitted and authorized via an Administrative Use Permit issued by the City of Hanford on January 24, 2022 (see Appendix C). The Hanford BESS Project as authorized by the City included the 115 kV cable interconnection on the HEPP site, thus the City has determined the interconnection facilities on the HEPP site to be consistent with the City's zoning and land use designations for the HEPP.

The planned 115 kV Interconnection Project facilities on the HEPP site are located in the existing HEPP power block area which has been previously disturbed and developed. Implementation of the 115 kV Interconnection Project on the HEPP would not be expected to affect the validity of the previous determinations by the CEC for the HEPP.

5.7.3 Mitigation Measures

The 115 kV Interconnection Project modifications will not result in significant impacts related to land use that will require additional mitigation measures.

5.7.4 Consistency with LORS

The project conforms to applicable LORS related to land use.

5.7.5 Conditions of Certification

The proposed modifications do not require changes to the COCs for land use (CEC 2020).

5.7.6 References

CEC 2001a. Final Decision for the Application for Certification of the Hanford Energy Park Peaker Project by GWF Power Systems. CEC Docket No. 01-EP-07. June 21, 2001.

CEC 2001b. Hanford Energy Park Peaker Project Staff Assessment for Emergency Permit. May 5, 2001.

CEC. 2020. Hanford Energy Park Peaker Project (01-EP-07), Conditions of Certification as Amended. Updated January 29, 2020.

5.8 Noise

5.8.1 CEC Certification of HEPP

This Petition for Post-Certification Amendment does not require changes to the noise information as described in the Commission Decision and subsequent Commission Orders.

5.8.2 Environmental Analyses

The planned 115 kV Interconnection Project modifications at the HEPP site will not increase operational phase noise-producing activities at the site. Construction activities will be limited to the hours of 7 a.m. to 8 p.m. and all equipment and vehicles would comply with the noise requirements of the City of Hanford. The City of Hanford's Noise requirements relate to nuisance and are specified in the City of Hanford's Municipal Code, Title 9 – Public Peace, Morals and Welfare, Chapter 9.10 Loud or Annoying Noises, 9.10.060 Noises Prohibited. The provisions include general prohibitions against loud and/or annoying noises (no numerical sound thresholds specified).

No significant noise or vibration impacts are expected associated with construction or operation of the planned 115 kV Interconnection Project on the HEPP site.

5.8.3 Mitigation Measures

The planned 115 kV Interconnection Project modifications at the HEPP site will not create significant noise and vibration impacts that will require additional mitigation measures.

5.8.4 Consistency with LORS

The project conforms to applicable laws related to noise and vibration.

5.8.5 Conditions of Certification

The proposed modifications do not require changes to the COCs for noise and vibration.

5.9 Paleontological Resources

5.9.1 CEC Certification of HEPP

This Petition for Post-Certification Amendment does not require changes to the paleontological resources information as described in the Commission Decision and subsequent Commission Orders.

The CEC Staff Assessment for the HEPP (CEC 2001b) determined that based on information provided by the applicant, including the results of a paleontological resources field survey and sensitivity analysis, the HEPP site has been disturbed in the past (pre-2001) and is not likely to contain significant paleontological resources in situ. The quaternary alluvium upon which the HEPP is located was assessed to have a high paleontological resources sensitivity rating since the alluvium has yielded vertebrate fossils at other locations. The site has been disturbed in the past and is not likely to contain significant paleontological resources in-situ. This indicates that although the intact quaternary alluvium has a high paleontological sensitivity, the HEPP project was considered by staff to have a low potential for encountering significant paleontological resources. Condition of Certification PALEO-1 requires that no significant impact may occur to any paleontological resources.

The planned 115 kV Interconnection Project facilities are in areas that have been previously disturbed during construction and operation of the current HEPP facility. The 2001 Commission Decision concluded that compliance with COC PALEO-1 was sufficient to avoid significant impacts related to paleontological resources.

5.9.2 Environmental Analyses

The 115 kV Interconnection Project will not be expected to result in impacts greater than those analyzed in the Commission Decision (CEC 2001a, b; GWF 2001) for the HEPP. The 115 kV Interconnection Project facilities will be installed in previously graded and now paved or graveled portions of the existing HEPP power block area. Installation of the HEPP 115 kV Interconnection Project facilities will involve varying amounts of subsurface disturbance depending on the cable installation option that is selected. Subsurface excavation depths could extend to 5 to 6 feet below ground surface for the trench option which could be below previous HEPP site preparation/grading depths. Subsurface disturbance into undisturbed quaternary alluvium, as applicable, would have the potential to impact in-situ paleontological resources if present.

With adherence to the existing COC PALEO-1 (CEC 2020) for protection of paleontological resources at the HEPP, no adverse impacts to paleontological resources associated with construction or operation of the 115 kV Interconnection Project are expected to occur.

5.9.3 Mitigation Measures

The planned 115 kV Interconnection Project modifications at the HEPP site will not result in significant impacts related to paleontological resources that will require additional mitigation measures.

5.9.4 Consistency with LORS

The project conforms to applicable LORS related to paleontological resources.

5.9.5 Conditions of Certification

The proposed modifications do not require changes to the COCs for paleontological resources (CEC 2020).

5.9.6 References

CEC 2001a. Final Decision for the Application for Certification of the Hanford Energy Park Peaker Project by GWF Power Systems. CEC Docket No. 01-EP-07. June 21, 2001.

CEC 2001b. Hanford Energy Park Peaker Project Staff Assessment for Emergency Permit. May 5, 2001.

CEC. 2020. Hanford Energy Park Peaker Project (01-EP-07), Conditions of Certification as Amended. Updated January 29, 2020.

GWF Power Systems, Inc. 2001. Hanford Energy Park Peaker Project, California Emergency Power Plant Application. April 6, 2001, as amended.

5.10 Soil and Water Resources

5.10.1 CEC Certification of HEPP

This Petition for Post-Certification Amendment does not require changes to the soil and water resources information as described in the Commission Decision and subsequent Commission Orders.

5.10.2 Environmental Analyses

The planned 115 kV Interconnection Project facilities will be installed in paved or graveled portions of the existing HEPP power block area where there is no exposed surface soil that could be subject to erosion associated with project activities. Total surface disturbance on the HEPP site would be less than 0.1 acre and the maximum amount of cut and fill is estimated at 100 cubic yards or less. Excess cut material from excavations related to foundations and trenching, if applicable, would be removed from the HEPP site for offsite disposal in an approved manner. Best management practices for stormwater runoff control would be followed during construction activities.

Installation of the 115 kV Interconnection Project facilities will not require disturbance of potentially contaminated soils.

Minimal water is expected to be required for construction of the 115 kV Interconnection Project facilities on the HEPP parcel. Under the cable installation in conduit via trenching option, minimal water may be needed for fugitive dust control and compaction of soil as applicable. It is estimated that less than 1,000 gallons of water will be required and that the minimal construction water needs will be met by the construction contractor.

In summary, construction activities will not result in construction or operational phase related impacts to soil erosion and sedimentation to water resources. No adverse impacts to soil and water resources associated with construction or operation of the planned 115 kV Interconnection Project facilities on the HEPP site are expected to occur.

5.10.3 Mitigation Measures

The 115 kV Interconnection Project modifications will not create a significant impact on soil or water resources that will require additional mitigation measures.

5.10.4 Consistency with LORS

The project conforms to applicable laws related to soil and water resources.

5.10.5 Conditions of Certification

The proposed modifications do not require changes to the COCs for soil and water resources or hydrology and water (CEC 2020).

5.10.6 References

CEC. 2020. Hanford Energy Park Peaker Project (01-EP-07), Conditions of Certification as Amended. Updated January 29, 2020.

5.11 Traffic and Transportation

5.11.1 CEC Certification of HEPP

This Petition for Post-Certification Amendment does not require changes to the traffic and transportation information as described in the Commission Decision and subsequent Commission Orders.

5.11.2 Environmental Analyses

Construction of 115 kV Interconnection Project facilities at the HEPP site is planned to occur over an 8- to 10-week period in the 2nd or 3rd quarter of 2023.

The workforce for the 115 kV Interconnection Project work on the HEPP parcel is estimated to be up to about 10-15 workers at any one time.

Truck traffic for deliveries of equipment and materials and hauling of removed foundations and excess spoil from excavations on the HEPP parcel is estimated to reach up to 10 truck trips per day for several days under the trench cable installation option for removal of excavated soil and delivery of grout. Total truck delivery and haul trips are estimated to be less than 50 total over the 8- to 10-week construction period under all cable installation options under consideration.

FTB and concrete needs for backfilling and foundation pads will be supplied by pre-mix concrete truck deliveries and are included in the estimated truck trips presented above.

The truck deliveries will not include oversize loads. This level of construction traffic will not result in significant traffic and transportation related impacts. No additional HEPP workers would be required to operate the HEPP facility once the 115 kV Interconnection Project facilities are installed.

For reference, the traffic and transportation assessment in the 2001 Staff Assessment (CEC 2001b) for the HEPP assumed that up to 258 daily vehicle trips (129 round trips) would be generated during the project construction period. The Commission Decision determined that impacts upon roadways, including State Route (SR) 99, SR 43, SR 198, Idaho Avenue, and 11th Avenue due to construction activities would be temporary and not significant and that construction and operation of the HEPP would not cause or contribute to cumulatively significant adverse traffic impacts. In addition, the Commission Decision for the HEPP concluded that compliance with Conditions of Certification TRANS-1 through TRANS -7 would ensure that construction and operation of the HEPP would comply with applicable laws, ordinances, regulations, and standards.

The temporary traffic generation associated with the 115 kV Interconnection Project facilities construction phase would be much lower than the HEPP levels which were previously found to be insignificant.

5.11.3 Mitigation Measures

The 115 kV Interconnection Project modifications at the HEPP site will not result in a significant impact related to traffic and transportation and will not require additional mitigation measures.

5.11.4 Consistency with LORS

Compliance with applicable Conditions of Certification ensures that the planned 115 kV Interconnection Project will conform to applicable laws related to traffic and transportation.

5.11.5 Conditions of Certification

The proposed facility upgrades do not require changes to the COCs for traffic and transportation (CEC 2020).

5.11.6 References

CEC. 2020. Hanford Energy Park Peaker Project (01-EP-07), Conditions of Certification as Amended. Updated January 29, 2020.

5.12 Visual Resources

5.12.1 CEC Certification of HEPP

This Petition for Post-Certification Amendment does not require changes to the visual resources information as described in the Commission Decision and subsequent Commission Orders for the HEPP.

5.12.2 Environmental Analyses

Implementation of the planned 115 kV Interconnection Project modifications to the HEPP will not result in any potentially significant visual impacts. The proposed 115 kV cable and electrical interconnection components will be installed in the existing general power block/electrical switchyard area and will not involve installation of any new visibly prominent structures. The scale of the planned facilities is much smaller than the existing surrounding power plant structures, The planned equipment will not be visible from public viewing areas and will not alter the appearance of the existing HEPP.

In summary, no significant visual resource related impacts from implementation of the project are expected.

5.12.3 Mitigation Measures

The planned 115 kV Interconnection Project modifications to the HEPP will not create significant visual resource impacts that would require additional mitigation measures.

5.12.4 Consistency with LORS

The project conforms to applicable laws related to visual resources.

5.12.5 Conditions of Certification

The proposed modifications do not require changes to the COCs for visual resources.

5.13 Waste Management

5.13.1 CEC Certification of HEPP

This Petition for Post-Certification Amendment does not require changes to the waste management information as described in the Commission Decision and subsequent Commission Orders.

5.13.2 Environmental Analyses

The planned 115 kV Interconnection Project will result in varying amounts of construction-related, non-hazardous wastes depending on the cable installation option selected. Relocation of existing transformer foundation pads is expected to result in approximately 5 cubic yards of concrete that will be disposed of or recycled offsite in an approved manner. It is estimated that the duct bank cable installation method would result in up to approximately 180 cubic yards of excess excavation spoil material consisting primarily of soil that will need to be hauled and disposed of offsite in an approved manner. The planned 115 kV Interconnection Project modifications will not result in an increase of waste generation at the HEPP site during the operational phase. With adherence to existing COCs WASTE-1 through WASTE-3 (CEC 2020), as applicable, impacts related to waste generation and waste management are expected to be less than significant.

5.13.3 Mitigation Measures

The planned 115 kV Interconnection Project modifications will not create a significant impact from waste management and will not require additional mitigation measures.

5.13.4 Consistency with LORS

The project conforms to applicable laws related to waste management.

5.13.5 Conditions of Certification

The proposed modifications do not require changes to the COCs WASTE-1 through WASTE-3 for waste management.

5.13.6 References

CEC. 2020. Hanford Energy Park Peaker Project (01-EP-07), Conditions of Certification as Amended. Updated January 29, 2020.

