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CALIFORNIA ENERGY COMMISSION

CALIFORNIA NATURAL RESOURCES AGENCY

STATEMENT OF STAFF APPROVAL OF POST CERTIFICATION CHANGE

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

On March 4, 2022, MRP San Joaquin Energy, LLC (MRP), filed a post certification petition for a project change for the Hanford Energy Park Emergency Peaker (HEPP). The 95-megawatt facility was certified by the California Energy Commission (CEC) on May 10, 2001 and began commercial operation on September 3, 2001. The facility is located at 10550 Idaho Avenue, within the Kings Industrial Park, in the city of Hanford, in Kings County.

DESCRIPTION OF PROPOSED CHANGE

MRP is seeking approval to install a 115 kilovolt (kV) cable interconnection from the adjacent Hanford Battery Energy Storage System (BESS) project to an interconnection point with the HEPP interconnection facilities on the HEPP parcel. The planned Hanford BESS is a separate, non-jurisdictional facility from the HEPP and is located on a separate parcel to the west of the HEPP. MRP has provided two options for installation: 1) install the 115 kV cable using an existing elevated pipe rack on the HEPP parcel or 2) install the 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. Option 2 would entail the use of an approximately four feet wide by five- to six-feet-deep temporary trench.

The associated activities on the HEPP site may also include the following: minor easterly relocation of the three potential and current transformers and the installation of small pad foundations at the new location. The installation of new small pad foundations just west of HEPP's relocated potential and current transformers would support a small steel structure, which is required to make the transition from insulated cable to bare, uninsulated cable that allows connection at the point of interconnection.

To access the post certification petition, go to the CEC's project webpage , https://www.energy.ca.gov/powerplant/simple-cycle/hanford-peaker-plant. In

the box labeled "Compliance Proceeding" click on the Docket Log (01-EP-07C) and locate the petition by its transaction number, TN 242209.

CEC STAFF REVIEW AND CONCLUSIONS

California Code of Regulations, title 20, section 1769 requires a project owner to petition the CEC for the approval of any change the project owner proposes to the project, design, operation, or performance requirements of a certified facility.

Consistent with California Code of Regulations, title 20, section 1769(a)(3), the CEC staff (staff) has reviewed the petition for potential environmental effects; consistency with applicable laws, ordinances, regulations, and standards (LORS); and HEPP's conditions of certification. Based on staff's analysis of both installation options, contained below, staff has determined the modified HEPP (1) would not have a significant effect on the environment, (2) would continue to comply with the applicable LORS, and (3) would not require a change to, or deletion of, any conditions of certification as adopted in the Final Commission Decision (Decision).

Lastly, staff concludes the proposed change does not meet the criteria requiring the production of subsequent or supplemental review consistent with California Code of Regulations, title 14, section 15162(a).

Staff's conclusions for all technical and environmental areas are summarized in **Table 1**.

TABLE 1
Summary of Conclusions for all Technical and Environmental Areas

Technical Areas Reviewed	CEQA				Conforms with applicable LORS
	Potentially Significant Impact	Less Than Significant Impact with Mitigation (with Revised or New COCs)	Less Than Significant Impact (with or without Existing COCs)	No Impact	
Air Quality			X		X
Biological Resources			X		X
Cultural Resources			X		X
Efficiency				X	
Facility Design					X
Geological and Paleontological Resources			X		X
Hazardous Materials Management			X		X
Land Use			X		X
Noise and Vibration			X		X
Public Health			X		X
Reliability					
Socioeconomics			X		
Soil and Water Resources			X		X
Traffic and Transportation			X		X
Transmission Line Safety and Nuisance			X		X
Transmission System Engineering				X	X
Visual Resources			X		X
Waste Management			X		X
Worker Safety and Fire Protection			X		X

Areas shown in gray are not subject to CEQA consideration or have no applicable LORS the project must comply with.

