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NOTICE OF AVAILABILITY

OF A DRAFT ENVIRONMENTAL IMPACT REPORT (INCLUDED WITHIN STAFF ASSESSMENT)

You are receiving this notice as you have either been identified as either (1) a property owner or occupant adjacent to the project site or a property owner within 1,000 feet of the project site or 500 feet of project linear project components or (2) a responsible, trustee or other interested agency, or (3) an interested party who has requested to be included on the project mailing list.

Pursuant to California Code of Regulations, title 20, section 1877, the California Energy Commission (CEC) has prepared a Staff Assessment (SA), which includes a Draft Environmental Impact Report (Draft EIR), in accordance with the California Environmental Quality Act (CEQA) and Chapter 6.5 (commencing with section 21178) of Division 13, including sections 21183 and 21183.6, of the Public Resources Code for the proposed Darden Clean Energy Project (project).

The applicant is seeking a certification from the CEC to construct and operate a solar photovoltaic facility, battery energy storage system, substation, and generation-intertie line. The project would be located on approximately 9,500 acres in unincorporated Fresno County, California, south of the community of Cantua Creek. The SA describes the proposed project and evaluates the potential environmental impacts associated with its construction and operation, and the project's conformance with applicable local, state, and federal laws, ordinances, regulations, and standards (LORS). The SA analyzes one project alternative in addition to a "no project" alternative. Pursuant to CEQA, the SA includes sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.

The SA, which includes a Draft EIR, was released for public review on February 18, 2025. The SA will be available on the CEC's webpage for the project, as listed below in this notice. Comments on the SA will be received for a period commencing on February 18, 2025, and ending on April 21, 2025.

PROJECT LOCATION AND DESCRIPTION

The proposed project includes solar photovoltaic panels, a battery energy storage system, and associated infrastructure and facilities. The project would have a total nameplate generating capacity of up to 1,150 megawatts (MW) and storage capacity of 4,600 MW-hour. Division 15, Chapter 6.2 of the Public Resources Code (sections 25545 - 25545.13) gives the CEC authority to permit certain clean and renewable energy facilities, including solar photovoltaic, onshore wind, and energy storage systems, and facilities that produce or assemble clean energy technologies or their components, in a timely and efficient manner. The Opt-In Certification Program, as it is known, is an optional permitting process through which developers can submit project applications through June 30, 2029. The CEC permit is in lieu of any permit that would normally be required by the local land use authority and most, but not all, state permits.

The project site is located south of the community of Cantua Creek in Fresno County, with South Sonoma Avenue to the west and South Butte Avenue to the east. The proposed system includes approximately 3,100,000 solar panels and lithium iron phosphate battery technology. The primary proposed project components include a 34.5-500-kilovolt (kV) grid step-up station, 15-mile 500 kV generation-intertie line, and Pacific Gas and Electric Company (PG&E)-owned 500 kV utility switchyard along the Los Banos-Midway #2 500 kV transmission line.

HAZARDOUS WASTE SITES

The project site is not listed on the California Hazardous Waste and Substances Sites List (also known as the Cortese List), published under Government Code section 65962.5 or a list of hazardous waste facilities, hazardous waste property, or hazardous waste disposal site.

ANTICIPATED ENVIRONMENTAL EFFECTS

The proposed facility has no significant and unavoidable impacts on the environment. The SA, which includes a Draft EIR, evaluates potentially significant impacts requiring mitigation in the following technical areas:

- **Air Quality.** *Less Than Significant with Mitigation Incorporated.* With the implementation of Conditions of Certification (COCs), the project would have a less than significant impact on air quality and conform to applicable LORS. The COCs require the project owner to sufficiently reduce nitrogen oxides (NOx) and other criteria pollutants, including fugitive dust, from the construction phase. Staff's proposed COCs are effective and comprehensive for reducing air quality impacts during construction. The COCs related to the operations of the project are required for the stationary sources or the liquid propane gas backup generators to comply with San Joaquin Valley Air Pollution Control District requirements. Additionally, impacts from the PG&E utility switchyard and downstream network upgrades, subject to CPUC permitting, would be reduced to less than significant with the

inclusion of recommended mitigation measures (MMs) for fugitive dust control during construction.

