

DOCKETED	
Docket Number:	03-AFC-02C
Project Title:	Los Esteros Phase II Compliance
TN #:	271100
Document Title:	Petition for Post-Certification Modification for Los Esteros Tanager BESS Project
Description:	Data Request Set 4, A82 through A110
Filer:	susan fleming
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	6/30/2026 8:07:31 AM
Docketed Date:	6/30/2026



**CALIFORNIA
ENERGY COMMISSION**



**CALIFORNIA
NATURAL
RESOURCES
AGENCY**

June 30, 2026

Barbara McBride
Calpine Corporation
3003 Oak Road
Walnut Creek, CA 94597

RE: Petition for Post-Certification Modification for Los Esteros Tanager Battery Energy Storage System (BESS) (03-AFC-02C) Project -Data Request Set 4, A82 through A110

Dear Barbara McBride:

The California Energy Commission (CEC) staff is requesting information specified in the enclosed Data Requests Set 4 which is necessary for the staff analysis of the Los Esteros Calpine Tanager BESS project petition to amend (TN# 261280). The proposed project changes include:

- The project owner seeks approval to modify the Los Esteros Critical Energy Facility (LECEF) Decision and deploy a 200 MW, with approximately 1,600 megawatt-hours, lithium-ion phosphate (LFP) BESS on approximately ten (10) acres.

Data Requests – Set 4 seeks further information in the areas of Land Use, Socioeconomics, Water Resources, Solid Waste Management, Visual Resources, Geologic Hazards and Resources and Paleontological Resources based on the contents of the petition to amend.

BARBARA MCBRIDE
JUNE 30, 2026
PAGE 2

To assist CEC staff in timely completing its environmental review and to meet the requirements of the California Environmental Quality Act (CEQA) (see Cal. Code Regs., tit. 14, §§15108, 15109), CEC staff are requesting responses to the data requests as soon as possible. If you are unable to provide the information requested or need to revise the timeline, please let me know within 10 days of receipt of this letter.

If you have any questions, please email me at John.Heiser@energy.ca.gov.

A handwritten signature in black ink that reads "John Heiser". The script is cursive and fluid, with the first letters of "John" and "Heiser" being capitalized and prominent.

John Heiser
Compliance Project Manager

Enclosure: Data Requests

Petition for Modification – Los Esteros Tanager BESS Project (03-AFC-02C)

DATA REQUESTS – SET 4

Technical Area: Land Use

Author: Jeanine Hinde

BACKGROUND

The application states that the project would be sited to conform to setback requirements. In brief notes from the August 8, 2024, project meeting there was mention of a question on setbacks to address safety concerns, including along State Route (SR) 237.

The Plan of General Arrangement in the application (Appendix B) does not show setbacks, and the aerial photograph for the base map is blurry. The plan view does not show the entire project site boundary; only one segment is labeled along a portion of the east side of the site. Also, the plan view shows a concrete wall along the north side of the proposed retention pond. However, no fence or wall is shown for the rest of the BESS development area or described in the application.

DATA REQUESTS

- A82. Provide a description and a revised plan view or new map on an in-focus aerial photo base showing the setbacks for the BESS site. Please show and label the project site boundary.
- A83. Describe the type and height of the security wall or fence that would border the BESS facility, and please add it to the revised plan view or new map. (Also refer to the Visual Resources data request below regarding a perimeter wall.)

BACKGROUND

The application describes modifications to the existing LECEF, stating that the project would “require the addition of a third entrance to the parcel and a new internal road connecting the LECEF and Tanager BESS areas.” The Biological Resources Assessment in the application states that there are “existing paved roadways from Zanker Road which will provide access to the approximately 12.8-acre BESS footprint.” The Plan of General Arrangement in the application does not show entrances and exits for the parcel or the proposed BESS site or the new internal road.

DATA REQUEST

- A84. Provide a map on an in-focus aerial photo base with existing and proposed site entrance and exit roads and the proposed internal road with these features

Petition for Modification – Los Esteros Tanager BESS Project (03-AFC-02C)

DATA REQUESTS – SET 4

labeled. Please show and label adjacent roadways that would connect to site entrances and exits. This map content can be added to the map requested above showing the project site boundary, setbacks, and the security wall or fence.