ENVIRONMENTAL SETTING

Staff reviewed CalEnviroScreen 4.0 data to determine whether the United States census tract where the HEPP is located (6031001200) is identified as a disadvantaged community. This science-based mapping tool is used by the California Environmental Protection Agency (CalEPA) to identify disadvantaged communities based on geographic, socioeconomic, public health, and environmental hazard criteria pursuant to Health and Safety Code section 39711 as enacted by Senate Bill 535 (De León, Chapter 830, Statutes of 2012). The CalEnviroScreen 4.0 overall percentile score for this census tract is 90 and, thus, is identified as a disadvantaged community[1].

Staff's assessment of the proposed changes considered the potential impacts to the population within the disadvantaged community, including the environmental justice population within a six-mile radius of HEPP.

The basis for each of staff's conclusions are provided below:

AIR QUALITY

The limited extent of construction activities will generate minor exhaust emissions and fugitive dust emissions. However, the emissions would have a less than significant impact with the application of Condition of Certification AQ-1 in the Decision and the use of equipment meeting Tier 4 emissions standards, as available.

BIOLOGICAL RESOURCES

The proposed construction activities will occur on previously disturbed and developed portions of the HEPP parcel associated with construction of the facility in 2001. The HEPP site is fully fenced and has been graded, compacted, and covered with concrete pads, asphalt, or gravel in the areas where the 115 kV cable installation activities will occur.

The proposed change would have no significant impacts on biological resources and would not result in changes to any biological resources condition of certification for the HEPP. There is no native habitat remaining on the site, and, therefore, there would be no impacts associated with the loss of habitat. The following conditions of certification in the Decision would apply:

- BIO-4: Construction methods identified in "Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996" (APLIC 1996) will

[1] Source: CalEPA Proposed SB 535 Disadvantaged Communities: October

be used to reduce risk of large bird electrocution by electric transmission lines and any interconnection between structures, substations, and transmission lines. Staff notes that although not conditioned, the Avian Power Line Interaction Committee (APLIC) has updated the 1996 guidelines, and the newest guidelines should be followed where possible[2].

- 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 United States Fish and Wildlife Service (USFWS) has been consulted.

- BIO-9: Site mobilization will not begin until a CEC Compliance Project Manager (CPM)-approved Designated Biologist is available to be onsite. Staff notes that while wildlife entrapment is highly unlikely, because there could be onsite trenching, the Designated Biologist should perform weekly surveys of the trench while open and be on-call to respond to any entrapped wildlife.

- BIO-10 outlines the Designated Biologist's duties and is also applicable to this proposed project change.

- BIO-11: The requirements of the Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP) will be adhered to, as applicable. An updated BRMIMP should be prepared and submitted to the CPM [Compliance Project Manager] for approval as necessary. Although the site is zoned heavy industrial and lies within an industrial park, entrance of wildlife is possible. Workers should be informed and cautioned against disturbing any wildlife that may enter the site and instructed on how to contact the Designated Biologist for assistance.

The installation of the 115 kV cable and associated infrastructure would be in compliance with all applicable LORS related to biological resources.

[2] The Avian Power Line Interaction Committee (APLIC). 2006. Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006. Edison Electric Institute, APLIC, and the California Energy Commission. Washington, D.C., and Sacramento, California. Available at: http://www.nrc.gov/docs/ML1224/ML12243A391.pdf

CULTURAL RESOURCES

There are no known cultural resources on the HEPP site that could be impacted by the proposed changes. The final design for the approximately 200-feet-long 115 kV cable interconnection has not been determined. It may be installed above ground on an existing, elevated pipe rack or be located underground in a trench approximately four feet wide by five feet, six inches deep. New concrete foundations extending two feet to three feet below grade may be required. The Cultural Department of the Santa Rosa Rancheria Tachi-Yokut Tribe emailed staff to communicate that the HEPP site is sensitive for the presence of buried cultural resources and that Native American monitors should observe ground-disturbing activities. If cultural resources are encountered during ground disturbing activities related to the project, the implementation of conditions of certification CUL-1 and CUL-2 would mitigate any potential impacts to cultural resources to less than significant and would ensure the treatment of any discovered cultural resources would comply with LORS. Staff from the Cultural Department of the Santa Rosa Rancheria Tachi-Yokut Tribe could serve as the cultural specialist required under condition of certification CUL-2.