- **Biological Resources.** *Less Than Significant with Mitigation Incorporated.* The jurisdictional project components would not have any impact on federal or state listed plants but may impact federal or state listed wildlife and other special-status wildlife species, including Crotch's bumble bee, San Joaquin kit fox, American badger, Swainson's hawk, burrowing owl, as well as other native birds, and migratory birds using the Important Bird Areas and riparian and aquatic features along the Pacific Flyway. With implementation of staff's proposed COCs, these impacts would be reduced to less than significant and would conform with applicable LORS. The COCs require a biological monitor onsite during all ground-disturbing activities and require measures to avoid, minimize and mitigate potential environmental effects, and provide full mitigation under the California Endangered Species Act for Swainson's hawk and burrowing owl. Additionally, impacts to special-status plants and wildlife from the PG&E utility switchyard and downstream network upgrades, subject to CPUC permitting, would be reduced to less than significant with the inclusion of recommended MMs.

  The MMs include measures to avoid the take of state and/or federally listed or candidate species, including blunt-nosed leopard lizard, burrowing owl, San Joaquin kit fox, and listed plant species. Also included are Western red bat surveys prior to tree removal and measures to reduce impacts to less than significant, if the species is present and a requirement for an onsite biological monitor during all ground-disturbing activities.

- **Climate Change and Greenhouse Gas Emissions.** *Less Than Significant with Mitigation Incorporated.* The project would lead to a net reduction in greenhouse gas emissions across the State's electricity system. With the implementation of staff's proposed COC, the greenhouse gas emissions related to the project would not conflict with any plans, policies, or regulations adopted for the purpose of reducing the emissions of greenhouse gases applicable LORS. The COC requires the project owner to demonstrate the project would use refrigerants that comply with the California Air Resources Board Hydrofluorocarbons prohibitions in all onsite cooling/refrigeration/air conditioning units. The project would therefore have less than significant greenhouse gas-related impacts to the environment. Additionally, impacts from the PG&E utility switchyard and downstream network upgrades, subject to CPUC permitting, would be reduced to less than significant with the inclusion of recommended MMs to reduce emissions from construction.

- **Cultural and Tribal Cultural Resources.** *Less than Significant with Mitigation Incorporated.* There are no recorded historical resources or tribal cultural resources that will be impacted by the project; however, there is a possibility that undocumented archaeological resources might be discovered during construction and that such a discovery could be a historical resource or tribal cultural resource. With implementation of staff's proposed COCs, the proposed project's impacts on

cultural and tribal cultural resources would be less than significant and would conform with applicable LORS. The COCs require implementation of a monitoring program involving appropriately qualified specialists who would observe and manage inadvertent discoveries of historical resources during construction, train the construction workforce in basic identification of historical resources, implement stop-work procedures (if required), and report to the CEC on all activities. Additionally, impacts from the PG&E utility switchyard and downstream network upgrades, subject to CPUC permitting, would be reduced to less than significant with the inclusion of recommended MMs. The MMs for cultural and tribal cultural resources are consistent with the COCs. They identify professional qualifications for specialists and monitors who will observe project implementation, train the construction workforce in basic identification of historical resources, prepare and implement a monitoring plan, implement stop-work procedures (if required), and reporting to the CPUC on all activities.