5.14 Worker Safety

5.14.1 CEC Certification of HEPP

This Petition to Amend does not require changes to the worker safety information as described in the Commission Decision and subsequent Commission Orders.

5.14.2 Environmental Analyses

By continuing to comply with the existing conditions of certification, the implementation of the 115 kV Interconnection Project would not have a significant effect on worker safety and would continue to comply with all applicable LORS. Construction and operational phase activities would comply with worker safety requirements already contained in place for the HEPP.

5.14.3 Mitigation Measures

The planned 115 kV Interconnection Project impacts related to worker safety are less than significant and, therefore, will not require additional mitigation measures.

5.14.4 Consistency with LORS

The project conforms to applicable laws related to worker safety.

5.14.5 Conditions of Certification

The proposed modifications do not require changes to the COCs for worker safety (CEC 2020).

5.14.6 References

CEC. 2020. Hanford Energy Park Peaker Project (01-EP-07), Conditions of Certification as Amended. Updated January 29, 2020.

5.15 Facility Design, Transmission System Engineering, and General Conditions

The 115 kV Interconnection Project on the HEPP site will comply with applicable Facility Design, Transmission System Engineering, and General Compliance COCs and requirements (CEC 2020) as included in Appendix B.

6.0 MODIFICATIONS IMPACT ON LORS COMPLIANCE

CEC Siting Regulations, Title 20, CCR, Section 1769(a)(1)(E) requires “An analysis of how the proposed change would affect the project's compliance with applicable laws, ordinances, regulations, and standards”. Approval of the modifications associated with implementation of the

planned 115 kV Interconnection Project will not impact HEPP's ability to comply with applicable LORS.

7.0 POTENTIAL EFFECTS ON PUBLIC

This section discusses the potential effects on the public that may result from the modifications proposed in this Petition for Post-Certification Amendment, in accordance with CEC Siting Regulations (Title 20, CCR, Section 1769(a)(1)(F)).

With implementation of the proposed 115 kV Interconnection Project related modifications to the HEPP, the project will have no adverse effect on the public. The installation and operation of 115 kV cable and associated electrical interconnection equipment will not modify the existing air permit conditions for the HEPP. No adverse effects on the public will occur because of the changes to the HEPP facility as proposed in this Petition for Post-Certification Amendment.

8.0 PROPERTY OWNERS

Section 1769(a)(1)(G) requires a "list of current assessor's parcel numbers and owners' names and addresses for all parcels within 500 feet of any affected project linears and 1,000 feet of the project site." Consistent with privacy considerations, a list of current assessor's parcel numbers and owners' names and addresses for all parcels within 1,000 feet of the project site will be provided directly to the Compliance Project Manager.

9.0 MODIFICATIONS IMPACT ON THE PUBLIC AND NEARBY PROPERTY OWNERS

This section addresses potential effects of the project changes proposed in this Petition for Post-Certification Amendment on nearby property owners, the public, and parties in the application proceeding, in accordance with CEC Siting Regulations (Title 20, CCR, Section 1769 (a)(1)(H)).

The HEPP as modified by the planned 115 kV Interconnection Project will not differ in potential effects on adjacent landowners, compared with the HEPP project as previously certified. Construction of the planned 115 kV Interconnection Project will result in insignificant impacts. Once constructed, the planned 115 kV Interconnection Project will not alter operation of the HEPP facility and/or HEPP compliance with existing permit conditions.

The power plant site is designated and zoned for heavy industrial uses. These designations permit power plants as an allowable use. The CEC Final Decision states that the evidence of record uniformly establishes that the HEPP project will be compatible, and will not conflict, with current zoning and land uses, nor with anticipated and planned land uses.

Implementation of the 115 kV Interconnection Project would not be expected to affect the validity of these previous determinations by the CEC. The project, therefore, would have no adverse effects on nearby property owners, the public, or other parties in the application proceeding.

In accordance with the CEC Siting Regulations (Title 20, CCR, Section 1769(a)(1)(H)), a list of owners whose property is located within 1,000 feet of the HEPP, including the proposed 115 kV Interconnection Project will be provided directly to the Compliance Project Manager.

10.0 APPLICABLE CEQA EXEMPTIONS

Section 1769(a)(1)(I) requires a discussion of any exemptions from the California Environmental Quality Act, commencing with section 21000 of the Public Resources Code, that the project owner believes may apply to approval of the proposed change.

The CEC's power plant siting process is a certified state regulatory program under the California Environmental Quality Act (Pub. Resources Code, § 21080.5; 14 C.C.R. §§ 15250-15253.) As such, it is exempt from the procedural elements of CEQA, though it must adhere to the substantive requirements of CEQA. The CEC's detailed certification process is commonly described as "CEQA-equivalent." CEQA defines a "Project" in pertinent part as "…an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." (Pub. Resources Code § 21065.)

In this case, HEPP was subject to environmental review in accordance with the CEC's certified regulatory program. The current operations of the HEPP are not a new CEQA "project," but are part of the existing environmental baseline. Once a project is approved, CEQA does not require that it be analyzed anew every time an action is required to implement the project. Where an EIR, or in this case the CEC's CEQA-equivalent certification, has been prepared for a project, CEQA expressly prohibits agencies from requiring a subsequent or supplemental EIR, except in specified circumstances, e.g., where the project will have more severe impacts as a result of substantial changes to the project or the circumstances under which it is undertaken. (14 C.C.R. § 15162). As discussed below, the operations of HEPP with the 115 kV Interconnection Project does not trigger any such requirement.

With respect to the BESS project, the City of Hanford has already determined that the work is exempt from the California Environmental Quality Act (CEQA): "Site Plan Review and Administrative Approval are ministerial actions, therefore not subject to the California Environmental Quality Act (CEQA) (CEQA Guidelines 15268 and MC 17.70070). Exemption No. 2022-09." (Appendix C, PDF p. 2.)

Even assuming that the 115 kV Interconnection Project was a CEQA "project," the activities are categorically exempt. First, the modifications are categorically exempt pursuant to Title 14, Section 15301 of the California Code of Regulations as a minor alteration to an existing facility. The 115 kV Interconnection Project described herein includes activities that constitute a minor alteration and addition to existing electrical equipment at the HEPP. The changes will all be interior to the project's existing industrial footprint and will involve negligible or no expansion of the existing use of the HEPP for power generation.

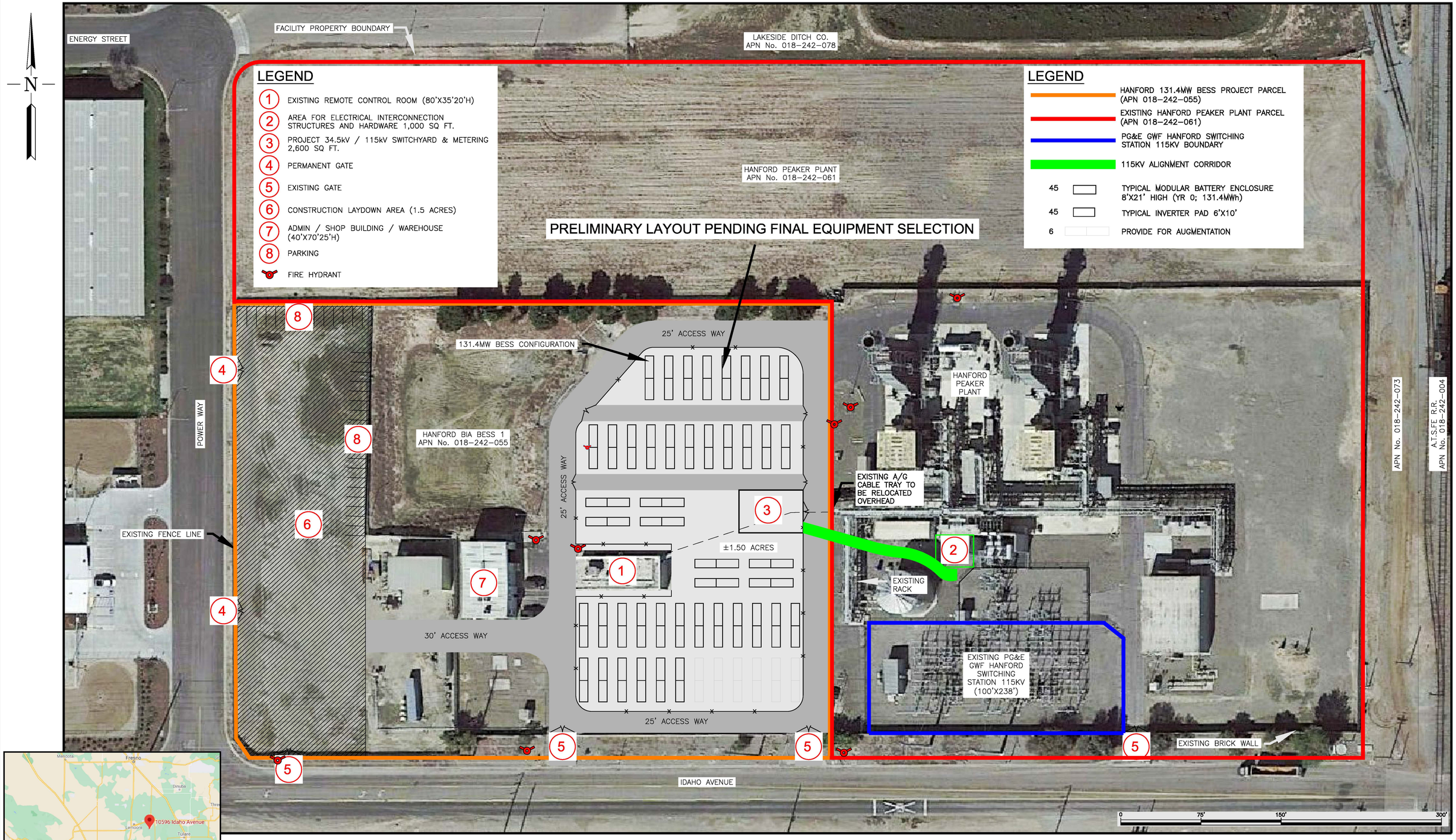
Second, the proposed modifications are also categorically exempt pursuant to Title 14, Section 15302 of the California Code of Regulations. Consistent with subsection (c) of 15302, the temporary modifications are "replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity."

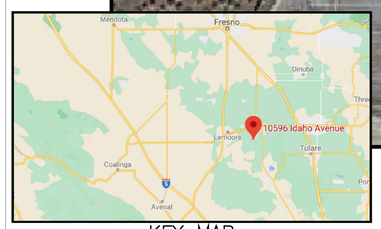
In addition, the proposed modification associated with the 115 kV Interconnection Project are also categorically exempt from CEQA pursuant to Section 15061(b)(3), the "Common Sense Exemption." This exemption provides that "[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." (14 C.C.R. § 15061(b)(3).) In this case, there is no possibility that the proposed change may have a significant effect on the environment. There would be no substantial adverse changes to existing environmental conditions at the HEPP site from the proposed 115 kV Interconnection Project. Therefore, the proposed modifications are categorically exempt from CEQA pursuant to the "Common Sense Exemption."

11.0 CONCLUSIONS

For all the reasons set forth herein, MRP respectfully requests that the CEC approve the requested 115 kV Interconnection Project modifications to the HEPP pursuant to Title 20, California Code of Regulations, Section 1769(a)(1).

Appendix A
Exhibits





KEY MAP

HANFORD 131.4 MWh BESS
10596 IDAHO AVENUE
HANFORD, CA 93230

FIGURE 1

REV	DATE	DESCRIPTION	DRW'N BY	CH'K BY	ENG'R	PROJECT ENG'R	APPR'D BY
6	10-20-2021	GENERAL REVISION	CM	CJP			
5	10-06-2021	GENERAL REVISION	CM	CJP			
4	09-28-2021	GENERAL REVISION	CM	CJP			
3	03-01-2022	GENERAL REVISION	CM	CJP			
2	02-17-2022	REVISED LAYOUT TO SHOW FLEXGEN SYSTEM	CM	CJP			
1	01-21-2022	UPDATE TO SHOW 1-hr SYSTEM	CM	CJP			

PATCH SERVICES
CALIFORNIA * ENGINEERING * TEXAS
333 SUNSET AVE.
SUITE: 210
SUISUN CITY, CA 94585
PHONE: 707-425-4949
FAX: 707-425-4553
21175 TOMBALL PARKWAY
SUITE: #308
HOUSTON, TX 77070
PHONE: 281-330-1466
FAX: 832-698-2835

HANFORD BESS LLC

HANFORD MEGA HYBRID
131.4MW; 131.4MWh
PLAN VIEW

SCALE:	AS SHOWN
JOB NO:	5021
DATE:	04-04-2021
DRAWN BY:	CM
CHECKED BY:	CJP

DRAWING NUMBER	SHEET NUMBER	REV
D-5021-2304		6

NOTE:

1. PRELIMINARY CROSS-SECTION OF 115KV DUCT BANK BETWEEN THE BESS SWITCHYARD TO POI @ HPP SWITCHYARD.
2. DIMENSIONS AND CONFIGURATION ARE PRELIMINARY PENDING FINAL DESIGH.