EFFICENCY

The proposed change would not impact the operational reliability of HEPP. However, it would allow the Hanford BESS to interconnect to the electrical grid in conjunction with the HEPP and to be available to help California meet its energy reliability needs. This proposed change would not impact the thermal efficiency of HEPP.

FACILITY DESIGN

The 115 kV point of interconnection for the Hanford BESS is located on the HEPP site approximately 200 feet to the east of the Hanford BESS switchyard. The modifications in this proposed change would include the installation of approximately 200 feet of 115 kV electrical cable and support structures within the HEPP site boundaries. These modifications must be in accordance with the 2019 edition of the California Building Standards Code. The implementation of the existing Facility Design conditions of certification adopted in the Decision and construction compliance oversight by the CEC's delegate chief building official (DCBO) would ensure this compliance.

GEOLOGICAL AND PALEONTOLOGICAL RESOURCES

The construction of the proposed change will be contained within the existing footprint of the original HEPP. Soil within the HEPP site footprint has previously been disturbed. If the buried trench construction method is selected, the depth

of the excavation will not result in native soil being disturbed. Therefore, there will be no impact to geologic resources and no geologic hazards will be created that are not addressed by existing conditions of certification for the HEPP.

HAZARDOUS MATERIALS MANAGEMENT

The installation of the 115 kV interconnection would not use any extremely hazardous materials, and the use of hazardous materials during construction would comply with LORS. Therefore, the proposed change would not have a significant impact on the environment.

LAND USE

The HEPP site and adjacent properties are zoned and designated in the city of Hanford 2035 General Plan as Heavy Industrial. The proposed construction activities would occur on previously disturbed and developed portions of the HEPP parcel. The city of Hanford issued an Administrative Approval of Site Plan Review for the Hanford BESS on the parcel adjacent to the west of the HEPP. The addition of the interconnection components associated with the Hanford BESS on the HEPP site would not constitute a change in land use and the HEPP facility would remain consistent with applicable LORS. There are no land use related conditions of certification applicable to the change in the Decision. The proposed change would not physically divide an established community or cause a significant environmental impact due to a conflict with LORS adopted for the purpose of avoiding or mitigating an environmental effect. Further, the proposed change would not result in the conversion of Farmland or forest land or conflict with agricultural operations. Therefore, the installation of the interconnection components would have no impacts to land use.

NOISE AND VIBRATION

The installation activities associated with this proposed change would occur over an estimated eight- to 10-week period and would take place during daytime hours of 7 a.m. to 8 p.m. Any noise generated during these activities would be temporary, intermittent, and consistent with the local noise ordinance (City of Hanford Municipal Code, section 9.10.060). The nearest sensitive receptors (residences) are approximately 4,500 feet west of the HEPP site. This work would result in a less than significant impact with the implementation of the existing Noise conditions of certification in the Decision.

Operational noise would not be affected as the result of this proposed change because additional noise-producing equipment would not be installed on the HEPP property.

PUBLIC HEALTH

The minor emissions from the limited extent of construction activities would have less than significant impacts on Public Health ensured by the existing condition of certification AQ-1 and the use of equipment meeting Tier 4 emissions standards, as available.

RELIABILITY

This proposed change would not impact the operational reliability of HEPP. However, it would allow the Hanford BESS to interconnect to the electrical grid in conjunction with the HEPP and to be available to help California meet its energy reliability needs. This proposed change would not impact the thermal efficiency of HEPP.