- **Geology, Paleontology, and Minerals.** *Less Than Significant with Mitigation Incorporated.* The impacts of applicable geologic hazards would be mitigated to less than significant through project design and construction, based on the results of a site-specific geotechnical investigation, the California Building Code (applicable LORS), and implementation of staff's proposed COCs. Compliance with Facility Design COCs would protect people and property from geologic hazards and ensure that the project does not increase the risks of geologic hazards. Geologic formations with a high paleontological sensitivity may exist below the project site and could be impacted during proposed project construction. Potential impacts to paleontological resources would be mitigated to less than significant through conformance with applicable LORS and implementation of staff's proposed COCs. Paleontological COCs require training, monitoring, and protection of paleontological resources that may be encountered during ground disturbing activities. Potential impacts to geologic and mineral resources would be less than significant because these resources are not expected to be encountered during project construction. Additionally, impacts from the PG&E utility switchyard and downstream network upgrades, subject to CPUC permitting, would be reduced to less than significant with the inclusion of recommended MMs for compliance with PG&E standard measures for construction on soft or loose soils and training, monitoring, and protection of paleontological resources.

- **Hazards, Hazardous Materials/Waste, and Wildfire.** *Less than Significant with Mitigation Incorporated.* The impacts associated with the routine transport, use, disposal or accidental release of hazardous materials/waste during construction and operation would be less than significant with the implementation of staff's proposed COCs. The jurisdictional project components have a low potential for wildfire because the solar facility and BESS are not in or near a State Responsibility Area (SRA) or lands classified as a Very High Fire Hazard Severity Zone (VHFHSZ), and implementation of staff's proposed COCs would further mitigate potential wildfire impacts to less than significant.

The COCs require the following: a Hazard Materials Business Plan (HMBP) and Spill Prevention Control and Countermeasure Plan (SPCC); advance approval for changes in hazardous materials; hazardous waste generator identification numbers; site security plans for construction and operation; a Soils Management Plan; procedures for professional staffing, management, and actions in the case of suspected contaminated soil and/or groundwater; and an air quality and water quality sampling plan in case of a container fire at the BESS.

With implementation of staff's proposed COCs, the jurisdictional project components would conform with applicable LORS and the project would have less than significant impacts related to hazards, hazardous materials/waste and wildfire. Additionally, the hazards, hazardous materials/waste and wildfire impacts from the construction and operation of the PG&E utility switchyard and downstream network upgrades, subject to CPUC permitting, would be reduced to less than significant with the inclusion of recommended MMs and PG&E standard construction measures. The MMs require a Hazardous Materials Management Plan prior to construction; and Fire Protection and Prevention Programs for construction and operations.

- **Land Use, Agriculture, and Forestry.** *Less than Significant with Mitigation Incorporated.* The project would not divide an established community. The project would lead to the conversion of farmland, including important farmland, but this conversion would be less than significant as it is associated with farmland owned by the Westlands Water District that has been designated for retirement due to the presence of alkaline soils and insufficient water for irrigation. To accommodate the construction and operation of the gen-tie line, the project would be constructed on easements, and agricultural uses would continue outside of the easements. The conversion of farmlands currently under Williamson Act contracts would be less than significant, as linear facilities, such as the generation-intertie lines and the PG&E utility switchyard, are deemed to be compatible with Williamson Act Contracts and agricultural preserves. The potential for the project to cause other changes in the existing environment that would result in the conversion of additional farmland or the conversion of forest land to other uses is less than significant. The project would have no impact on forestland or timberland resources, nor would it conflict with land zoned for timberland production.

  With implementation of staff's proposed COCs associated with worker safety, hazards, hazardous materials, and wildfire, air quality, and visual resources, construction and operation of the jurisdictional project components would conform to applicable LORS and the project would have less than significant impacts related to land use and zoning. Additionally, impacts from the PG&E utility switchyard and downstream network upgrades, subject to CPUC permitting, would be less than significant with inclusion of a recommended hazards, hazardous materials/waste and wildfire MM.

- **Noise and Vibration.** *Less Than Significant with Mitigation Incorporated.* Despite the generation of noise louder than ambient levels, such as from helicopters, pile

driving, and other construction activities, with the implementation of staff's proposed COCs, including time restrictions on construction activities, the use of pile driving noise controls, and an occupational noise survey, the project's construction and operation would have a less than significant impact related to noise and vibration and would conform with applicable LORS. The COCs require a noise complaint process, employee noise control program, construction and operational noise restrictions, noise surveys to verify project noise limits are met, and pile driving control techniques. Additionally, impacts from the PG&E utility switchyard and downstream network upgrades, subject to CPUC permitting, would be less than significant.