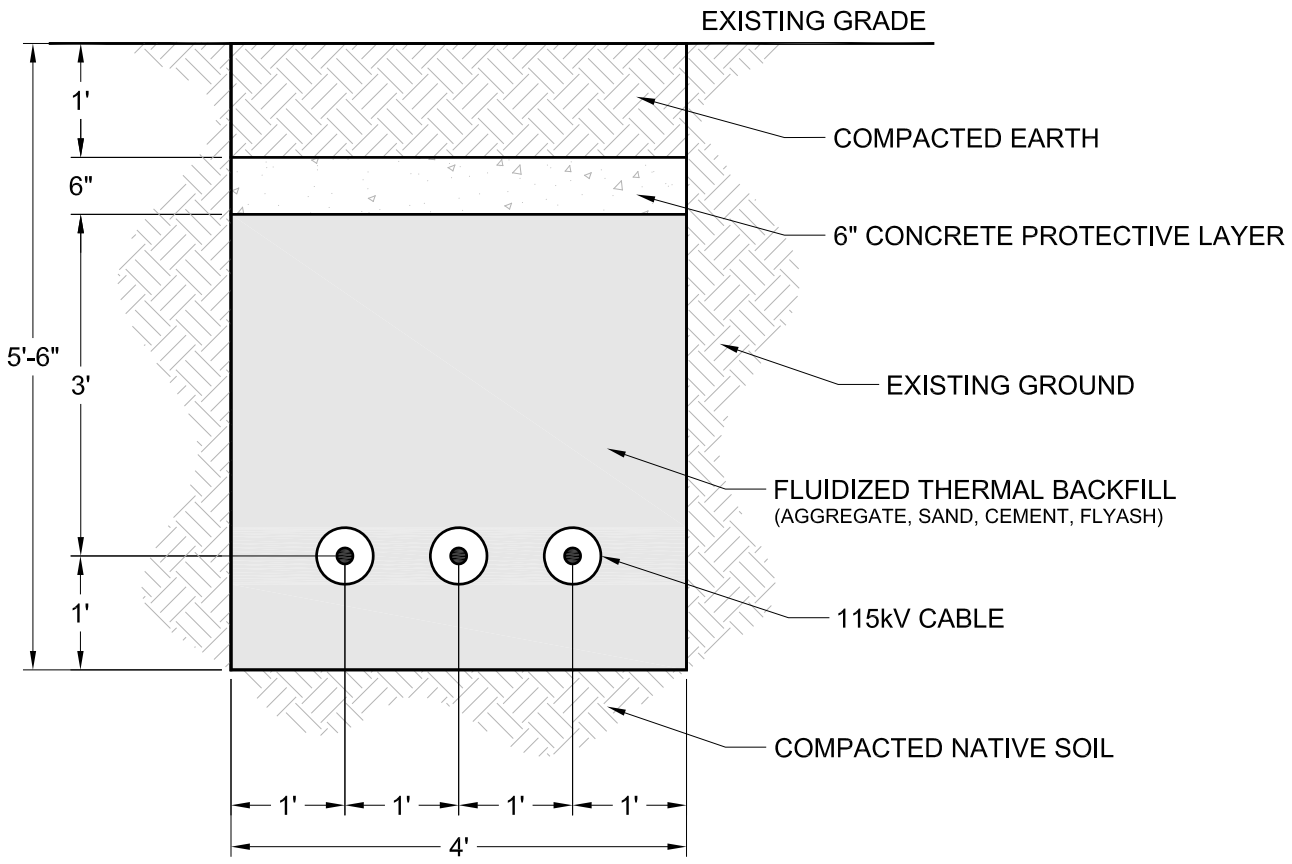


FIGURE 2
Trench Option

HANFORD BESS LLC			
10596 IDAHO AVENUE HANFORD, CA 93230			
115kV CONNECTION FROM BESS TO POI SECTION VIEW			
PATCH SERVICES LLC			
CALIFORNIA 333 SUNSET AVE. SUITE: 150 SUISUN CITY, CA 94585 PHONE: 707-425-4949 FAX: 707-425-4553	* ENGINEERING *	TEXAS 21175 TOMBALL PARKWAY SUITE: #308 HOUSTON, TX 77070 PHONE: 281-330-1466 FAX: 832-698-2835	
DATE: 03-01-2022	DRAWING NO.	SHEETS	REV
JOB NO: 5021	D-5021-2306		A

Appendix B
CEC Conditions of Certification for Hanford Energy Park Peaker Project (01-EP-07)

HANFORD ENERGY PARK PEAKER PROJECT (01-EP-07)

CONDITIONS OF CERTIFICATION

As Amended

(Updated January 29, 2020)

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AIR QUALITY

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SOIL AND WATER RESOURCES

TRAFFIC AND TRANSPORTATION

TRANSMISSION SYSTEM ENGINEERING

VISUAL RESOURCES

WASTE MANAGEMENT

WORKER SAFETY AND FIRE PROTECTION

****

GENERAL COMPLIANCE

HANFORD EMERGENCY PEAKER PROJECT (01-EP-07C)
AIR QUALITY CONDITIONS OF CERTIFICATION

AQ-1 Prior to the commencement of project construction, the project owner shall prepare a Construction Fugitive Dust Mitigation Plan that will specifically identify fugitive dust mitigation measures that will be employed for the construction of the project and related facilities.

Measures that should 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 stabilization of storage piles and disturbed areas;
- the use of gravel in high traffic areas;
- the use of paved access aprons;
- the use of posted speed limit signs;
- 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; and
- for any transportation of borrowed fill material, the use of covers on vehicles, wetting of the material, and insuring appropriate freeboard of material in the vehicles.

Verification: The project owner shall submit to the CPM a letter attesting to compliance with the above and shall report any violations to the CPM.

AQ-2 The project owner shall comply with the terms and conditions of the Authority to Construct and the Permit to Operate issued by San Joaquin Valley Unified Air Pollution Control District.

Verification: In the event that the air district finds the project to be out of compliance with the terms and conditions of the Authority to Construct, the project owner shall notify the CPM of the violation, and the measures taken to return to compliance, within five (5) days.

AQ-3 The project owner shall operate the project in compliance with all Best Available Control Technology (BACT) standards imposed by the Air District in its Authority to Construct. Failure to meet these standards will result in a finding that the project owner is out of compliance with the certification.

HANFORD EMERGENCY PEAKER PROJECT (01-EP-07C)
BIOLOGICAL RESOURCES CONDITIONS OF CERTIFICATION

BIO-1 The project permitted under this emergency process will avoid all impacts to legally protected species and their habitat on site, adjacent to the site and along the right of way for linear facilities.

BIO-2 The project permitted under this emergency process will avoid all impacts to designated critical habitat (wetlands, vernal pools, riparian habitat, preserves) on site or adjacent to the site.

BIO-3 The project permitted under this emergency process will avoid all impacts to locally designated sensitive species and protected areas.

BIO-4 The project permitted under this emergency process will reduce risk of large bird electrocution by electric transmission lines and any interconnection between structures, substations and transmission lines by using construction methods identified in "Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996" (APLIC 1996).

BIO-5 The project biologist, a person knowledgeable of the local/regional biological resources, and CPM will have access to the site and linear rights-of-way at any time prior to and during construction and have the authority to halt construction in an area necessary to protect a sensitive biological resource at any time.

BIO-6 Upon decommissioning the site, the biological resource values will be reestablished at preconstruction levels or better.

Verification: If the Designated Biologist halts construction, the action will be reported immediately to the CPM along with the recommended implementation actions to resolve the situation or decide that additional consultation is needed. Throughout construction, the project owner shall report on items one through six above if identified resources are found or impacted.

BIO-7 A minimum of 5 days and no more than 30 days prior to the beginning of site mobilization, the project site, the natural gas pipeline route, and the electrical transmission line route must be surveyed by a qualified biologist in accordance with US Fish and Wildlife Service (USFWS) and California Department of Fish & Game (CDFG) protocol for nesting raptors and the sensitive species listed in Table 8.2-1 of the Hanford California Emergency Peaker Power Plant Permit Application.

Verification: After the survey and prior to site mobilization, documentation of the survey method and mapped results will be submitted to the CPM.

BIO-8 All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more

overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the USFWS has been consulted.

Designated Biologist

BIO-9 Site mobilization shall not begin until a Staff approved Designated Biologist is available to be onsite.

Protocol: The Designated Biologist must meet the following minimum qualifications:

- A Bachelor's Degree in biological sciences, zoology, botany, ecology, or a closely related field;
- At least 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;
- At least one year of field experience with biological resources found in or near the project area; and
- An ability to demonstrate to the satisfaction of the Staff the appropriate education and experience for the biological resources tasks that must be addressed during project construction.

If the Staff 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 disturbance will be allowed in any designated sensitive areas until the CPM approves a new Designated Biologist and the new biologist is onsite.

Verification: Prior to the start of any site mobilization activities 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 prior to the termination or release of the preceding Designated Biologist.

BIO-10 The CPM approved Designated Biologist shall perform the following during project construction:

- Advise the Applicant's Construction Manager on the implementation of the Biological Resources Conditions;
- 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

- Notify the Applicants and the CPM of non-compliance with any Biological Resources Conditions.

Verification: During project 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.

Biological Resources Mitigation Implementation and Monitoring Plan

BIO-11 The Applicant 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 made to the adopted BRMIMP must be made in consultation with the CPM and USFWS.

Protocol: The final BRMIMP shall identify:

- All biological resources mitigation, monitoring, and compliance conditions included in the Energy Commission's Final Decision;
- All sensitive biological resources to be impacted, avoided, or mitigated by project construction, operation, and closure;
- All mitigation measures identified through consultation with the USFWS;
- All required mitigation measures/avoidance strategies for each sensitive biological resource;
- Required habitat compensation strategy, including provisions for acquisition, enhancement and management, for any temporary and permanent loss of habitat for sensitive biological resources;
- All locations, on a map of suitable scale, of laydown areas and areas requiring temporary protection and avoidance during construction;
- Aerial photographs of all areas to be disturbed during project construction activities – one set prior to site disturbance and one set after completion of mitigation measures. Include planned timing of aerial photography and a description of why times were chosen;
- Performance standards to be used to help decide if/when proposed mitigation is or is not successful;
- All performance standards and remedial measures to be implemented if performance standards are not met;
- A process for proposing plan modifications to the CPM and appropriate agencies for review and approval.

Verification: Prior to the start of any project-related ground disturbance activities, the project owner shall provide the CPM with the final version of the BRMIMP, and the CPM will determine the plan's acceptability. All modifications to the approved BRMIMP must be made only after consultation with the CPM, USFWS, and CDFG. The project owner shall notify the CPM before implementing any CPM approved modifications to the BRMIMP.

Within 30 days after completion of project construction, the applicant 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.

Habitat Compensation

BIO-12 To compensate for temporary, permanent, and incremental impacts to sensitive species habitat, the project owner will provide suitable habitat compensation funds at a ratio of 1:1 for all permanent disturbance and a ratio of 0.5:1 for all temporary disturbance to habitats at an amount of $2,375.00 per acre-credit and a $5,000.00 up front fee per transaction.

Verification: To account for inflation and other anticipated changes in habitat compensation costs, the project owner will consult with the Kern Water Bank (KWB) and the CPM prior to the start of any project related ground disturbance, and KWB will identify the final cost per acre and total compensation amount. Once the final compensatory mitigation amount has been determined and prior to the start of any project related ground disturbance activities, the project owner will provide a Conservation Credit Certificate to the CPM that all habitat compensation funds (including the endowment and transaction fee) have been provided to the KWB.

Within 90 days after completion of project related construction, the project owner shall provide aerial photographs to the CPM that were taken after construction. The project owner will also provide an analysis of the amount of any additional habitat disturbance. The CPM will notify the project owner of any additional funds required to compensate for any additional habitat disturbances at the adjusted market value at the time of construction to acquire additional credits if necessary.

HANFORD EMERGENCY PEAKER PROJECT (01-EP-07C)
CULTURAL RESOURCES CONDITIONS OF CERTIFICATION

CUL-1 The project certified under this emergency process shall not cause any significant impact to cultural resources on the power plant site or linear rights of way.