BACKGROUND

The application describes the new generation tie (gen-tie) line and switchyard that would be constructed for the project, stating that the gen-tie line would primarily traverse south to north along the eastern boundary of the LECEF site. Based on the description, the gen-tie line would be constructed through an existing landscape berm before being stepped up to the 230-kilovolt (kV) level via an above-ground line before transitioning to an underground system. No information is provided on the estimated disturbance area for gen-tie line construction. The description does not indicate the type and heights of planned transmission poles, and the length and location of segment(s) that would be above-ground is not clear.

The Biological Resources Assessment in the application has resource figures that include a line indicating the gen-tie alignment. It is not clear from these figures whether a segment of the gen-tie line would be constructed on a portion of the adjacent parcel to the east (APN 015-31-054).

The application states that the "BESS containers would be approximately 25 feet tall and below the maximum building height." No information is provided on the estimated dimensions of other project structures.

DATA REQUESTS

- A85. Provide a revised plan view or new map on an in-focus aerial photo base showing the proposed gen-tie line in greater detail, including above-ground segments and the estimated disturbance area for construction. Please include parcel boundaries.
- A86. Provide the type and estimated number and heights of transmission poles.
- A87. Provide estimated dimensions for project structures in addition to the estimated 25-foot height of the BESS containers, including equipment and proposed security walls or fences.

Petition for Modification – Los Esteros Tanager BESS Project (03-AFC-02C)

DATA REQUESTS – SET 4

Technical Area: Socioeconomics

Author: Ellen LeFevre

BACKGROUND

Page 1 of the Petition states “Construction is expected to last approximately 12 months, with an estimated 200 - 250 total construction jobs created.” If there is an operational workforce, detail the number of staff, source, trades and including the construction workforce.

DATA REQUESTS

- A88. Provide the estimated number of construction workers per month during peak activities and the average number of workers per month needed for project construction.
- A89. What geographic area(s) would construction workers be drawn from? What would be the estimated percentage of local and non-local construction workforce?
- A90. Staff needs information on the occupational trades required for project construction. Provide a table with the occupational trades and the number of workers needed for each month during construction.
- A91. Would the project require additional workers for operations? If so, approximately how many workers would be required and where would they be drawn from?

Technical Area: Water Resources

Author: Nick Kerlein

BACKGROUND: Battery Energy Storage System (BESS) Water Resources Impacts

Per Cal. Code Regs. Tit. 20, § 1769, the application to needs to fully describe the changes to the project and analyze how those changes would affect the environment, LORS compliance and the public. The submitted application did not include any information or analysis related to water resources. In this context, an analysis would need to discuss not only changes from the original project but also confirm impacts that remain the same, or similar to, the original project.

Petition for Modification – Los Esteros Tanager BESS Project (03-AFC-02C)

DATA REQUESTS – SET 4

DATA REQUESTS

- A92. Quantify the water usage of the project, identify the source and discuss the capacity of that source to provide water for the project for the reasonably foreseeable future during normal and dry years.
- A93. Analyze the effects of the project on water quality standards and discuss compliance with existing COCs and potentially amended COCs to prevent impacts to water resources. Include a discussion on groundwater including the state of the groundwater basin for the area, the depth to water, the chance of encountering groundwater during construction, and mitigation measures to protect groundwater.
- A94. Analyze the projects impacts to the drainage pattern of the project area.
- A95. Analyze the effect of the project on surface water runoff. This would include a quantitative analysis on any changes from pervious to impervious surfaces and how the effects of any changes would be mitigated, whether runoff is increased or decreased.
- A96. Analyze the effect of the project on the existing storm water systems.
- A97. Analyze the risk of release of pollutants due to flood or other inundation hazards.
- A98. Analyze the impacts of the project on any water quality or groundwater management plans.
- A99. Analyze the impacts to any wastewater treatment providers.
- A100. Discuss LORS compliance and applicability and any changes from the original permit and environmental analysis.

Technical Area: Solid Waste Management

Author: Nick Kehrlein

BACKGROUND: Battery Energy Storage System (BESS)

Per Cal. Code Regs. Tit. 20, § 1769, the application to needs to fully describe the changes to the project and analyze how those changes would affect the environment,

Petition for Modification – Los Esteros Tanager BESS Project (03-AFC-02C)

DATA REQUESTS – SET 4

LORS compliance and the public. The submitted application did not include any information or analysis related to solid waste management. In this context, an analysis would need to discuss not only changes from the original project but also confirm impacts that remain the same, or similar to, the original project.