- **Public Health.** *Less Than Significant with Mitigation Incorporated.* With the implementation of staff's proposed COCs to minimize personnel and public exposure to Valley fever, the project would have a less than significant impact on public health and the jurisdictional project components would conform to applicable LORS. Additionally, impacts from the PG&E utility switchyard and downstream network upgrades, subject to CPUC permitting, would be reduced to less than significant with the inclusion of recommended MMs to minimize personnel and public exposure to Valley fever.

- **Socioeconomics.** *Less Than Significant Impact with Mitigation Incorporated.* Construction and operation of the project is unlikely to induce unplanned population growth in the area; the local labor supply within a 60-minute commute of the project site is sufficient to accommodate project-related construction needs, and only 16 permanent staff would be required to operate the proposed project, which would be less than significant. Sufficient temporary housing is available to accommodate construction workers who do not wish to commute daily. Similarly, construction and operation of the project would have a less than significant impact related to the displacement of people or housing. Construction and operation of the jurisdictional components would have a less than significant impact on service ratios and response times for public services following the implementation of staff's proposed COCs associated with socioeconomics; hazards, hazardous materials, and wildlife; transportation; and worker safety. See the summary for Hazards, Hazardous Materials/Waste, and Wildfire; Transportation; and Worker Safety and Fire Protection in this section for details on the COCs. The project would not require new or altered facilities and ensure conformance with LORS. The proposed project would not require additional or expanded recreational facilities. Additionally, impacts associated with the construction and operation of the PG&E utility switchyard and downstream network upgrades, subject to CPUC permitting, would be less than significant with incorporation of staff's recommended hazards, hazardous materials/waste, and wildfire MM.

- **Solid Waste Management.** *Less Than Significant with Mitigation Incorporated.* Solid waste produced during project construction and operation would be recycled to the extent possible or otherwise disposed of at certified local landfills with available

capacity. This would be reinforced by implementation of the construction waste management plan included in staff's proposed COCs. Therefore, wastes generated by the proposed project, including those sent to landfills, as well as materials handled by third party waste disposal resulting from construction and operation of the project, would have a less than significant impact and would conform with applicable LORS. Additionally, impacts from the PG&E utility switchyard and downstream network upgrades, subject to CPUC permitting, would be less than significant with the inclusion of recommended MMs (construction waste management plan).

- **Transmission Line Safety and Nuisance.** *Less Than Significant with Mitigation Incorporated.* With implementation of staff's proposed COCs, potential hazards and impacts to receptors associated with transmission lines and related structures and facilities for the project would have a less than significant impact related to transmission line safety and nuisance and would conform with applicable LORS.

  The proposed gen-tie line, which would mainly be within the project's gen-tie line ROW, would be maintained according to the standard procedures of the American National Standard Institute/Institute of Electrical and Electronic Engineers guidelines for line safety and field management. The construction and operation of the project's new collector feeders, gen-tie line, on-site substation, and switchyard will not contribute to electromagnetic field levels, corona, audible noise, or radio and television interference beyond acceptable standards. On-site worker or public exposure will be short-term and at levels expected for PG&E lines of similar design and current-carrying capacity. Implementing grounding and other field-reducing measures in strict adherence to current utility standards and guidelines will further minimize the potential for nuisance shocks.

  With staff's proposed COCs, the safety and nuisance impact from the construction and operation of the proposed substation, switchyard, collector feeders, and the gen-tie line would be less than significant. Additionally, impacts from the PG&E utility switchyard and downstream network upgrades, subject to CPUC permitting, would be reduced to less than significant with the inclusion of staff's recommended MM which include compliance with CPUC General Orders and Federal Aviation Administration regulations for structures 200 feet and above.