CUL-2 The project has been determined to have the potential to adversely affect significant cultural resources and the project owner shall ensure the completion of the following actions/activities:

1. Provide a cultural specialist who will have access to the site and linear rights-of-way at any time prior to and during ground disturbance.
2. The cultural specialist will provide training to appropriate construction personnel at the site, will install avoidance measures (as necessary), and will be present during appropriate ground disturbing activities. The cultural specialist has the authority to halt construction at a location if a significant cultural resource is found. If resources are discovered and the cultural specialist is not present, the project owner will halt construction at that location and will contact the specialist immediately. The specialist will consult with the CPM and a decision will be made by the CPM within 24-hours as to how to proceed.
3. The project owner shall allow time for the cultural specialist to recover significant resource finds, and pay all fees necessary to curate recovered significant resources.

HANFORD EMERGENCY PEAKER PROJECT (01-EP-07C)
FACILITY DESIGN CONDITIONS OF CERTIFICATION

GEN-1 The project owner shall design, construct and inspect the project in accordance with the 1998 California Building Code (CBC) and all other applicable LORS in effect at the time initial design plans are submitted to the CBO for review and approval.

Verification: Within 30 days (or a lesser number of days mutually agreed to by the project owner and the CBO) after receipt of the Certificate of Occupancy, the project owner 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. 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.] The project owner shall keep copies of plan checks and CBO inspection approvals at the project site.

GEN-2 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 description of, and a 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: Prior to the start of rough grading, the project owner shall submit the schedule, a Master Drawing List, and a Master Specifications List to the CBO and to the CPM. The project owner shall provide schedule updates in the Monthly Compliance Report.

HANFORD EMERGENCY PEAKER PROJECT (01-EP-07C)
HAZARDOUS MATERIALS MANAGEMENT CONDITIONS OF CERTIFICATION

HAZ-1 The project owner shall not use any hazardous material in reportable quantities except those identified by type and quantity in the Application for Emergency Permit unless approved by the CPM.

Verification: The project owner shall provide in the Annual Compliance Report a list of hazardous materials used at the facility in reportable quantities.

HAZ-2 The project owner shall submit both the Business Plan and Risk Management Plan to the CPM for review and comment, and shall also submit these plans and/or procedures to the County Fire Department for approval.

Verification: 30 days (or a CPM-approved alternative timeframe) prior to the initial delivery of any hazardous materials in reportable quantities to the facility, the project owner shall submit the Business and Risk Management Plan to the CPM for review and comment. At the same time, the project owner shall submit these plans to the County Fire Department for approval. The project owner shall also submit evidence to the CPM that the County Fire Department approved of these plans, when available.

HANFORD EMERGENCY PEAKER PROJECT (01-EP-07C)
HYDROLOGY AND WATER CONDITIONS OF CERTIFICATION

HYDROLOGY & WATER-1 Prior to beginning any site mobilization, the project owner shall obtain CPM approval of the Storm Water Pollution Prevention Plan (SWPPP) as required under the General Storm Water Construction Activity Permit for the project.

Verification: At least 14 days prior to the start of any site mobilization, the project owner will submit a copy of the SWPPP to the CPM for review and approval. Approval of the plan by the CPM must be received prior to the initiation of any site mobilization activities.

HYDROLOGY & WATER-2 Prior to beginning any site mobilization activities, the project owner shall obtain CPM approval for erosion control and revegetation plans that address all project elements.

Verification: The erosion control and revegetation plan shall be submitted to the CPM prior to start of any site mobilization. Approval of the final plan by the CPM must be received prior to the initiation of any site mobilization activities.

HYDROLOGY & WATER-3 During project operation the project owner will not discharge any stormwater off-site. All stormwater will be collected and directed to the on-site evaporation/infiltration basin. Any stormwater leaving the site during commercial operation will require a General Industrial Activity Storm Water Permit and SWPPP. Approval for the final Industrial Activities SWPPP must be obtained from the CPM prior to commercial operation and/or offsite discharge of stormwater.

Verification: Should stormwater be discharged off-site, the project owner will submit to the CPM a copy of the SWPPP prepared under the requirements of the General Industrial Activity Storm Water Permit prior to the start of commercial operation and/or off-site stormwater discharge.

HYDROLOGY & WATER-4 The HEPP will mitigate all use of groundwater. This Water Mitigation Plan will include the following components:

1. The purchase agreement for 181 acre-feet of Table A Entitlement SWP water between the Angiola Water District and GWF Power Systems.
2. The agreement between the Tulare Lake Basin Water Storage District and GWF which grants GWF the right to utilize the District's facilities to deliver and convey the 181 acre-feet of water from the SWP to J.G. Boswell.
3. The exchange agreement between J.G. Boswell and GWF which allows the 181 acre-feet of SWP water owned by GWF to be delivered to J.G. Boswell in exchange for 181 acre-feet of J.G.

Boswell in exchange for 181 acre-feet of J.G. Boswell Kings River entitlement.

4. The water banking and mitigation agreement between KCWD and GWF allows the 181 acre-feet of Boswell Kings River Entitlement to be delivered to the KCWD on behalf of GWF.

Verification: The project owner will submit the complete Water Mitigation Plan at least 30 days prior to the start of operation. The Water Mitigation Plan will discuss all terms and conditions and all parties involved in the agreement, and contain copies of all agreements executed as part of the Water Mitigation Plan. Any changes made to the Water Mitigation Plan will be provided to the CPM for review at least 14 days prior to the effective date of the proposed change. The Water Mitigation Plan will remain in effect for the life of the project, and the project will not operate without the Water Mitigation Plan in effect.

HYDROLOGY & WATER-5 The project owner will record on a monthly basis the amount of groundwater pumped by the project. This information will be supplied to the Energy Commission and the Kings County Water District.

Verification: The project owner will submit a groundwater use summary to both the CPM and the KCWD on an annual basis for the life of the project. The annual summary will include the monthly range, monthly average, and total groundwater use by the project in both gallons-per-minute and acre-feet. For subsequent years the annual summary will also include the yearly range and yearly average groundwater use by the project. Any significant changes in the water supply for the project during construction or operation of the plant will be noticed in writing to the CPM at least 30 days prior to the effective date of the proposed change.

HYDROLOGY & WATER-6 The project owner will obtain a final Industrial Discharge Permit prepared in accordance with the City of Hanford's Pretreatment Program for the project's wastewater discharge to the City's POTW. The project will not operate without a valid permit in place.

Verification: The Applicant will obtain and provide a copy of final Industrial Discharge Permit issued by the City of Hanford for the project's wastewater discharge to the POTW to the CPM at least 14 days prior to the POTW receiving any wastewater discharge from the project. Any change to either the chemical or physical parameters or volume of the discharge permitted by the Industrial Discharge will be noticed in writing to both the CPM and the City of Hanford during both construction and/or operation. The project owner will notify the Energy Commission in writing of any changes to the Industrial Discharge Permit, either instituted by the project owner or the City of Hanford, including any permit renewal. The project owner will provide the CPM with the annual monitoring report summary required by the Industrial Discharge Permit, and will fully explain any violations, exceedances, enforcement actions, and remedial actions.

HANFORD EMERGENCY PEAKER PROJECT (01-EP-07C)
LAND USE CONDITIONS OF CERTIFICATION

LAND–1 The project permitted under this emergency process will conform to all applicable local, state and federal land use requirements, including general plan policies, zoning regulations, local development standards, easement requirements, encroachment permits, truck and vehicle circulation plan requirements, Federal Aviation Administration approval, and the Federal Emergency Management Agency National Flood Insurance Program.

Verification: Prior to start of construction, the project owner will submit to the CPM documentation verifying compliance with the above referenced land use requirements.

LAND–2 Prior to occupying any off-site lay-down or storage facilities the applicant shall provide detailed plans indicating the location of existing and proposed use of the sites to the CPM. Such sites shall be previously disturbed and shall not require any clearing or grading to accommodate the proposed use. To prevent possible impacts to sensitive resources, the applicant shall coordinate with the CPM to determine if biological or cultural surveys are required. This submission shall include written landowner approval and must comply with all local land use requirements. If the proposed site is located within public rights-of-way, appropriate traffic control plans and encroachment permits will be provided to the CPM.

Verification: Prior to the start of construction, the project owner will submit to the CPM documentation verifying compliance with the above referenced land use requirements.

LAND-3 The project owner shall ensure that local gas, electric and telephone companies are contacted regarding the exact location of their services. Any alterations or relocation of the utilities shall be the responsibility of the project owner.

Verification: The project owner shall provide written evidence to the CPM to indicate that all utility companies have been notified regarding proposed construction and that these utilities have identified the location of these facilities in the area of construction.

HANFORD EMERGENCY PEAKER PROJECT (01-EP-07C)
NOISE CONDITIONS OF CERTIFICATION

NOISE-1 The project permitted under this emergency process shall be required to comply with applicable community noise standards.

Verification: Within 30 days of the project first achieving a sustained output of 80 percent or greater of rated capacity, the project owner shall conduct a 25-hour community noise survey, utilizing the same monitoring sites employed in the pre-project ambient noise survey as a minimum. No single piece of equipment shall be allowed to stand out as a source of noise that draws legitimate complaints. Steam relief valves shall be adequately muffled to preclude noise that draws legitimate complaints. If the results from the survey indicate that the project noise levels at the closest sensitive receptor are in excess of 50 dBA between the hours of 10 PM and 7 AM, additional mitigation measures shall be implemented to reduce noise to a level of compliance with this limit.

NOISE-2 Throughout the construction and operation of the project, the project owner shall document, investigate, evaluate, and attempt to resolve all project related noise complaints.

Verification: Within 30 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 County Environmental Health Department, 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 30-day period, the project owner shall submit an updated Noise Complaint Resolution Form when the mitigation is finally implemented.

NOISE-3 Night construction activities may be authorized by the CPM if they are consistent with local noise ordinances. Night construction, or specific night construction activities may be disallowed by the CPM if it results in significant impact to the surrounding community.

Verification: Noise monitoring and surveys may be conducted if complaints are reported by residence in the surrounding area of the project site.

NOISE-4 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 or adjacent to the pipeline routes, by mail or other effective means, of the commencement of project construction. At the same time, the project owner shall establish a telephone number for use by the public to report any undesirable noise conditions associated with the construction and operation of the project. If the telephone is not staffed 24 hours per day, the project owner shall include an automatic answering feature, with date and time stamp recording, to answer calls when the phone is unattended. This telephone number shall be posted at the project site during construction in a manner visible to passersby. This telephone

number shall be maintained until the project has been operational for at least one year.

Verification: The project owner shall transmit to the 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 and posted at the site.

NOISE-5 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:

- Use the Noise Complaint Resolution Form (see Exhibit 1 for example), or functionally equivalent procedure acceptable to the CPM, to document and respond to each noise complaint;
- Attempt to contact the person(s) making the noise complaint within 24 hours;
- Conduct an investigation to determine the source of noise related to the complaint;
- Take all feasible measures to reduce the noise at its source if the noise is project related; and
- Submit a report documenting the complaint and the actions taken. The report shall include: a complaint summary, including final results of noise reduction efforts; and if obtainable, a signed statement by the complainant stating that the noise problem is resolved to the complainant's satisfaction.

Verification: Within 30 days of receiving a noise complaint, the project owner shall file a copy of the Noise Complaint Resolution Form, or similar instrument, 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 30-day period, the project owner shall submit an updated Noise Complaint Resolution Form when the mitigation is finally implemented.

NOISE-6 Prior to the start of project-related site mobilization, the project owner shall submit to the CPM for review a noise control program. The noise control program shall be used to reduce employee exposure to high noise levels during construction and also to comply with applicable OSHA and Cal-OSHA standards.

Verification: Prior to the start of project-related mobilization 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.

NOISE-7 Within 30 days after the facility is in full operation, the project owner shall conduct an occupational noise survey to identify the noise hazardous areas in the facility. The survey shall be conducted by a qualified person in accordance with the provisions of Title 8, California Code of Regulations, sections 5095-5099 (Article 105) and Title 29, Code of Federal Regulations, section 1910.95. The survey results shall be used to determine the magnitude of employee noise exposure. The project owner shall prepare a report of the survey results and, if necessary, identify proposed mitigation measures that will be employed to comply with the applicable California and federal regulations.

Verification: Within 30 days after completing the survey, the project owner shall submit the noise survey report to the CPM. The project owner shall make the report available to OSHA and Cal-OSHA upon request.

NOISE-8 Noisy construction work (that which causes offsite annoyance, as evidenced by the filing of a legitimate noise complaint) shall be restricted to the times of day delineated below:

High-pressure steam blows:	8 a.m. to 5 p.m.
Other Noisy Work:	7 a.m. to 7 p.m.

Verification: 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.

