

File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS 8274	LOCAL AGENCY DRAFT MITIGATED NEGATIVE DECLARATION		County Clerk File No: E-
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Jeremy Shaw, Planner	Area Code: 559	Telephone Number: 600-4207	Extension: N/A
Project Applicant/Sponsor (Name): Malaga Bess, LLC	Project Title: CUP 3748/ IS 8274		
Project Description: Allow the construction, operation and ultimate decommissioning of an energy storage facility with an estimated storage capacity of 140 Megawatts, along with appurtenant equipment including an approximately 250-foot-long transmission line, located on an approximately 4.5-acres, and an approximately 4.3-acre temporary laydown construction yard on a portion of a 19-acre parcel in the M-3 (Heavy Industrial) Zone District.			
Justification for Negative Declaration: Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3748, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to Aesthetics, Agriculture and Forestry Resources, Energy, Geology and Soils, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Utilities and Service Systems, and Wildfire. Potential impacts related to Air Quality, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality have been determined to be less than significant. Potential impacts relating to Biological Resources, Cultural Resources, Transportation and Tribal Cultural Resources have determined to be less than significant with compliance with implementation of the included Mitigation Measures.			
FINDING: The proposed project will not have a significant impact on the environment, with adherence to the included Mitigation Measures.			
Newspaper and Date of Publication: Fresno Business Journal – March 10, 2023 - Notice of Intent		Review Date Deadline: Planning Commission – April 13, 2023	
Date:	Type or Print Signature: David Randall Senior Planner	Submitted by (Signature): Jeremy Shaw Planner	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
DRAFT MITIGATED NEGATIVE DECLARATION**

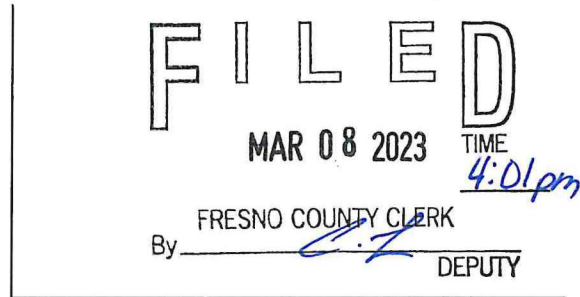


E202310000056

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION



For County Clerk's Stamp

Notice is hereby given that the County of Fresno has prepared Initial Study (IS) No. 8274 pursuant to the requirements of the California Environmental Quality Act for the following proposed project:

INITIAL STUDY NO. 8274 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3748 filed by **MALAGA BESS, LLC**, proposing to allow the construction and operation of an energy storage facility, with an estimated storage capacity of 140 Megawatts, along with appurtenant equipment on an approximately 4.5-acre portion of an 18.84-acre parcel in the M-3 (Heavy Industrial) Zone District. The subject parcel is located on the south side of North Avenue between S. Maple and S Chestnut Avenues, approximately 740 feet west of its intersection with S Chestnut Avenue, and approximately 1,300 feet east of the nearest city limits of the City of Fresno. (APN: 330-050-27SU) (2611 E. North Avenue) (Sup. Dist. 3).

Adopt the Mitigated Negative Declaration prepared for Initial Study No. 8274, and take action on Unclassified CUP Application No. 3748 with Findings and Conditions. (hereafter, the "Proposed Project")

The County of Fresno has determined that it is appropriate to adopt a Mitigated Negative Declaration for the Proposed Project. The purpose of this Notice is to (1) provide notice of the availability of IS No. 8274 and the draft Mitigated Negative Declaration, and request written comments thereon; and (2) provide notice of the public hearing regarding the Proposed Project.

Public Comment Period

The County of Fresno will receive written comments on the Proposed Project and Mitigated Negative Declaration from March 10, 2023, through April 10, 2023..

Email written comments to jshaw@fresnocountyca.gov, or mail comments to:

Fresno County Department of Public Works and Planning
Development Services and Capital Projects Division
Attn: Jeremy Shaw
2220 Tulare Street, Suite A
Fresno, CA 93721

DEVELOPMENT SERVICES AND CAPITAL PROJECTS DIVISION
2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 600-4497 / 600-4022 / 600-4540 / FAX 600-4200
The County of Fresno is an Equal Employment Opportunity Employer

E202310000056

IS No. 8274 and the draft Mitigated Negative Declaration may be viewed at the above address Monday through Thursday, 9:00 a.m. to 5:00 p.m., and Friday, 8:30 a.m. to 12:30 p.m. (except holidays), or at www.co.fresno.ca.us/initialstudies. An electronic copy of the draft Mitigated Negative Declaration for the Proposed Project may be obtained from Jeremy Shaw at the addresses above.