SOCIOECONOMICS

The installation of the interconnection components would involve construction activities for an estimated eight to 10 weeks. The estimated workforce for the work on the HEPP parcel is 10 to 15 workers at any one time. The new components would not require any changes in operations workforce at the HEPP. There are no socioeconomics related LORS or conditions of certification applicable to the proposed change, and there would be less than significant temporary workforce related impacts on population and housing, and on public services.

SOIL AND WATER

The proposed change would occur in previously disturbed areas within the existing footprint of the original HEPP project. If the buried trench construction method is selected, minimal amounts of soil would be excavated. Compliance with conditions of certification Hydrology & Water Quality-3 and Soil & Water-7 would ensure that no contaminated stormwater would be discharged offsite. Therefore, there would be no impact on soil and water resources that were not addressed by existing conditions of certification for the original HEPP project.

TRAFFIC AND TRANSPORTATION

The installation of the interconnection components would require an estimated total of 50 truck trips with up to 10 truck trips per day for several days of the estimated eight- to 10-week construction period. Once installed, the new components would not increase the HEPP workforce needs. With the implementation of existing conditions of certification, including TRANS-1 (transportation permits) and TRANS-5 (parking management), the proposed change would not conflict with LORS addressing the circulation system,

substantially increase hazards, or result in inadequate emergency access. Therefore, the installation of the interconnection components would have less than significant impacts to transportation.

TRANSMISSION LINE SAFETY AND NUISANCE

The installation of a 115 kV cable is a short distance (up to 200 feet) and completely within the existing HEPP and Hanford BESS parcels. Therefore, staff expects the impacts on Transmission Line Safety and Nuisance is less than significant.

TRANSMISSION SYSTEM ENGINEERING

The installation of an approximately 200 foot-long 115 kV line to connect the Hanford BESS to the existing HEPP switchyard will require a minor relay modification in the Pacific Gas and Electric's GWF Switching Station. The proposed change will not impact the operation of the existing HEPP. HEPP would comply with applicable LORS and will not require a change to any of the conditions of certification.

VISUAL RESOURCES

The 115 kV cable interconnection component would be installed in an existing elevated pipe rack or in conduit via trenching on the HEPP parcel. The associated new small pad foundations, small steel structures, and relocated transformers would not be visible from public views of the HEPP. The HEPP facility would remain in compliance with LORS pertaining to visual resources. No existing conditions of certification are applicable to the change. The proposed change would not have a substantial adverse effect on a scenic vista, scenic resources, the existing visual character or quality of public views of the HEPP site and its surroundings or create a new source of substantial light or glare adversely affecting day or nighttime views in the area. Therefore, the installation of the interconnection components would have no impacts to visual resources.

WASTE MANAGEMENT

Although there will be some non-hazardous waste generated during the proposed construction, no new waste streams will be created that do not currently exist for the power plant, and the projected quantities of waste generated during construction are within expected quantities of waste generation identified by existing conditions of certification. Therefore, there will be no significant environmental impact with respect to waste.

WORKER SAFETY AND FIRE PROTECTION

During the installation of the 115kV interconnection, continued compliance with condition of certification WORKER SAFETY-1 would ensure that the proposed change would not have a significant impact on the offsite public and HEPP would continue to comply with all applicable LORS.

Environmental Justice

Environmental Justice - Figure 1 shows the 2010 census blocks within the six-mile radius of the HEPP facility with a minority population greater than or equal to 50 percent. The population in these census blocks represents an environmental justice (EJ) population based on race and ethnicity as defined in the United States Environmental Protection Agency's *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*. Staff conservatively obtains demographic data within a six-mile radius around a project site based on the parameters for dispersion modeling used in staff's air quality analysis. Air quality impacts are generally the type of project impacts that extend the farthest from a project site. Beyond a six-mile radius, air emissions have either settled out of the air column or mixed with surrounding air to the extent the potential impacts are less than significant. The area of potential impacts would not extend this far from the project site for most other technical areas included in staff's EJ analysis.