HANFORD EMERGENCY PEAKER PROJECT (01-EP-07C)
PALEONTOLOGICAL RESOURCES CONDITIONS OF CERTIFICATION

PALEO-1 The project certified under this emergency process shall not cause any significant impact to paleontological resources on the power plant site or linear rights of way.

HANFORD EMERGENCY PEAKER PROJECT (01-EP-07C)
SOIL AND WATER RESOURCES CONDITIONS OF CERTIFICATION

SOIL & WATER-1 See **HYDROLOGY & WATER 1**

SOIL & WATER-2 See **HYDROLOGY & WATER 2**

SOIL & WATER-3 Prior to site mobilization, the project owner shall submit to the Compliance Project Manager (CPM), a copy of a valid water service agreement for water supplies for the project from an authorized water purveyor, or a copy of a valid well permit for the project from the appropriate licensing agency.

Verification: A copy of the water service agreement or well permit shall be submitted to the CPM prior to site mobilization.

SOIL & WATER-4 Prior to ground disturbance, the project owner shall submit to the CPM a copy of a valid permit or agreement from the appropriate approving agency for wastewater discharge.

Verification: The permit or agreement for wastewater discharge shall be submitted to the CPM prior to ground disturbance.

SOIL & WATER-5 All straw wattles and straw bales for BMP's will be certified weed free.

Verification: Project owner will provide to the CPM evidence of weed free certification for all straw wattles and bales.

SOIL & WATER-6 All seed mixtures will be approved by the CPM before application.

SOIL & WATER-7 To prevent stormwater and soil contamination the Project Owner shall not use chemical and petroleum based palliatives as dust control.

HANFORD EMERGENCY PEAKER PROJECT (01-EP-07C)
TRAFFIC AND TRANSPORTATION CONDITIONS OF CERTIFICATION

TRANS-1 The project permitted under this emergency process shall comply with Caltrans and City/County limitations on vehicle sizes and weights. In addition, the project owner or its contractor shall obtain necessary transportation permits from Caltrans and all relevant jurisdictions for roadway use.

Verification: The project owner shall keep copies of any oversize and overweight transportation permits received at the project site.

TRANS-2 The project permitted under this emergency process shall comply with Caltrans and City/County limitations for encroachment into public rights-of-way and shall obtain necessary encroachment permits from Caltrans and all relevant jurisdictions.

Verification: The project owner shall keep copies of any encroachment permits received at the project site.

TRANS-3 The project permitted under this emergency process shall ensure that permits and/or licenses are secured from the California Highway Patrol and Caltrans for the transport of hazardous materials.

Verification: The project owner shall keep copies of all permits/licenses acquired by the project owner and/or subcontractors concerning the transport of hazardous substances at the project site.

TRANS-4 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.

TRANS-5 During construction of the power plant and all related facilities, the project owner shall manage on-site and off-site construction-period parking.

Verification: Prior to any earth moving or ground disturbance activity the project owner shall submit a parking and staging plan to the CPM for review and approval. The plan shall utilize areas already disturbed and not result in any disturbance of off-site land and shall not utilize on-street parking.

TRANS-6 Linear facility construction impacts on traffic. Prior to initiation of ground disturbance within the public right-of-way, the applicant shall submit a TCP to the CPM for review and approval. The TCP shall provide methods designed to minimize disruption of traffic including the use of the minimum traffic lane area required for construction, delineating only the area that will be under construction in the next 24 hour period, and use of signs and traffic flagmen to direct traffic around construction areas.

Verification: The project owner shall obtain approval for the TCP from the CPM before initiating construction in the public right-of-way. The CPM may periodically inspect the construction to ensure that the plan is being implemented.

TRANS-7 Fire access road requirement of the city. The proposed project shall include a fire access road acceptable to the City of Hanford Fire Department.

Verification: Prior to construction the applicant shall submit plans illustrating the fire road including vertical clearance, load-bearing capacity, minimum radii, and width to the City Fire official for review and approval. The project owner shall submit to the CPM written confirmation that the city has reviewed that plans and that the proposed roadway meets city fire road requirements.

HANFORD EMERGENCY PEAKER PROJECT (01-EP-07C)
TRANSMISSION SYSTEM ENGINEERING CONDITIONS OF CERTIFICATION

TSE-1 The project owner shall ensure that the design, construction and operation of the proposed transmission facilities will conform to requirements listed below:

The power plant switchyard, outlet line and termination shall meet or exceed the electrical, mechanical, civil and structural requirements of CPUC General Order 95, CPUC Rule 21, Title 8, California Code of Regulations, Articles 35, 36 and 37 of the, “High Voltage Electric Safety Orders”, Title 8 CCR, Sections 2700-2974, CPUC Decision 93-11-013, Federal Communications Commission Part 15, Public Resources Code 4292-4296, and National Electric Code (NEC).

Verification: 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.

HANFORD EMERGENCY PEAKER PROJECT (01-EP-07C)
VISUAL RESOURCES CONDITIONS OF CERTIFICATION

VIS-1 Project structures treated during manufacture and all structures treated in the field, that are visible to the public, shall be painted in a neutral color consistent with the surrounding environment.

Verification: Prior to painting exposed services, the project owner shall identify the selected color for CPM approval.

VIS-2 Standard condition replaced with **VIS-6**.

VIS-3 The project owner shall prepare and submit to the local planning department for review and comment, and to the CPM for review and approval a landscaping plan which provides for any or all of the following, as appropriate, to screen the project from view: berms, vegetation and trees, and slats in fencing.

Verification: Within 30 days of certification, the project owner shall submit the landscaping plan to the local planning department and the CPM.

VIS-4 Proposed Transmission Line Route Tree Replacement. Trees removed as a result of transmission line construction shall be replaced on a one-to-one in-kind basis. Replacement planting shall be monitored for a period of 3 years to ensure 100% survival. During this period all dead plant material shall be replaced. If feasible, this planting shall be located between the project right-of-way and the shoulder of 11th Avenue. The project owner shall submit a plan for the landscape screening and three-year mitigation monitoring program 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, the project owner shall submit to the CPM a revised plan. The project owner shall not implement the plan until the project owner receives approval of the submittal from the CPM. The project owner shall notify the CPM within one week after the landscape screening has been installed and is ready for inspection.

Verification: At least 5 days prior to installing the landscape screening, 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 submittal are needed before the CPM will approve the submittal, within 10 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 days after completing installation of the landscape screening that the planting is ready for inspection.

VIS-5 The project owner shall ensure that the power plant is enclosed in a 6-foot tall solid wall or a 6-foot fence with slats.

Verification: Prior to operation of the proposed project the CPM shall inspect the project site to ensure that a block wall or slatted fence has been installed.

VIS-6 Night Lighting. The project owner shall design and install all new project lighting to minimize potential night lighting impacts, as follows:

a. All new night lighting shall be of minimum necessary brightness consistent with operational safety.

b. All new lighting shall be shielded and directed downward to prevent all uplighting and all direct light trespass (direct lighting extending outside the boundaries of the facility).

c. Wherever feasible and safe, lighting shall be kept off when not in use.

d. A lighting complaint resolution form shall be maintained by plant operations, to record all lighting complaints received and to document the resolution of that complaint.

e. Lighting shall be installed consisted with local requirements.

Verification: The project owner shall develop a lighting plan for the project incorporating the above measures and submit it 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 plan, the project owner shall prepare and submit to the CPM a revised plan. Lighting shall not be installed before the plan is approved. The project owner shall notify the CPM when the lighting has been installed and is ready for inspection. Before 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 seven 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 days of completing exterior lighting installation that the lighting is ready for inspection.

HANFORD EMERGENCY PEAKER PROJECT (01-EP-07C)
WASTE MANAGEMENT CONDITIONS OF CERTIFICATION

WASTE-1 The project owner shall obtain a hazardous waste generator identification number from the Department of Toxic Substances Control prior to producing any hazardous waste.

Verification: The project owner shall keep its copy of the identification number on file at the project site.

WASTE-2 The project owner shall have an environmental professional available for consultation during soil excavation and grading activities. The environmental professional shall be given full authority to oversee any earth moving activities that have the potential to disturb contaminated soil. The environmental professional shall meet the qualifications of such as defined by the American Society for Testing and Materials designation E 1527-97 Standard Practice for Phase I Environmental Site Assessments.

Verification: If potentially contaminated soil is unearthed during excavation at either the proposed site or linear facilities, the environmental professional shall inspect the site, determine the need for sampling to confirm the nature and extent of contamination, and make a recommended course of action. The environmental professional shall have the authority to suspend construction activity at that location. If, in the opinion of the environmental professional, remediation is to be required, the project owner shall consult with the CPM and a decision will be made by the CPM within 24 hours as to how to proceed.

WASTE-3 Any hazardous waste resulting from the construction and operation of the project shall be stored, handled, and disposed of as required by federal regulations and federally mandated state and local regulations.

Verifications: Prior to construction the project owner shall provide the CPM documentation that the California Department of Toxic Substances Control has reviewed and approved the proposed practices for storage, handling, and disposal of any hazardous wastes generated by the construction and operation of the facility.

HANFORD EMERGENCY PEAKER PROJECT (01-EP-07C)
WORKER SAFETY CONDITIONS OF CERTIFICATION

WORKER SAFETY-1 The project owner must comply with all requirements in Title 8 of the California Code of Regulations, beginning with Part 450 (8 CCR Part 450 et seq).

Verification: The project owner shall submit to the CPM a letter attesting to compliance with the above and shall report any violations to the CPM.

HANFORD EMERGENCY PEAKER PROJECT (01-EP-07C)
GENERAL COMPLIANCE CONDITIONS OF CERTIFICATION

INTRODUCTION

General conditions (and the Compliance Plan) have been established as required by Public Resources Code section 25532. The plan provides a means for assuring that the facility is constructed, operated and closed in accordance with applicable environmental and public health and safety laws, ordinances, regulations, and standards, and with conditions of certification as approved by the California Energy Commission (Energy Commission).

The Compliance Plan is comprised of general conditions and technical (environmental and engineering) conditions as follows:

General conditions that set forth the duties and responsibilities of the Compliance Project Manager (CPM), the project owner, and delegate agencies; the requirements for handling confidential information and maintaining the compliance record; procedures for settling disputes and making post-certification changes; administrative procedures to verify the compliance status; and requirements for facility closure plans.

Specific conditions for each technical area contain the measures required to mitigate potential adverse impacts associated with construction, operation and closure to an insignificant level. Specific conditions may also include a verification provision that describes the method of verifying that the condition has been satisfied.

DEFINITIONS

To ensure consistency, continuity and efficiency, the following terms, as defined, apply to all technical areas, including Conditions of Certification:
Site Mobilization

Moving trailers and related equipment onto the site, usually accompanied by minor ground disturbance, grading for the trailers and limited vehicle parking, trenching for utilities, installing utilities, grading for an access corridor, and other related activities. Ground disturbance, grading, etc. for site mobilization are limited to the portion of the site necessary for placing the trailers and providing access and parking for the occupants. Site mobilization is for temporary facilities and is therefore not considered construction.

Ground Disturbance

Onsite activity that results in the removal of soil or vegetation, boring, trenching or alteration of the site surface. This does not include driving or parking a passenger vehicle, pickup truck, or other light vehicle, or walking on the site.
Grading

Onsite activity conducted with earth-moving equipment that results in alteration of the topographical features of the site such as leveling, removal of hills or high spots, or moving of soil from one area to another.

Construction

[From Public Resources Code section 25105.] Onsite work to install permanent equipment or structures for any facility. Construction does not include the following:

a. The installation of environmental monitoring equipment.

b. A soil or geological investigation.

c. A topographical survey.

d. Any other study or investigation to determine the environmental acceptability or feasibility of the use of the site for any particular facility.

e. Any work to provide access to the site for any of the purposes specified in a, b, c, or d.

TERM OF CERTIFICATION

Certification is for the life of the project if at the end of the power purchase agreement with the California Department of Water Resources the project owner can verify that the project meets the following continuation criteria:

- the project is permanent, rather than temporary or mobile in nature;
- the project owner demonstrates site control;
- the project owner has secured permanent emission reduction credits (ERCs) to fully offset project emissions for its projected run hours prior to expiration of any temporary ERCs;
- the project is in current compliance with all Energy Commission permit conditions specified in the final decision;
- the project is in current compliance with all conditions contained in the Permit to Construct and Permit to Operate issued by San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) for the project; and
- the project continues to meet BACT requirements under SJVUAPCD and California Air Resources Board (CARB) requirements.

The project permit shall expire if these continuation criteria are not met. At least six months prior to the expiration of the power purchase agreement with the Department of Water Resources, the project owner shall provide verification that these conditions have been meet.

In addition, the project owner shall submit a report after completion of the first three years in operation, as described below.