Public Hearing

The Planning Commission will hold a public hearing to consider approving the Proposed Project and the Mitigated Negative Declaration on April 13, 2023, at 8:45 a.m., or as soon thereafter as possible, in Room 301, Hall of Records, 2281 Tulare Street, Fresno, California 93721. Interested persons are invited to appear at the hearing and comment on the Proposed Project and draft Mitigated Negative Declaration.

For questions please call Jeremy Shaw (559) 600-4207.

Published: March 10, 2023

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Unclassified Conditional Use Permit Application No. 3748/Initial Study No. 8274

Lead Agency: Fresno County Contact Person: Jeremy Shaw
 Mailing Address: 2220 Tulare St Phone: 559-600-4207
 City: Fresno Zip: 93721 County: Fresno

Project Location: County: Fresno City/Nearest Community: Fresno

Cross Streets: North Avenue/Chestnut Avenue Zip Code: 93726

Longitude/Latitude (degrees, minutes and seconds): _____ ° _____ ' _____ " N / _____ ° _____ ' _____ " W Total Acres: 18.84

Assessor's Parcel No.: 330-050-27SU Section: 25 Twp.: 14S Range: 20E Base: M.D.B.M.

Within 2 Miles: State Hwy #: 99 Waterways: _____

Airports: _____ Railways: BNSF Schools: _____

Document Type:

- | | | | |
|---|--|------------------------------------|--|
| CEQA: <input type="checkbox"/> NOP | <input type="checkbox"/> Draft EIR | NEPA: <input type="checkbox"/> NOI | Other: <input type="checkbox"/> Joint Document |
| <input type="checkbox"/> Early Cons | <input type="checkbox"/> Supplement/Subsequent EIR | <input type="checkbox"/> EA | <input type="checkbox"/> Final Document |
| <input type="checkbox"/> Neg Dec | (Prior SCH No.) _____ | <input type="checkbox"/> Draft EIS | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Mit Neg Dec | Other: _____ | <input type="checkbox"/> FONSI | _____ |

Local Action Type:

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> General Plan Update | <input type="checkbox"/> Specific Plan | <input type="checkbox"/> Rezone | <input type="checkbox"/> Annexation |
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Master Plan | <input type="checkbox"/> Prezone | <input type="checkbox"/> Redevelopment |
| <input type="checkbox"/> General Plan Element | <input type="checkbox"/> Planned Unit Development | <input checked="" type="checkbox"/> Use Permit | <input type="checkbox"/> Coastal Permit |
| <input type="checkbox"/> Community Plan | <input type="checkbox"/> Site Plan | <input type="checkbox"/> Land Division (Subdivision, etc.) | <input type="checkbox"/> Other: _____ |

Development Type:

- | | |
|--|--|
| <input type="checkbox"/> Residential: Units _____ Acres _____ | <input type="checkbox"/> Transportation: Type _____ |
| <input type="checkbox"/> Office: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Mining: Mineral _____ |
| <input checked="" type="checkbox"/> Commercial: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Power: Type _____ MW _____ |
| <input checked="" type="checkbox"/> Industrial: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Waste Treatment: Type _____ MGD _____ |
| <input type="checkbox"/> Educational: _____ | <input type="checkbox"/> Hazardous Waste: Type _____ |
| <input type="checkbox"/> Recreational: _____ | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Water Facilities: Type _____ MGD _____ | |

Project Issues Discussed in Document:

- | | | | |
|--|--|---|--|
| <input checked="" type="checkbox"/> Aesthetic/Visual | <input checked="" type="checkbox"/> Fiscal | <input checked="" type="checkbox"/> Recreation/Parks | <input checked="" type="checkbox"/> Vegetation |
| <input checked="" type="checkbox"/> Agricultural Land | <input checked="" type="checkbox"/> Flood Plain/Flooding | <input checked="" type="checkbox"/> Schools/Universities | <input checked="" type="checkbox"/> Water Quality |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Forest Land/Fire Hazard | <input checked="" type="checkbox"/> Septic Systems | <input checked="" type="checkbox"/> Water Supply/Groundwater |
| <input checked="" type="checkbox"/> Archeological/Historical | <input checked="" type="checkbox"/> Geologic/Seismic | <input checked="" type="checkbox"/> Sewer Capacity | <input checked="" type="checkbox"/> Wetland/Riparian |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Minerals | <input checked="" type="checkbox"/> Soil Erosion/Compaction/Grading | <input checked="" type="checkbox"/> Growth Inducement |
| <input type="checkbox"/> Coastal Zone | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Solid Waste | <input checked="" type="checkbox"/> Land Use |
| <input type="checkbox"/> Drainage/Absorption | <input checked="" type="checkbox"/> Population/Housing Balance | <input checked="" type="checkbox"/> Toxic/Hazardous | <input checked="" type="checkbox"/> Cumulative Effects |
| <input type="checkbox"/> Economic/Jobs | <input checked="" type="checkbox"/> Public Services/Facilities | <input checked="" type="checkbox"/> Traffic/Circulation | <input checked="" type="checkbox"/> Other: <u>Wildfire/ Energy</u> |