DATA REQUESTS

A101. Identify and quantify the solid waste and identify the facilities that would accept the waste generated by the project.

A102. Analyze the project in the context of applicable state and local LORS for waste disposal and recycling.

Technical Area: Visual Resources

Author: Mark Hamblin

The Petition to Amend application references a fence on the subject property. The application does not describe whether chain link fencing or a solid wall is proposed along the full perimeter of the project site, leaving the extent and character of the perimeter's visual treatment unclear.

The 2022 California Fire Code (CFC) includes specific regulations for BESS' to ensure safety and compliance during installation and operation. Installation requirements include noncombustible wall surfaces that must extend a minimum distance from the energy storage system to mitigate fire risks.

Staff are working with BESS projects in Los Angeles County. Under the Los Angeles County Fire Department (LACoFD) Fire Prevention Division guidelines and the 2023 LACoFD Fire Code (amended 2022 CFC), BESS installations require strict safety measures, including noncombustible construction and separation barriers for units in public view. The guidelines indicate that BESS installations typically require solid, noncombustible, non-scalable masonry walls—often at least 6 feet in height for security—or fire-resistant barriers rated for 1 to 3 hours, depending on installation specifics and proximity to property lines. Some industrial or commercial applications may require 8-foot masonry walls.

A perimeter wall consisting of a solid concrete and/or masonry wall at least 6 to 8 - feet tall and topped with 1- foot of barbed or razor wire along the entire site boundary for fire area containment, security, and sound attenuation would be one of the project's most publicly visible components introduced into the existing physical environment.

Petition for Modification – Los Esteros Tanager BESS Project (03-AFC-02C)

DATA REQUESTS – SET 4

DATA REQUEST

A103. Confirmation of whether the City of San José or the County of Santa Clara Fire Marshal (or their designee) would require a noncombustible separation barrier (wall) six to eight feet or more in height for fire-area containment along the project site perimeter, based on their review of the project's battery energy storage system configuration and site-specific conditions. Describe the construction materials of the proposed wall (e.g., concrete) and the surface treatment of its exterior side in public view.

Technical Area: Geologic Hazards and Resources

Author: Kevin DeLano

BACKGROUND

Per Cal. Code Regs. Tit. 20, § 1769, the application needs to fully describe the changes to the project and analyze how those changes would affect the environment, LORS compliance and the public. The submitted application did not include any information or analysis related to geologic hazards and resources. In this context, an analysis would need to discuss potential impacts that construction and operation of the project amendment would have related to geologic resources and hazards.

DATA REQUESTS

A104. As required in the California Building Code (CBC) Section 1803, complete a preliminary site-specific geotechnical investigation to evaluate, and recommend mitigation for, site-specific geologic conditions and hazards.

A105. Add a discussion of existing conditions and the regulatory setting related to geologic resources and hazards to the amendment.

A106. Evaluate potential impacts related to geologic resources and hazards that may occur during project grading, construction, and operation according to the CEQA Guidelines Checklist found in the California Code of Regulations, Title 14, Division 6, Chapter 3, Appendix G, VII. Geology and Soils.

A107. Evaluate if the mitigation proposed in the preliminary site-specific geotechnical investigation along with conformance with other applicable LORS would mitigate

Petition for Modification – Los Esteros Tanager BESS Project (03-AFC-02C)

DATA REQUESTS – SET 4

potential impacts related to project construction and operation and geologic hazards to less than significant.

Technical Area: Paleontological Resources

Author: Kevin DeLano

BACKGROUND

Per Cal. Code Regs. Tit. 20, § 1769, the application needs to fully describe the changes to the project and analyze how those changes would affect the environment, LORS compliance and the public. The submitted application did not include any information or analysis related to paleontological resources. In this context, an analysis would need to discuss potential impacts on paleontological resources that may occur in geologic units that are at the surface or in the subsurface at the project site.

DATA REQUESTS

- A108. Use Society of Vertebrate Paleontology guidelines to evaluate the paleontological potential of geologic units that occur at the surface or may be encountered in the subsurface.
- A109. Evaluate potential impacts on paleontological resources from ground disturbing activities associated with grading, construction, and operation. Follow the CEQA Guidelines Checklist found in the California Code of Regulations, Title 14, Division 6, Chapter 3, Appendix G, VII. Geology and Soils.
- A110. Evaluate if the existing COCs PAL-1 through PAL-6 would mitigate potential impacts on paleontological resources to less than significant.