COMPLIANCE PROJECT MANAGER (CPM) RESPONSIBILITIES

A CPM will oversee the compliance monitoring and shall be responsible for:

1. ensuring that the design, construction, operation, and closure of the project facilities is in compliance with the terms and conditions of the Commission Decision;

2. resolving complaints;
3. processing post-certification changes to the conditions of certification, project description, and ownership or operational control;
4. documenting and tracking compliance filings; and
5. ensuring that the compliance files are maintained and accessible.

The CPM is the contact person for the Energy Commission and will consult with appropriate responsible agencies and the Energy Commission when handling disputes, complaints and amendments.

The Commission has established a toll free compliance telephone number of 1-800-858-0784 for the public to contact the Commission about power plant construction or operation-related questions, complaints or concerns.

Pre-Construction and Pre-Operation Compliance Meeting

The CPM may schedule pre-construction and pre-operation compliance meetings prior to the projected start-dates of construction, plant operation, or both. The purpose of these meetings will be to assemble both the Energy Commission's and the project owner's technical staff to review the status of all pre-construction or pre-operation requirements contained in the Energy Commission's conditions of certification to confirm that they have been met, or if they have not been met, to ensure that the proper action is taken.

Energy Commission Record

The Energy Commission shall maintain as a public record, in either the Compliance file or Docket file, for the life of the project (or other period as required):

1. All documents demonstrating compliance with any legal requirements relating to the construction and operation of the facility;
2. All complaints of noncompliance filed with the Energy Commission; and
3. All petitions for project modifications and the resulting staff or Energy Commission action taken.

PROJECT OWNER RESPONSIBILITIES

It is the responsibility of the project owner to ensure that the general compliance conditions and the conditions of certification are satisfied. The general compliance conditions regarding post-certification changes specify measures that the project owner must take when requesting changes in the project design, compliance conditions, or ownership. Failure to comply with any of the conditions of certification or the general compliance conditions may result in reopening of the case and revocation of Energy Commission certification, an administrative fine, or other action as appropriate.
Access

The CPM, responsible Energy Commission staff, and delegate agencies or consultants, shall be guaranteed and granted unrestricted access to the power plant site, related facilities, project-related staff, and the records maintained on site, for the purpose of

conducting audits, surveys, inspections, or general site visits. Although the CPM will normally schedule site visits on dates and times agreeable to the project owner, the CPM reserves the right to make unannounced visits at any time.

Compliance Record

The project owner shall maintain project files on-site or at an alternative site approved by the CPM, for the life of the project. The files shall contain copies of all "as-built" drawings, all documents submitted as verification for conditions, and all other project-related documents for the life of the project, unless a lesser period is specified by the conditions of certification.

Energy Commission staff and delegate agencies shall, upon request to the project owner, be given unrestricted access to the files.

Compliance Reporting

The project owner shall submit status reports to the CPM every two weeks indicating its progress in meeting milestones for procuring necessary project components and all required approvals for construction and operation of the facility by September 30, 2001. The first of these reports will be due two weeks after certification of the project by the Energy Commission.

Start of Operations

The Hanford Energy Park Peaker Project (Hanford) shall be on-line by not later than September 30, 2001. If Hanford is not operational by September 30, 2001, the Energy Commission will conduct a hearing to determine the cause of the delay and consider what sanctions, if any, are appropriate. If the Energy Commission finds that the project owner failed to proceed with due diligence to have the project in operation by September 30, 2001, the Energy Commission will set a specific date by which the project must be brought on-line as a condition precedent to continue the certification.

Three-Year Review

No later than 15 days after completion of the first three years in operation, the project owner shall submit to the Energy Commission a report of operations that includes a review of the project's compliance with the terms and conditions of certification, the number of hours in operation, and the demand for power from the facility during the three year period.

Compliance Verifications

Conditions of certification may have appropriate means of "verification". The verification describes the Energy Commission's procedure(s) to ensure post-certification compliance with adopted conditions. The verification procedures, unlike the conditions, may be modified, as necessary by the CPM, without full Energy Commission approval.

Verification of compliance with the conditions of certification can be accomplished by:

- reporting on the work done and providing the pertinent documentation in monthly and/or annual compliance reports filed by the project owner or authorized agent as required by the specific conditions of certification;
- appropriate letters from delegate agencies verifying compliance;
- Energy Commission staff audits of project records; and/or
- Energy Commission staff inspections of mitigation and/or other evidence of mitigation.

A cover letter from the project owner or authorized agent is required for all compliance submittals and correspondence pertaining to compliance matters. The cover letter subject line shall identify the involved condition(s) of certification by condition number and include a brief description of the subject of the submittal.

All submittals shall be addressed as follows:

Compliance Project Manager
California Energy Commission
1516 Ninth Street (MS-3000)
Sacramento, CA 95814

Confidential Information

Any information, which the project owner deems confidential shall be submitted to the Energy Commission's Docket with an application for confidentiality pursuant to Title 20, California Code of Regulations, section 2505(a). Any information, which is determined to be confidential, shall be kept confidential as provided for in Title 20, California Code of Regulations, section 2501 et. seq.

Reporting of Complaints, Notices, and Citations

Prior to the start of construction, the project owner must send a letter to property owners living within 500 feet of the project notifying them of a telephone number to contact project representatives with questions, complaints or concerns. If the telephone is not staffed 24 hours per day, it shall include automatic answering, with date and time stamp recording. The telephone number shall be posted at the project site and easily visible to passersby during construction and operation.

The project owner shall report and provide copies of all complaint forms, notices of violation, notices of fines, official warnings, and citations, within 10 days of receipt, to the CPM.

GENERAL CONDITIONS FOR FACILITY CLOSURE

In order to ensure that a planned facility closure does not create adverse impacts, plant closure must be consistent with all applicable laws, ordinances, regulations, standards (LORS), and local/regional plans in existence at the time of closure. To ensure adequate review of a planned project closure, the project owner shall submit a proposed facility closure plan to the Energy Commission for review and approval at least three

months prior to commencement of closure activities (or other period of time agreed to by the CPM).

DELEGATE AGENCIES

To the extent permitted by law, the Energy Commission may delegate authority for compliance verification and enforcement to various state and local agencies that have expertise in subject areas where specific requirements have been established as a condition of certification. If a delegate agency does not participate in this program, the Energy Commission staff will establish an alternative method of verification and enforcement. Energy Commission staff reserves the right to independently verify compliance.

In performing construction and operation monitoring of the project, the Energy Commission staff acts as, and has the authority of, the Chief Building Official (CBO). The Commission staff retains this authority when delegating to a local CBO. Delegation of authority for compliance verification includes the authority for enforcing codes, the responsibility for code interpretation where required, and the authority to use discretion, as necessary, in implementing the various codes and standards.

ENFORCEMENT

The Energy Commission's legal authority to enforce the terms and conditions of its Decision is specified in Public Resources Code sections 25534 and 25900. The Energy Commission may amend or revoke the certification for any facility, and may impose a civil penalty for any significant failure to comply with the terms or conditions of the Commission Decision. The specific action and amount of any fines the Commission may impose would take into account the specific circumstances of the incident(s). This would include such factors as the previous compliance history, whether the cause of the incident involves willful disregard of LORS, inadvertence, unforeseeable events, and other factors the Commission may consider.

Moreover, to ensure compliance with the terms and conditions of certification and applicable laws, ordinances, regulations, and standards, delegate agencies are authorized to take any action allowed by law in accordance with their statutory authority, regulations, and administrative procedures.

NONCOMPLIANCE COMPLAINT PROCEDURES

Any person or agency may file a complaint alleging noncompliance with the conditions of certification. Such a complaint will be subject to review by the Energy Commission pursuant to Title 20, California Code of Regulations, section 1230 et. seq., but in many instances the noncompliance can be resolved by using the informal dispute resolution process. Both the informal and formal complaint procedures, as described in current State law and regulations, are described below. They shall be followed unless superseded by current law or regulations.

INFORMAL DISPUTE RESOLUTION PROCEDURE

The following procedure is designed to informally resolve disputes concerning interpretation of compliance with the requirements of this compliance plan. The project owner, the Energy Commission, or any other party, including members of the public, may initiate this procedure for resolving a dispute. Disputes may pertain to actions or decisions made by any party including the Energy Commission's delegate agents. his procedure may precede the more formal complaint and investigation procedure specified in Title 20, California Code of Regulations, section 1230 et. seq., but is not intended to be a substitute for, or prerequisite to it. This informal procedure may not be used to change the terms and conditions of certification as approved by the Energy Commission, although the agreed upon resolution may result in a project owner proposing an amendment.

The procedure encourages all parties involved in a dispute to discuss the matter and to reach an agreement resolving the dispute. If a dispute cannot be resolved, then the matter must be referred to the full Energy Commission for consideration via the complaint and investigation process. The procedure for informal dispute resolution is as follows:

Request for Informal Investigation

Any individual, group, or agency may request the Energy Commission to conduct an informal investigation of alleged noncompliance with the Energy Commission's terms and conditions of certification. All requests for informal investigations shall be made to the designated CPM.

Upon receipt of a request for informal investigation, the CPM shall promptly notify the project owner of the allegation by telephone and letter. All known and relevant information of the alleged noncompliance shall be provided to the project owner and to the Energy Commission staff. The CPM will evaluate the request and the information to determine if further investigation is necessary. If the CPM finds that further investigation is necessary, the project owner will be asked to promptly investigate the matter and within seven (7) working days of the CPM's request, provide a written report of the results of the investigation, including corrective measures proposed or undertaken, to the CPM. Depending on the urgency of the noncompliance matter, the CPM may conduct a site visit and/or request the project owner to provide an initial report, within forty-eight (48) hours, followed by a written report filed within seven (7) days.

Request for Informal Meeting

In the event that either the party requesting an investigation or the Energy Commission staff is not satisfied with the project owner's report, investigation of the event, or corrective measures undertaken, either party may submit a written request to the CPM for a meeting with the project owner. Such request shall be made within fourteen (14) days of the project owner's filing of its written report. Upon receipt of such a request, the CPM shall:

1. Immediately schedule a meeting with the requesting party and the project owner, to be held at a mutually convenient time and place and secure the attendance of

appropriate Energy Commission staff and staff of any other agency with expertise in the subject area of concern as necessary;

2. Conduct such meeting in an informal and objective manner; and,
3. After the conclusion of such a meeting, promptly prepare and distribute copies to all in attendance and to the project file, a summary memorandum which fairly and accurately identifies the positions of all parties and any conclusions reached.

FORMAL DISPUTE RESOLUTION PROCEDURE-COMPLAINTS AND INVESTIGATIONS

If either the project owner, Energy Commission staff, or the party requesting an investigation is not satisfied with the results of the informal dispute resolution process, such party may file a complaint or a request for an investigation with the Energy Commission's General Counsel. Disputes may pertain to actions or decisions made by any party including the Energy Commission's delegate agents. Requirements for complaint filings and a description of how complaints are processed are in Title 20, California Code of Regulations, section 1230 et. seq.

The Chairman, upon receipt of a written request stating the basis of the dispute, may grant a hearing on the matter, consistent with the requirements of noticing provisions. The Commission shall have the authority to consider all relevant facts involved and make any appropriate orders consistent with its jurisdiction (Title 20, California Code of Regulations, sections 1232 - 1236).

POST CERTIFICATION CHANGES TO THE COMMISSION DECISION: AMENDMENTS, INSIGNIFICANT PROJECT CHANGES

The project owner must petition the Energy Commission, pursuant to Title 20, California Code of Regulations, section 1769, to 1) delete or change a condition of certification; 2) modify the project design or operational requirements; and 3) transfer ownership or operational control of the facility.

A petition is required for amendments and for insignificant project changes. In all cases, the petition or letter requesting a change should be submitted to the Commission's Docket in accordance with Title 20, California Code of Regulations, section 1209. The criteria that determine which type of change process applies are explained below.

EXECUTIVE ORDER

Executive Order D-25-01 issued by the Governor of the State of California, which accelerates processing of certain project modifications, will be applied to all qualifying project modifications requested until December 31, 2001.

AMENDMENT

A proposed project modification will be processed as an amendment if it involves a change to a condition of certification, an ownership or operator change, or a potential significant environmental impact.

INSIGNIFICANT PROJECT CHANGE

The proposed modification will be processed as an insignificant project change if it does not require changing the language in a condition of certification, have a potential for significant environmental impact, and cause the project to violate laws, ordinances, regulations or standards.

VERIFICATION CHANGE

Changes to condition verifications require CPM approval and may require either a written or oral request by the project owner. The CPM will provide written authorization of verification changes.