Present Land Use/Zoning/General Plan Designation:

Industrial energy generation plant/M-3 (Light Manufacturing)/ General Industrial

Project Description: *(please use a separate page if necessary)*

Allow the construction and operation of an energy storage facility, with an estimated storage capacity of 140 Megawatts, along with appurtenant equipment on an approximately 4.5-acre portion of an 18.84-acre parcel in the M-3 (Heavy Industrial) Zone District.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".

If you have already sent your document to the agency please denote that with an "S".

<input checked="" type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input checked="" type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input checked="" type="checkbox"/> Caltrans District # 6	<input checked="" type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input checked="" type="checkbox"/> Regional WQCB # _____
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input checked="" type="checkbox"/> Education, Department of	<input checked="" type="checkbox"/> SWRCB: Water Quality
<input checked="" type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input checked="" type="checkbox"/> Fish & Game Region # 4	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input checked="" type="checkbox"/> Toxic Substances Control, Department of
<input checked="" type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Health Services, Department of	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Housing & Community Development	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Native American Heritage Commission	<input type="checkbox"/> Other: _____

Local Public Review Period (to be filled in by lead agency)

Starting Date March 10, 2023 Ending Date April 10, 2023

Lead Agency (Complete if applicable):

Consulting Firm: Patch Services, Inc. Applicant: Malaga BESS, LLC
Address: 333 Sunset Avenue Address: 200 W. Madison Street, Suite 3810
City/State/Zip: Suisun City, CA 94585 City/State/Zip: Chicago, IL 60606
Contact: Robert Ray Phone: (312) 766-4564
Phone: 805-451-4262

Signature of Lead Agency Representative: *Jeremy Shaw* Date: 3/9/2023

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

- 1. Project title:**
Unclassified Conditional Use Permit No.3748 & Initial Study No. 8274
- 2. Lead agency name and address:**
Fresno County Department of Public Works and Planning
Development Services and Capital Projects Division
2220 Tulare Street, 6th Floor
Fresno, CA 93721-2104
- 3. Contact person and phone number:**
Jeremy Shaw
(559) 600-4207.
- 4. Project location:**
The project site is located on the south side of E. North Avenue approximately 760 feet west of its intersection with S. Chestnut Avenue and approximately 1,340 feet east of the nearest city limits of the City of Fresno (APN 330-050-27ST) (2611 E. North Avenue, Fresno, CA) (SUP. DIST. 3).
- 5. Project sponsor's name and address:**
Malaga BESS, LLC
200 W. Madison St., Suite 3810
Chicago, IL 60606
- 6. General Plan designation:**
General Industrial
- 7. Zoning:**
M-3 Light Manufacturing
- 8. Description of project: (Describe the whole action involved, including, but not limited to, later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)**
Allow the construction and operation of an energy storage facility, with an estimated storage capacity of 140 Megawatts, along with appurtenant equipment on an approximately 4.5-acre portion of an 18.84-acre parcel in the M-3 (Heavy Industrial) Zone District.
- 9. Surrounding land uses and setting: Briefly describe the project's surroundings:**
The project site is located on the south side of E. North Avenue approximately 760 feet west of its intersection with S. Chestnut Avenue and is approximately 1,340 feet east of the city limits of the City of Fresno (APN 330-050-27ST) (2611 E. North Avenue, Fresno, CA) (SUP. DIST. 3).
- 10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)**
None
- 11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that**

includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Pursuant to Assembly Bill 52, Native American Tribal Governments Per Assembly Bill 52 (AB52), participating California Native American Tribes were notified on October 5, 2022, of the project and given the opportunity to enter into consultation with the County regarding the proposal. One of the Tribes, the Santa Rosa Rancheria Tachi-Yokut responded by email on October 17, 2022, and expressed that the project was outside their area of concern but that they would be referring the notification to another tribe The Table Mountain Rancheria, who was also provided notice of the project on October 5, 2022. To date none of the other tribes who were previously notified of this project have responded.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