- **Transportation.** *Less Than Significant with Mitigation Incorporated.* The project would have a less than significant impact related to transportation and with implementation of staff's proposed COCs, the project would conform with applicable LORS. The COCs require (1) compliance with applicable limitations on vehicle sizes, weights, driver licensing and truck routes, (2) securing permits and licenses for transport of hazardous materials, and (3) the preparation and implementation of a Construction Management Plan. Additionally, impacts from the PG&E utility switchyard and downstream network upgrades, subject to CPUC permitting, would be less than significant.

- **Visual Resources.** *Less Than Significant with Mitigation Incorporated.* Project components would appear as solid boxy structures and contrast with the existing agricultural fields, row crops, and orchards. Local motorist and residents would have higher viewer sensitivity and the visual character of the site, and its surroundings would moderately change. With the implementation of COCs, the project would have a less than significant impact related to visual resources and would conform with applicable LORS. The COCs require a Surface Treatment Plan to reduce color contrast and glare. A light pollution control plan or equivalent would also ensure new outdoor light and glare emitted from the project site and construction laydown area would not result in light pollution. Additionally, impacts from the PG&E Utility Switchyard and Downstream Network Upgrades, subject to CPUC permitting, would be reduced to less than significant with the inclusion of staff's recommended MM (Surface Treatment Plan).

- **Water Resources.** *Less Than Significant with Mitigation Incorporated.* By means of a property purchase option agreement, groundwater extracted from onsite wells would be the project water supply for both construction and operations. Impact to project site aquifers would be mitigated by staff's proposed COCs and adherence to Sustainable Groundwater Management Act requirements implemented by the local Groundwater Sustainability Agencies. Impacts due to stormwater runoff would be mitigated by staff's proposed COCs both during construction and operation. Compliance with state and local permit requirements would mitigate potential impacts of an onsite wastewater treatment system. Additionally, impacts from the PG&E utility switchyard and downstream network upgrades, subject to CPUC permitting, would be less than significant with inclusion of staff's recommended MM, which includes measures to manage stormwater pollution prevention during construction and operation.

The SA evaluates the potential for the proposed project to result in growth inducing effects and associated secondary environmental impacts. This SA also considers whether the proposed project would result in a cumulatively considerable contribution to existing significant cumulative environmental effects when combined with other past, present, and reasonably foreseeable future projects.

PUBLIC REVIEW PROCESS

The purpose of this Notice of Availability is to provide public notice of the availability of the Draft EIR, consistent with the CEQA Guidelines (California Code of Regulations, title 14, section 15087). The SA, which includes a Draft EIR, is being circulated for review and comment by state agencies via the California State Clearinghouse and via direct mail to federal, regional and local agencies (including the county clerk), as well as organizations and individuals who have requested notification. Consistent with CEQA Guidelines section 15087, this Notice of Availability of a Draft EIR has also been mailed to owners and occupants contiguous to the project site and linears. In accordance with Public Resources Code, section 25545.7.6(b), the CEC has scheduled a public review period for the SA (which includes a Draft EIR), ending on April 21, 2025.

Access to the SA, which includes a Draft EIR, and other project information/reports will be available electronically through the CEC's project docket website at: https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=23-OPT-02 and at the State Clearinghouse through the CEQANet Database at: https://ceqanet.opr.ca.gov/.

Persons who cannot access the materials through the link above are encouraged to email Lisa Worrall at the CEC at: STEPsiting@energy.ca.gov with a subject line "Darden Clean Energy Project" or (916) 661-8367 to arrange for alternative means of access to project materials.

The preferable method to submit responses is via the CEC's electronic commenting (e-commenting) system. To access this system, go to the CEC's webpage for this proceeding: https://www.energy.ca.gov/powerplant/solar-photovoltaic-pv/darden-clean-energy-project, click on the "Submit e-comment" link, and follow the instructions in the online form. Please be sure to include the project name in your comments. Once filed, the comments will become part of the proceeding's public record. Alternatively, comments may be submitted to Lisa Worrall at: STEPsiting@energy.ca.gov.