Appendix C
City of Hanford
BESS Site Plan Review, Administrative Use Approval
January 24, 2022

City of HANFORD
CALIFORNIA 93230
CITY OFFICES 317 NORTH DOUTY STREET

DATE: January 24, 2022

PROJECT: Site Plan Review 2021-41 (502-1186); Administrative Approval 2021-32 (514-0420)

APPLICANT: Hanford BESS LLC

LOCATION: 10596 Idaho Ave. (APN 018-242-055)

PROPOSAL: Battery Energy Storage System

ZONING: I-H Heavy Industrial

SITE PLAN REVIEW COMMITTEE REVIEW DATE: November 17, 2021

Enclosed for your review are the comments and decisions of the Site Plan Review Committee. Please review all comments, since they may impact your project:

☐ **RESUBMIT:** Major changes to your plans are required prior to accepting construction drawings for a building permit. A meeting with the Site Plan Review Committee is not required.

☐ **MEETING REQUIRED:** During site plan review, concerns were identified, schedule a meeting with the following prior to resubmittal:

- ☐ Planning
- ☐ Fire
- ☐ Solid Waste
- ☐ Wastewater
- ☐ Building
- ☐ Engineering
- ☐ Police
- ☐ Parks and Recreation

☒ **REVISE AND PROCEED**

- ☒ Approved subject to the following and the attached conditions of approval.
- ☒ Submit plans for a building permit between the hours of 8:00 a.m. and 4:00 p.m.
- ☐ Your Plans must be reviewed by:
  - ☐ City Council
  - ☐ Parking and Traffic Commission
  - ☐ Other: _____
  - ☐ Planning Commission
  - ☐ Parks and Recreation Commission

Signed,

Mark Manha

Mark Manha, Assistant Planner
Community Development Department

January 24, 2022
DATE

EXPIRATION

A site plan approval shall expire one (1) year from its approval date, unless a building permit application has been submitted or the use has commenced. Prior to expiration, the Community Development Director may extend the permit expiration date by one (1) year if there is substantial evidence that the applicant is diligently pursuing building permit approval or commencement of the use (Hanford Municipal Code Section 17.72.070).

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Site Plan Review and Administrative Approval are ministerial actions, therefore not subject to the California Environmental Quality Act (CEQA) (CEQA Guidelines 15268 and MC 17.70.070). **Exemption No. 2022-09**

COMMENTS AND CONDITIONS OF APPROVAL

THE FOLLOWING DEPARTMENT COMMENTS AND CONDITIONS ARE ATTACHED:

- ☒ PLANNING
- ☒ BUILDING
- ☒ ENGINEERING
- ☐ SOLID WASTE
- ☐ WASTEWATER
- ☐ POLICE
- ☒ FIRE
- ☐ PARKS AND RECREATION

DEFENSE AND INDEMNIFICATION PROVISION

That the applicant shall defend, indemnify, and hold harmless the City of Hanford ("City"), its officials, officers, employees, representatives, agents and attorneys, from and against all claims, damages, losses, judgments, liabilities, expenses and other costs, including litigation costs and attorney's fees, arising out of, resulting from, or in connection with, the City's act or acts leading up to and including approval of any environmental document and/or granting of any approvals relating to the Project. Applicant's obligation to defend, indemnify, and hold the City harmless specifically includes, but is not limited to, any suit or challenge by any third party against the City which challenges or seeks to set aside, void or annul the legality or adequacy of any environmental document approved by the City or any approval related to the Project.

APPLICANT'S STATEMENT (Must be signed prior to issuance of a building permit)

I have reviewed a copy of the Site Plan Review Approval No. 2021-41 and Administrative Approval 2021-32 and I understand that the proposed construction and/or land use is dependent upon the fulfillment of the conditions of approval and construction of all required public improvements prior to use, inauguration, or occupancy, unless other arrangements are approved.

Applicant or Authorized Representative

_____

PLANNING DIVISION
SITE PLAN REVIEW COMMENTS

MEETING DATE: November 17, 2021
SITE PLAN NUMBER: 2021-41 (FILE 502-1186); ADMINISTRATIVE APPROVAL NO. 2021-32 (FILE 514-0420)
CONTACT: Mark Manha, Assistant Planner: (559) 585-2583

General Plan Designation: Heavy Industrial

Zoning: I-H Heavy Industrial

Other Special Districts: N/A

Planning Division Recommendation: ☒ Revise and Proceed ☐ Resubmit

The project does meet the requirements of the Hanford Municipal Code, development standards, and other codes and policies.

Condition(s):

- Maintain 10-foot front setback for temporary parking.

Required Entitlements:

- N/A

I-H Heavy Industrial - all checked comments shall apply

General:

☒ That an easement shall be in place for the 115kV high voltage interconnection between this parcel (APN 018-242-055) and the adjacent parcel (APN 018-242-061).

☒ That approval of this project does not exempt compliance with all applicable sections of the Zoning Ordinance, Public Works Improvement Standards, fees, or other City Ordinances.

☒ That all approved proposals of the applicant be conditions of development, if not mentioned herein.

☒ That the site be developed according to the approved site plan, titled Site Plan Review No. 2021-41 and Administrative Approval No. 2021-32 with minor modifications to be approved by the Community Development Department.

☒ That no expansion of the use which would tend to increase the projected scale of operations beyond the scope and nature described in this Site Plan Review shall be permitted except upon application for, and approval of, modification of this application according to all procedures and requirements thereof.

☒ That no business, service, or processes that is not part of the main use of the site shall be conducted outside a completely enclosed (or screened) permanently fixed structure, except where specifically permitted by this title.

☒ That mechanical equipment shall be located a minimum of five feet from a rear or side lot line that abuts an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district.

☒ That all open and unlandscaped portions of any lot shall be maintained in good condition free from weeds, dust, trash and debris.

☒ That use of the site shall comply with the uses listed as permitted, permitted with an administrative approval, conditionally permitted, or temporarily permitted in the land use table presented in chapter 17.08.

Cultural Resources:

☒ That if cultural resources are discovered during construction or related activities, all work shall be halted and a qualified archeologist and the City of Hanford shall be notified. The find shall be properly investigated and appropriate measures are to be taken before construction may continue.

Building Setback Areas: (Section 17.36.060)

☒ That the appropriate setbacks be maintained, as follows:

- ☒ The front building setback area shall be a minimum of ten (10) feet along Power Way.
- ☒ The rear building setback may be zero feet from the rear lot line, except where the rear lot line abuts a public street or an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the rear building setback shall be 15 feet.
- ☒ The side building setback area shall be zero feet, except where the side lot line abuts a public street or an R-L, R-M, R-H, OR, O, PF, AP, or CO zone district then the side building setback area shall be 15 feet along Idaho Avenue.

Distances Between Structures: (Section 17.36.070)

☒ That the minimum distance between a structure used solely for residential purposes and other structures shall be 10 feet, except as provided by the building code.

Height of Structures: (Section 17.36.080)

☒ That the maximum structure height shall be 75 feet, except that the height of portions of structures set back at least 200 feet from any lot line may be up to 100 feet.

Driveways: (Section 17.36.090)

☒ That wherever possible developments shall share driveways to minimize the number of driveways on public streets.

☒ That new driveways near street corners shall be located a minimum 100 feet from the radius curve of the curb, unless otherwise specifically approved by the City Engineer.

☒ That gated entrances shall be set back at least 100 feet from the public right-of-way, unless a shorter distance is approved by the City Engineer.

Off Street Parking: (Section 17.54)

☒ That a minimum of two spaces, one of which shall be ADA-accessible, shall be maintained for the site, based on the most similar specified use as determined by the Site Plan Review Committee, which was determined to be "1 space per employee of the maximum working shift plus the number of additional spaces required by the Site Plan Review Committee based on trip generation" for all "post office; public corporation yard, utility yard, or vehicle and heavy equipment maintenance and storage yard; public safety facility or station" uses.

☒ That the standard parking space shall not be less than 18.5 feet in length and nine feet in width, exclusive of aisles and access drives (Section 17.54.110 A).

☒ That the maximum number of compact-car parking spaces is limited to 30 percent of the total parking spaces. A compact parking space shall not be less than 16 feet in length and 8 feet in width, and marked for compact cars (Section 17.54.110 B. and C)

  ☒ There shall be no more than four compact spaces adjacent to each other.

☒ That parking for bicycles and low-emission vehicles shall be provided in accordance with the latest adopted version of the California Building Code (Section 17.54.190).

☒ That all parking spaces, whether required by this chapter or in addition that which is required, shall be located on a lot or parcel behind the front building setback and outside of a street side yard setback, except that vehicles may park on a paved driveway in the front building setback area. This requirement applies to both covered and uncovered parking areas.

☒ That all parking areas shall have ingress and egress to and from a street or alley as required by the City's standard specifications.

☒ That sufficient room for turning and maneuvering vehicles shall be provided on the site.

☒ That developed parking areas are to be utilized by all vehicles associated with or visiting the site.

☒ That the parking of vehicles on lawn, landscaped areas, or other areas not designed for parking are prohibited.

☒ That entrances and exits to parking lots and other parking facilities shall be provided only at locations approved by the Site Plan Review Committee.

☒ That parking lot lighting shall be deflected away from adjoining sites so as not to cause glare to such sites.

☒ That no commercial repair work, washing or servicing of vehicles shall be conducted in a parking area.

☒ That parking areas, aisles, and access drives shall be paved with a solid material so as to provide a durable, dustless surface and shall be so graded and drained as to dispose of surface water, except that long-term storage areas for vehicles in the C-S, I-L and I-H zone districts may be surfaced with rock, gravel, granite or solid paving.

☒ That parking areas shall be designed to the City's standard specifications and approval by the City Engineer.

Usable Open Space: (Section 17.36.110)

☒ That there is no minimum requirement for usable open space.

Signage: (Section 17.56)

☒ That any/all signs proposed for this development shall be subject to the requirements and prescribed in Chapter 17.56 of the Hanford Municipal Code. **A separate application is required.**

Fencing and Walls: (Section 17.36.130 and 17.50.110)

☒ That a block wall with a minimum height of seven (7) feet shall be provided along any side or rear lot line that abuts an R-L, R-M, R-H, OR, PF, AP, or CO zone district.

☒ That no fence or wall shall be placed in front of or within any landscaped area located next to a street.

☒ That open storage of materials and equipment attendant to a use shall be permitted only within an area surrounded or screened by a solid wall or fence seven (7) feet minimum in height, except as may be modified under site plan review. Such storage shall not be visible above the fence or wall.

☒ That any proposed fencing on the site be maintained in good repair.

☒ That no fence or wall shall be placed within the public right-of-way.

☒ That a masonry fence exceeding three (3) feet in height shall require engineered footings and a building permit. All other fencing exceeding seven (7) feet in height shall require engineered post footings and a building permit.

☒ That no hedge, shrub, fence, or wall exceeding the three (3) feet in height, or four (4) feet in height if the upper one (1) foot is fifty (50) percent or more open shall be planted, placed, or maintained within the twenty-five (25) feet corner sight triangle of a corner lot, or along a front or street side property line where the hedge, shrub, fence, or wall creates a traffic or pedestrian hazard as determined by the Community Development Director.

Trash Collection Areas: (Section 17.50.090)

☒ That suitable area shall be provided on-site for collection of trash and recyclable materials for all multifamily residential, mixed-use, commercial, office, and industrial uses. Refuse storage areas shall be adequately screened from view. The refuse area enclosure shall be designed

to meet the minimum recommended dimensional standards as determined by the City Engineer.

☒ That all uses shall be in compliance with the provisions of Chapter 13.12 of the Municipal Code.

Outdoor Lighting Standards: (Section 17.50.140)

☒ That all lights and light fixtures, except public street lights, shall be located, aimed or shielded so as to minimize light trespassing across property boundaries or skyward.

☒ That no lights or light fixtures shall flash, revolve, blink or otherwise resemble a traffic control signal or operate in such a fashion to create a hazard for passing traffic.

☒ That building mounted lighting fixtures shall be attached only to the walls of the building. The top of a light fixture attached to a building wall shall not be higher than the top of the building parapet or the top of the roof eave, whichever is lower.

☒ That the canopy ceiling light fixtures shall be recessed or the sides of the lens area shall be shielded, in order to eliminate emission of horizontal light.

☒ That the height of freestanding light fixtures, including freestanding parking lot fixtures, shall be measured from the top of a light fixture to the adjacent grade at the base of the support for that light fixture and shall not exceed 30 feet.

Dust Control:

☒ That the appropriate dust-control practices of the San Joaquin Valley Air Pollution Control District shall be implemented.

☒ That the any necessary permits be obtained through the San Joaquin Valley Air Pollution Control District.

BUILDING DIVISION
SPR 2021-0041 (502-1186) PV Array and Battery Storage
12-15-21
10596 Idaho

Contact Building Official: Tom Webb (559) 585-2584
Concerning questions that you may have on the conditions listed below:

1. That building permits must be obtained from the City Building Division for each structure to include but not limited to: buildings, pools, fences, trash enclosures, signs and carports for any structural, plumbing, electrical or mechanical work being done.