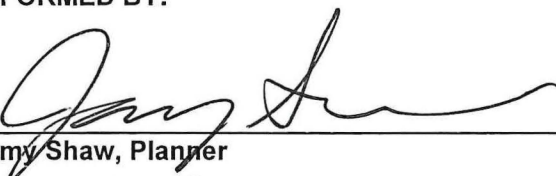
- | | |
|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire |
| <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION OF REQUIRED ENVIRONMENTAL DOCUMENT:

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment. **A NEGATIVE DECLARATION WILL BE PREPARED.**
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the Mitigation Measures described on the attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION WILL BE PREPARED.**
- I find the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required
- I find that as a result of the proposed project, no new effects could occur, or new Mitigation Measures would be required that have not been addressed within the scope of a previous Environmental Impact Report.

PERFORMED BY:



Jeremy Shaw, Planner

Date: 3-8-23

REVIEWED BY:

 3/8/23

David Randall, Senior Planner

Date: _____

**INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM
(Initial Study No. 8274 and
Unclassified Conditional Use Permit
Application No. 3748)**

The following checklist is used to determine if the proposed project could potentially have a significant effect on the environment. Explanations and information regarding each question follow the checklist.

1 = No Impact

2 = Less Than Significant Impact

3 = Less Than Significant Impact with Mitigation Incorporated

4 = Potentially Significant Impact

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- 1 a) Have a substantial adverse effect on a scenic vista?
- 1 b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- 1 c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
- 3 d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology in Forest Protocols adopted by the California Air Resources Board. Would the project:

- 1 a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- 1 b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?
- 1 c) Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production?
- 1 d) Result in the loss of forest land or conversion of forest land to non-forest use?
- 1 e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- 1 a) Conflict with or obstruct implementation of the applicable Air Quality Plan?
- 1 b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- 1 c) Expose sensitive receptors to substantial pollutant concentrations?
- 1 d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

IV. BIOLOGICAL RESOURCES

Would the project:

- 2 a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- 1 b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- 1 c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- 3 d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- 1 e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 1 f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

V. CULTURAL RESOURCES

Would the project:

- 3 a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?
- 3 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?
- 3 c) Disturb any human remains, including those interred outside of formal cemeteries?

VI. ENERGY

Would the project:

- 1 a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?
- 1 b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

VII. GEOLOGY AND SOILS

Would the project:

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 1 i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?
 - 1 ii) Strong seismic ground shaking?
 - 1 iii) Seismic-related ground failure, including liquefaction?
 - 1 iv) Landslides?
- 1 b) Result in substantial soil erosion or loss of topsoil?
- 1 c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
- 1 d) Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?
- 1 e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?
- 1 f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- 1 a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- 1 b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

IX. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- 1 a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- 1 b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- 1 c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- 1 d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?
- 1 e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?
- 1 f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- 1 g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

X. HYDROLOGY AND WATER QUALITY

Would the project:

- 1 a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?
- 1 b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- 2 c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site?
 - 1 i) Result in substantial erosion or siltation on or off site;
 - 1 ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site;
 - 1 iii) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or
 - 1 iv) Impede or redirect flood flows?
- 1 d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- 1 e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

XI. LAND USE AND PLANNING

Would the project:

- 1 a) Physically divide an established community?
- 1 b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

XII. MINERAL RESOURCES

Would the project:

- 1 a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- 1 b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

XIII. NOISE

Would the project result in:

- 1 a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- 1 b) Generation of excessive ground-borne vibration or ground-borne noise levels?
- 1 c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, exposing people residing or working in the project area to excessive noise levels?

XIV. POPULATION AND HOUSING

Would the project:

- 1 a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and

businesses) or indirectly (for example, through extension of roads or other infrastructure)?

- 1 b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- 1 a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
- 1 b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- 1 c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- 1 d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- 1 e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

XV. PUBLIC SERVICES

Would the project:

- 1 a) Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
- 1 i) Fire protection?
- 1 ii) Police protection?
- 1 iii) Schools?
- 1 iv) Parks?
- 1 v) Other public facilities?

XVI. RECREATION

Would the project:

- 1 a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- 1 b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

XVII. TRANSPORTATION

Would the project:

- 3 a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- 1 b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- 3 c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- 1 d) Result in inadequate emergency access?