Based on California Department of Education data in the **Environmental Justice – Table 1**, staff concluded that the percentage of those living in the Armona Union Elementary, Hanford Elementary, Kit Carson Union Elementary, and Lakeside Union Elementary school districts (in a six-mile radius of the HEPP site) and enrolled in the free or reduced-price meal program is larger than those in the reference geography. Thus, it is considered an EJ population based on low income as defined in *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*. **Environmental Justice – Figure 2** shows where the boundaries of the school district are in relation to the six-mile radius around the HEPP site.

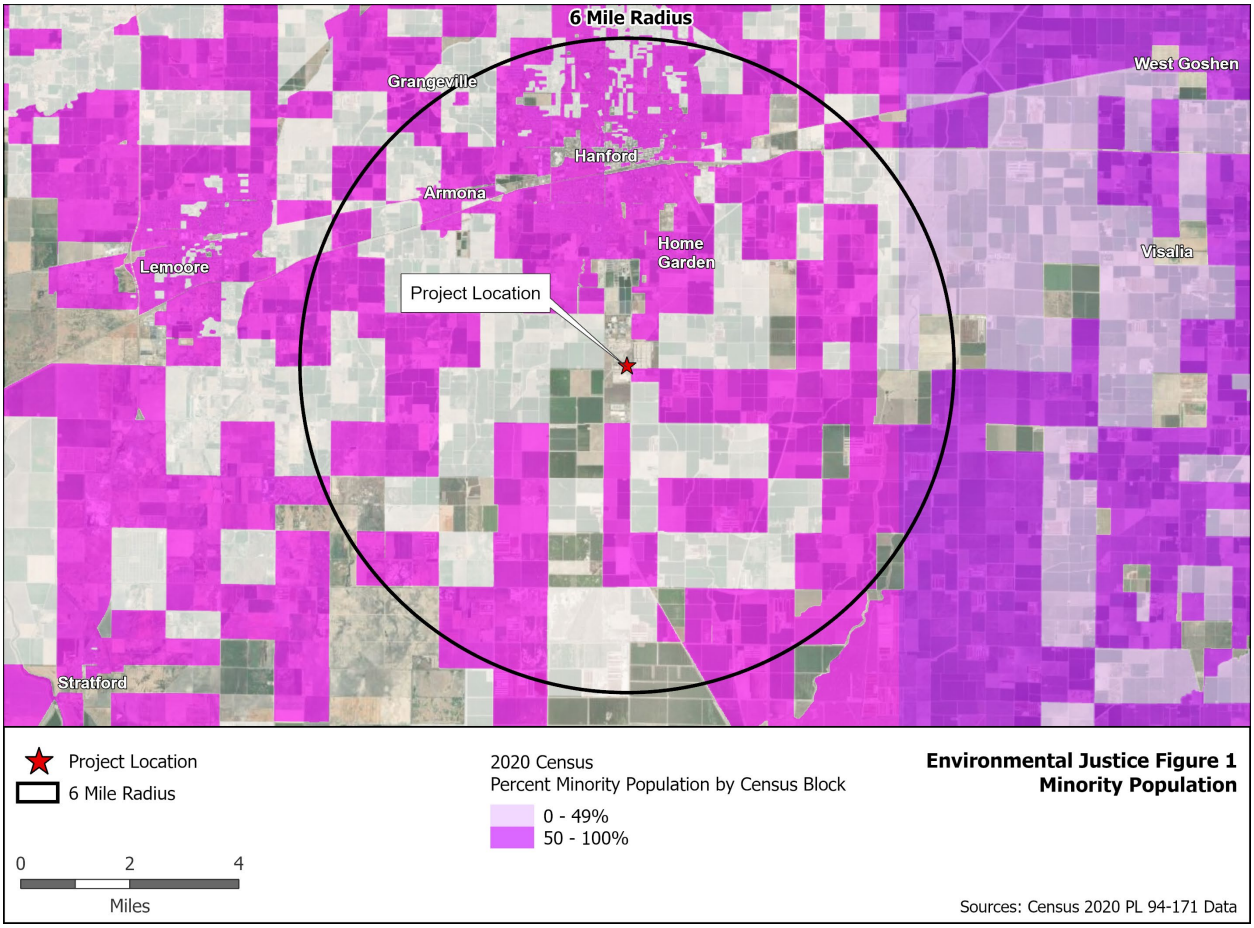
Environmental Justice – Table 1
Low Income Data within the Project Area