2. That no building or structure shall be used or occupied, and no change in the existing occupancy classification of building or structure or portion thereof shall be made until the building official has approved the change and issued a Certificate of Occupancy.

3. That detailed dimensioned plans be provided to the Building Division for each structure prior to obtaining construction permits. Each structure will require a separate submittal and permit.

4. That each structure will require plans and calculations signed by an architect or engineer licensed to practice in the State of California. Submittal shall consist of as applicable:

    4.1 1 copy of the City of Hanford Permit Application form
    4.2 One electronic submittal or 6 complete sets of Drawings unless noted, including:
        4.2.1 Grading Plan (Civil Drawings, for reference)
        4.2.2 Site Plan
        4.2.3 Architectural Drawings
        4.2.4 Structural Drawings
        4.2.5 Electrical Drawings
        4.2.6 Mechanical Drawings
        4.2.7 Plumbing Drawings
        4.2.8 Landscape Plan (for reference)
        4.2.9 **Planning Dept. "Conditions of Approval" or "Resolution" printed on the drawings and part of the drawing submittal**
        4.2.10 A minimum of 2 sets shall be stamped and wet signed by an Architect or Engineer licensed in the State of California.

****** Each structure will be considered a separate submittal. Grading, Landscaping, Signage and all Fire permits are separate submittals as well and require separate applications and submittals as applicable**. ****

    4.3 One Electronic submittal or 2 complete sets of documentation, unless noted, including:
        4.3.1 Architectural Specifications
        4.3.2 Structural Calculations
        4.3.3 Electrical Calculations, if not included on the drawings
        4.3.4 Mechanical Calculations, if not included on the drawings
        4.3.5 Plumbing Calculations, if not included on the drawings
        4.3.6 Energy Calculations, if not included on the drawings
        4.3.7 CalGreen Compliance **including C & D Recycle plan**
        4.3.8 **Compliance with the City of Hanford Landscape Ordinance**
        4.3.9 A minimum of 2 sets shall be stamped and wet signed by an Architect or Engineer licensed in the State of California.

5. **That the site, as well as the buildings, shall be made accessible and usable by the disabled in accordance with the California Building Code, Chapter 11B/A**.

6. That all special inspection reports be submitted to the Building Division prior to final inspection.

7. That all construction shall conform to **the Most Current Edition** (2019) of the California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Fire Code, California Energy Code and CalGreen

8. That the tenant, lessee, and/or owner are responsible for compliance with the Americans with Disabilities Act. By federal law your facility must be made accessible to the highest degree possible.

9. That the applicant provides a complete set of AS-BUILT drawings on CD, in "tif" format, to the Building Division prior to Final Inspection.

10. That block walls and trash enclosures require separate submittals/permits through the Building Dept.

Hanford Fire Department

Contact Fire Marshal Christy Whittington @ 559-585-2594 or cwhittington@cityofhanfordca.com

concerning questions that you may have on the following conditions.

Site Plan Review: SPR 2021-41

Date: November 21, 2021

Project #: 502-1186 (Bess LLC)

General Instructions

1. Approval of this project does not exempt compliance with all applicable sections of the City adopted fire codes and local fire ordinances.
2. All fire protection systems must be installed and operational prior to occupying the building.
3. All permits shall be issued and fees paid prior to scheduling inspections with the Fire Department. To schedule appointments for inspections, please call **559-585-2545.**
4. Scope of work shall be clearly stated on all plans submitted for permit.
5. All deferred submittals shall be listed on the building plan title page. All deferred submittals are required to be submitted within 30-days of building permit issuance.

The following comments are applicable if checked:

1. ☐ No comments.

2. ☐ This project must comply with latest applicable codes.

3. ☐ Project must meet minimum fire flow requirements per the table in Appendix B & C of the 2019 Ca. Fire Code. Provide most current fire flow information for this location.

4. ☐ If a new fire hydrant flow test is required, contact the fire department for submittal requirements.

5. ☐ Based on the occupancy classification, an automatic sprinkler system is required for this project. ***A separate fire department permit is required.*** Please contact the Building department for submittal process.

6. ☐ For automatic sprinkler systems, ***a separate permit maybe required if tenant improvements are made to sprinkler system***. Please contact the Building department for submittal information.

7. ☐ Fire Riser Room: All new buildings that require an automatic fire sprinkler system shall contain a separate room to house the fire riser inside of it and shall have the following building elements:

    - At least one man door shall be provided- only exterior door(s) are allowed
    - The fire riser room and the door shall be large enough to accommodate repairs and/or maintenance needed by the use of tools and the removal and/or replacement of parts/pipe to the fire riser or FDC; suggested size 4' X 4' room.
    - One-hour rated construction

- Fire Sprinkler head coverage required
- Normal and emergency back-up lighting shall be installed inside the fire riser room.
- The exterior of the fire riser door shall have permanent signage stating **FIRE RISER ROOM** in a contrasting color to background.
- For existing buildings: please contact the Fire Department.

8. ☐ When a sprinkler system is required with 21 or more sprinkler heads, the system shall be monitored by a Central Station Service. Fire alarm and detection systems required by Chapter 9 of the currently adopted edition of the California Building Code (CBC) and CFC shall be installed per NFPA 72. ***A separate fire department permit is required*** for fire sprinkler monitoring and/or fire alarm systems required by the latest edition of the CBC. Contact the Building Department for submittal process.

9. ☐ A hydrant will be required within 50 feet of the Fire Department connection. **Knox FDC Locking Caps** are required on all FDC's. The ordering of Knox Box products can be done directly at www.knoxbox.com. Click to choose your local fire department agency, enter "Hanford Fire Dept", and a list of products will populate for you to order.

10. ☐ When any portion of the facility or building to be protected is more than 400 feet from a hydrant on a fire apparatus access road (as measured by an approved route around the exterior of the building) on-site fire hydrants and mains shall be provided where required by the fire code official.

11. ☐ Depending on the location of the existing fire hydrant(s), additional fire hydrants may be required. All hydrants must be in place and accepted by the fire department prior to any combustibles being brought onto the site.

12. ☐ No additional hydrants are necessary for this project.

13. ☐ Number of additional hydrants necessary for this project: _____

14. ☐ Fire hydrant spacing shall be as follows:

    - Section 507or as required by appendix C of the 2019 CFC.

15. ☐ Fire hydrant protection posts shall be installed at all fire hydrants that are subject to vehicle damage.

16. ☒ Approved fire apparatus access roads shall be provided for every facility, building, or portion of a building constructed or moved onto or with the City of Hanford. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the buildings (as measured by an approved route around the exterior of the building or facility).

17. ☒ All dead-end access roads in excess of 150 feet must be provided with an approved turn-around or hammer head complying with City standards.

18. ☒ All access road shall not be less than 20 feet wide and 13 feet 6 inches in height.

19. ☒ Access road turning radius for fire apparatus is as follows:

- 20 feet, 1 inch inside turning radius
- 44 feet, 6 inch outside radius

20. ☐ Additional access roads may be required per CFC 2019 Section 503.1.2. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

21. ☐ Traffic calming devices shall not be installed onto fire department emergency access roads unless prior approval is obtained from the Hanford Fire Department.

22. ☒ Areas identified as "Fire Lanes" must be identified as such per requirements set forth in the California Vehicle Code Section 22500.1.

- **Access roads 20-26 feet in width:** Fire lanes shall be on both sides of the fire apparatus access roads.
- **Access roads 26 to less than 32 feet in width**: Fire lanes shall be on one side of the fire apparatus access roads.
- **Access roads 32 feet in width or more:** No fire lanes required.

23. ☒ Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING - FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

24. ☐ Temporary or permanent fire department access roads shall be constructed in accordance with City Standards ST-36. All weather access roads shall be in place prior to any combustible construction being brought onto the premises unless approved by the fire department.

25. ☒ Locked gates installed across fire department access roads:

- **Manual gates** with a chain lock require a **Knox Padlock** to be installed on them; or a **Knox Box** shall be installed on the exterior of the gate and a key to the lock on the gate must be placed in the Knox Box. (**See www.knoxbox.com for current models)**

- **Electric Gates** shall be equipped with an electric **Knox Key Switch,** at the gate location.
- In case of a loss of power, electrically operated gates shall have a means of back-up power or shall default in the open position for immediate fire department access.

- At no time shall the width of the fire department access road be reduced below **20-feet wide through or at any gates** along the fire departments' emergency access roads due to protruding objects from gate supports, frames, signs, access booths, curbs, etc.

26. ☒ A Knox Box will be required. Keys that open all locked areas will also be required and placed in the Knox Box. The ordering of Knox Box products can be done directly at www.knoxbox.com. If there is an existing Know Box installed, contact the Fire Department to determine if it will suffice.

27. ☒ All address numbers shall be installed onto the building and shall be visible from the frontage street. The color of the address numbers shall be in a contrasting color to the building.

Size of Address Numbers:

- Downtown area (existing buildings): 4 inch numbers
- Buildings 20-ft. or less from the street: 6 inch numbers
- Buildings 21- to 40-ft. from the street: 8 inch numbers
- Buildings more than 40-ft. from street: 12 inch numbers

28. ☐ Commercial cooking equipment that produce grease laden vapors shall be provided with a Type I hood***. A separate permit is required for the Type I hood***. Contact the **Building** department for submittal information.

29. ☐ All commercial cooking appliances creating grease laden vapors shall have a K-Class fire extinguisher within 30-feet of cooking appliances in accordance with the most currently adopted edition of the CFC.

30. ☐ ***A separate permit is required*** for all hazardous material and/or flammable and combustible liquids, gases, solids, etc., over the exempt amounts set forth in the latest adopted edition of the California Fire Code.

31. ☐ ***A fuel tank permit is required*** for underground and aboveground gasoline/LPG/Diesel.

32. ☐ Combustible high-piled storage over 12 feet ***requires a separate fire department review and permit.*** Contact the fire department for further information.

33. ☐ Provide a Knox Box for all structures and gates. In accordance to the 2019 CFC 506.1. Location shall be approved by Hanford Fire Department.

34. ☐ Provide premises identification for all structures. Shall be visible from the street. A minimum of four (4) inch numbering on contrasting background. In accordance to the 2019 CFC 505.1

35. ☐ Commercial cooking equipment that produce grease laden vapors shall be provided with a Type I Hood. In accordance with the California Mechanical Code, and an automatic fire extinguishing system that is listed and labeled for its intended use.

36. ☐ Insulated liquid carbon dioxide systems used in beverage dispensing applications with more than 100 pounds (45.4kg) of carbon dioxide shall comply with 2019 CFC 5307.3.1

37. ☒ Facility to provide minimum 2A10BC type fire extinguishers. Provide location and number of fire extinguishers to be installed in accordance to California Fire Code, section 906.

38. ☐ All exiting shall comply with California Fire and Building Code requirements. Requirements shall comply with section 10 of the 2019 CFC 1004.9

39. ☐ Posting of Occupant Load sign shall be provided if room or spaces used for Assembly, Classroom, Dining, or similar purposes having an occupant load of fifty (50) or more persons. Sign shall be placed in conspicuous location and near the main exit in accordance to CFC 1004.9

40. ☐ Any Special Event project shall comply with 2019 edition of the California Fire Code, chapter 31 for tent structures, exiting, fire extinguishers and other fire protection application.

Hanford Public Works Department

Contact Public Works Director John Doyel @ 559-585-2571 or jdoyel@cityofhanfordca.com concerning questions that you may have on the following conditions.

SPR 2021-41; AA 2021-32

502-1186; 514-0420

1. All existing and proposed driveways need to be reconstructed/constructed to City Standards.

2. The trash enclosure, if existing, needs to be upgraded to a 10' x 20' inside clear dimension masonry block refuse enclosure with 6' high perimeter walls accordance with City Std. GE-35, modified to include installation of 12" x 12" interior concrete curbs and 10' wide/6" thick concrete apron.

   The refuse enclosure shall have gates of chain-link fencing with earth-tone color vinyl slats or other approved gate materials.

   The enclosure shall be architecturally compatible with surrounding buildings, and the location of the enclosure shall be approved by both the Public Works and Community Development Departments.

   That nothing other than the city refuse bins shall be stored or kept in refuse enclosures.

   That refuse enclosure gates shall be securely closed except when in use.

   That refuse enclosures shall not be located adjacent to combustible construction or beneath windows or non-protected eaves.

   That the applicant shall participate in all available waste recycling & reuse programs including the new requirement for food waste separate bin service (if applicable).

   That all onsite vehicle drive aisles and parking lot areas subject to refuse truck use for trash enclosure access shall be constructed in accordance with City Standard GE-32 Industrial Parking Lot pavement requirements to provide an adequate pavement structure section for refuse truck use.