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- 3 a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
- 3 i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or
- 3 ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- 1 a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- 1 b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- 1 c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- 1 d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- 1 a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- 1 b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)
- 1 c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Documents Referenced:

This Initial Study is referenced by the documents listed below. These documents are available for public review at the County of Fresno, Department of Public Works and Planning, Development Services and Capital Projects Division, 2220 Tulare Street, Suite A, Fresno, California (corner of M & Tulare Streets).

Fresno County General Plan, Policy Document and Final EIR

Fresno County Zoning Ordinance

Fresno County General Plan Background Report

Air Quality and Greenhouse Gas Study prepared for Malaga BESS LLC, by Rincon Consultants, Inc. October 2022

VMT Technical Memorandum for the Malaga BESS LLC Battery Energy Storage System Project, prepared by Rincon Consultants, Inc. September 26, 2022

JS

G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3700-3799\3748\IS CEQA\CUP 3748 Initial Study Checklist.docx



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: Malaga BESS, LLC
- APPLICATION NOS.: Initial Study No. 8274 and Unclassified Conditional Use Permit Application No. 3748
- DESCRIPTION: Allow the construction and operation of an energy storage facility, with an estimated storage capacity of 140 Megawatts, along with appurtenant equipment on an approximately 4.5-acre portion of an 18.84-acre parcel in the M-3 (Heavy Industrial) Zone District.
- LOCATION: The project site is located on the south side of E. North Avenue approximately 760 feet west of its intersection with S. Chestnut Avenue and is approximately 1,340 feet east of the city limits of the City of Fresno (APN 330-050-27ST) (2611 E. North Avenue, Fresno, CA) (SUP. DIST. 3).

I. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

- A. Have a substantial adverse effect on a scenic vista; or
- B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

FINDING: NO IMPACT:

The subject site is located in an area of industrial development, and there are no identified scenic roadways or highways in the vicinity; moreover, no scenic vistas or other scenic resources were identified in the project vicinity, that would be affected by the project proposal. Elevations of the proposed development indicate that the energy storage enclosures would be at a maximum of 12 feet in height, and approximately x feet from the public right-of-way and therefore not likely to be visible.

- C. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized

area, would the project conflict with applicable zoning and other regulations governing scenic quality?

FINDING: NO IMPACT:

The subject site is located within the boundaries of the County-adopted Roosevelt Community Plan and is designated General Industrial. The subject property is zoned M-3 (Heavy Industrial) and is currently improved with the Malaga gas-fired peaking power plant. Review of relevant General Plan and Community Plan policies regarding aesthetics of industrial development indicate that there are no conflicts. The proposed development would be subject to the development standards of the underlying zone district address under the Fresno County Zoning Ordinance.

- D. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

FINDING: NO IMPACT:

Outdoor lighting associated with the existing power plant occurs on the subject site, however no new lighting is associated with the energy storage project. The applicant's submitted operational statement indicates that lighting from the existing Malaga peaking plant will be adequate for the proposed energy storage facility.

II. AGRICULTURAL AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology in Forest Protocols adopted by the California Air Resources Board. Would the project:

- A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; or
- B. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

FINDING: NO IMPACT:

Per the 2016 Fresno County Important Farmlands Map, the subject property is designated Urban and Built-up Land. The subject property is zoned M-3 (Heavy Industrial) and under the Roosevelt Community Plan is designated for General

Industrial. Therefore, the project would not convert farmland and is not zoned for agricultural use.

- C. Conflict with existing zoning for forest land, timberland or timberland zoned Timberland Production; or
- D. Result in the loss of forest land or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The subject parcel is not zoned for forest land, timberland or Timberland Production and would not result in the loss of forest land or conversion of forest land to non-forest use.

- E. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The project site is located among industrial development. Review of the Roosevelt Community Plan indicates that the surrounding area is also planned for industrial development. The project does not involve the conversion of farmland to non-agricultural use and would not proliferate the conversion of farmland to industrial development in the area.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

- A. Conflict with or obstruct implementation of the applicable Air Quality Plan?

FINDING: LESS THAN SIGNIFICANT IMPACT:

An Air Quality and Greenhouse Gas Study was produced for the project to analyze air quality, ghg emissions and potential health risk impacts related to the proposed battery energy storage systems (BESS). The Air Quality and Greenhouse Gas Study dated October 2022, was prepared by Rincon Consultants, Inc. on behalf of the Applicant and has been reviewed by the San Joaquin Valley Air Pollution Control District (SJVAPCD) for concurrence with the estimates and determinations made in the study.