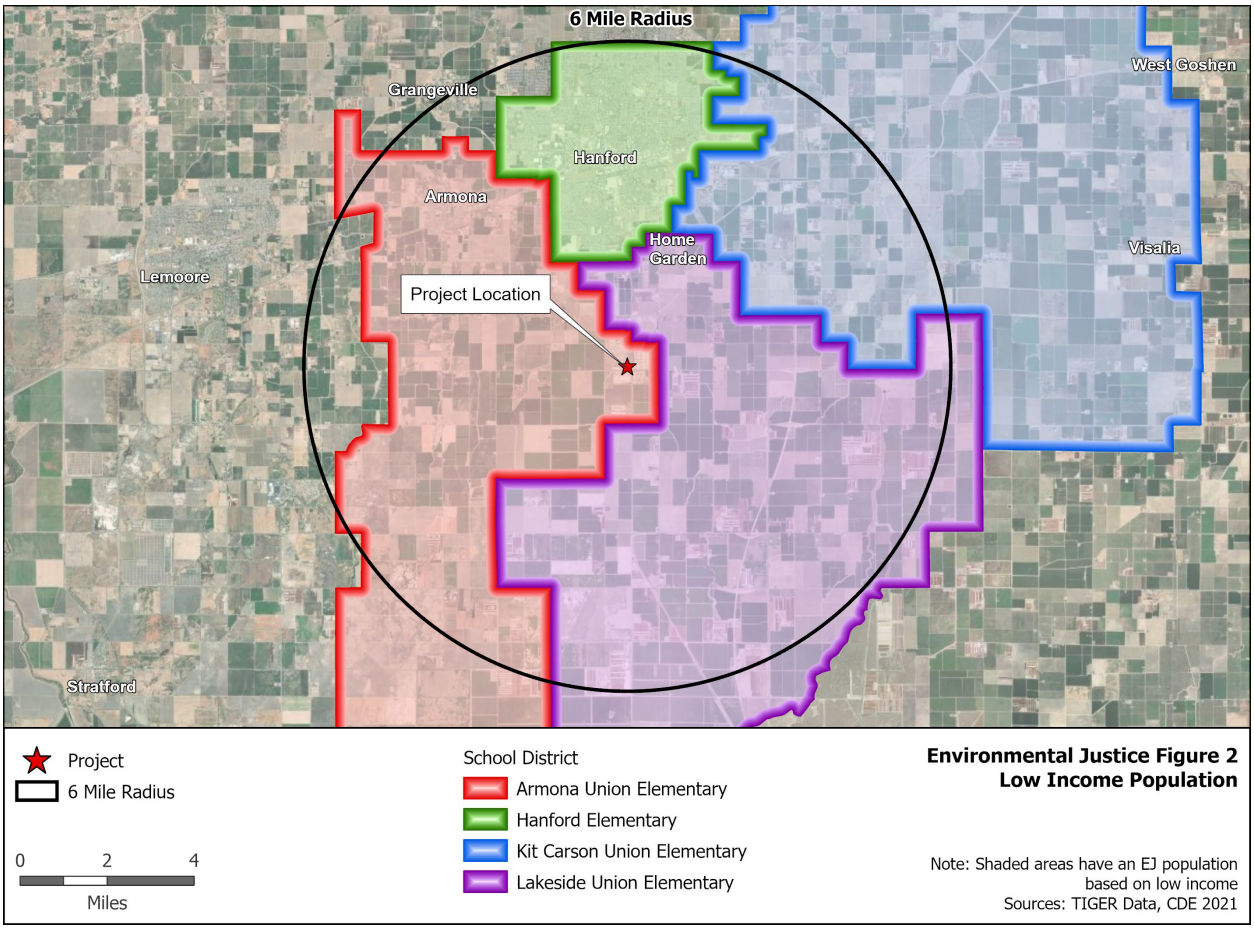
SCHOOL DISTRICTS IN SIX-MILE RADIUS	Enrollment Used for Meals	Free or Reduced-Price Meals	
Armona Union Elementary	1,739	1,417	81.5%
Hanford Elementary	5,690	4,464	78.5%

Kit Carson Union Elementary	1,539	1,284	83.4%
Lakeside Union Elementary	266	249	93.6%
REFERENCE GEOGRAPHY			
Kings County	29,684	21,014	70.8%

Source: CDE 2021. California Department of Education, DataQuest, Free or Reduced-Price Meals, District level data for the year 2020-2021, <http://dq.cde.ca.gov/dataquest/>.

The following technical areas (if affected) consider impacts to EJ populations: Air Quality, Cultural Resources (indigenous people), Hazardous Materials Management, Land Use, Noise and Vibration, Public Health, Socioeconomics, Soil and Water Resources, Traffic and Transportation, Transmission Line Safety and Nuisance, Visual Resources, Waste Management, and Worker Safety and Fire Protection.





Environmental Justice Conclusions

For this petition, staff concludes that impacts would be less than significant, and, thus, impacts on the EJ population, represented in **Environmental Justice - Figures 1** and **2**, and **Table 2**, would be less than significant.

CEC STAFF CONCLUSIONS

Pursuant to California Code of Regulations, title 20, section 1769(a)(3)(A), staff has determined for this petition that approval by the Commission at a noticed business meeting or hearing is not required and the proposed changes meet the criteria for approval by staff because for both installation options:

i. there is no possibility that the change may have a significant impact on the environment, or the change is exempt from the California Environmental Quality Act;

ii. the change would not cause the project to fail to comply with any applicable laws, ordinances, regulations, or standards; and

iii. the change will not require a change to, or deletion of a condition of certification adopted by the Commission in the final decision or subsequent amendments.

Lastly, staff concludes the proposed change does not meet the criteria requiring the production of subsequent or supplemental review consistent with California Code of Regulations, title 14, section 15162(a).

WRITTEN COMMENTS

This Statement of Staff Approval of the proposed project changes has been filed in the docket for this project. Pursuant to California Code of Regulations, title 20, section 1769(a)(3)(C), any person may file an objection to staff's determination within 14 days of the filing of this statement on the grounds that the project change does not meet the criteria set forth in section 1769(a)(3)(A). Absent any objections as specified in section 1769(a)(3)(C), this petition will be approved 14 days after this statement is filed.

Written comments or objections to staff's determination may be submitted using the CEC's e-Commenting feature, as follows: Go to the CEC's project webpage and click on either the "Comment on this Proceeding," or "Submit e-Comment" link. When your comments are filed, you will receive an email with a link to them.

Written comments or objections may also be mailed to:

California Energy Commission
Docket Unit, MS-4
Docket No. 01-EP-07C
715 P Street
Sacramento, CA 95814-5512

All comments and materials filed with the Docket Unit will be added to the facility Docket Log and be publicly accessible on the CEC's project webpage.

If you have questions about this notice, please contact Joseph Douglas, Office of Compliance Monitoring and Enforcement, Compliance Project Manager, at (916) 956-9527, or via email at Joseph.Douglas@energy.ca.gov.

For information on public participation, please contact the Public Advisor, at (916) 957-7910 or by email at publicadvisor@energy.ca.gov.

News media inquiries should be directed to the CEC Media Office at (916) 654-4989, or by email at mediaoffice@energy.ca.gov.

List Serve: 7010 Hanford Project