As referenced in the subject study, recent air quality attainment plans including the “2020 Reasonably Available Control Technology (RACT) Demonstration for the 2015 8-Hour Ozone Standard” and the “2013 Plan for the Revoked 1-Hour Ozone Standard, 2007 PM10 Maintenance Plan and Request for Re-designation, 2012 PM2.5 Plan”, and 2015 Plan for the 1997 PM2.5 Standard” were assessed and considered for potential conflicts with the project. In addition to the referenced attainment plans, the “2015

Guidance for Assessing and Mitigating Air Quality Impacts” (GAMAQI) establishes thresholds of significance for certain pollutant emissions.

In addition to the attainment plans and guidance above, the SJVAPCD in their comments also requested consideration of the South-Central Fresno Community Emissions Reduction Program (CERP).

The project is not anticipated to result in exceedance of any Air District established thresholds of significance for criteria pollutants, and therefore would not conflict with or obstruct implementation of any existing applicable air quality plan.

- B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Thresholds of significance for criteria pollutants are established under the San Joaquin Valley Air Pollution Control District’s “2015 Guidance for Assessing and Mitigating Air Quality Impacts” (GAMAQI). Based on a review of the GAMAQI, staff has determined that the project would not exceed any significance thresholds established therein, and therefore not result in a significant impact related to net increase of any of the identified criteria pollutants.

The Air Quality and Greenhouse Gas Study estimated criteria pollutants resulting from project construction and operation through the California Emissions Estimator Mode (CalEEMod). Project construction is anticipated to take approximately 11 months, and result in emissions of diesel particulate matter, and dust, PM10 and PM2.5

Both estimates of construction emissions and operational emissions were determined to be less than significance threshold established under the GAMAQI and thus concluded that the project would not result in cumulatively considerable increases of any criteria pollutants.

The Air Quality and Greenhouse Study assumed that the project would comply with Air District Rule 8021 which relates to Construction, Demolition, Excavation, Extraction and other earthmoving Activities, and that construction emissions would be compliant with all other applicable Air District Regulatory Standards, and not exceed any Air District established thresholds of significance for criteria pollutants.

- C. Expose sensitive receptors to substantial pollutant concentrations?
- D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Once constructed the project will not produce any emissions or odors that would affect a substantial number of people. Emissions generated during project construction will be

temporary (approximately 11 months) and limited in scope (approximately 9.2 acres of land), after which the project itself proposed energy storage which produces very low emissions, primarily from periodic maintenance trips, and the project will not result in any ongoing emissions that would produce substantial quantities of emissions, or odors. The San Joaquin Valley Air Pollution Control District reviewed the project and commented that the project may be subject to certain District Rules based on project design and construction features. All applicable Air District Rules will be mandatory requirements of project approval.

IV. BIOLOGICAL RESOURCES

Would the project:

- A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is already improved with an emergency power generation plant and is located in an area of industrial development. The project proposes the construction and operation of an energy storage facility, comprising approximately 4.5-acres, with an additional 4.3-acres as a temporary construction laydown storage yard, totaling approximately 9 acres of the 19-acre parcel. According to a review of the California Department of Fish and Wildlife, Natural Diversity Database (CNDDDB) Bios Mapping tool, the project site is located within the range of several special status species, however, no suitable habitat was identified on the subject parcel or in the vicinity. The CNDDDB identified on siting of the state threatened Swainson's hawk approximately 1.2 miles southwest of the project site from June 20, 2016, no further details were available. Because the project site and immediate vicinity are highly developed and industrial in character and because the project is limited in scope and confined to the already developed subject parcel, the project is not anticipated to have a substantial adverse impact directly or indirectly on any special status species or their habitat, nor any plans, policies or regulations related to the protection of such resources.

- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

FINDING: NO IMPACT:

As noted, the subject site is already developed and situated in an industrial urban area. Aerial images of the project site and surrounding area suggest that there are no riparian habitat or other sensitive natural community in the vicinity that would be affected by the project proposal.

- C. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Per the National Wetlands Inventory online mapping application, the subject site is located westerly adjacent to an identified wetland. Review of aerial images of the subject site indicate that the wetland is an irrigation canal. Although the project site is located in close proximity to the identified wetland, the project itself would not directly affect the wetland, and would therefore have a less than significant impact on the identified wetland.

- D. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject parcel is improved with a power plant and is located in an industrial area. The project would further develop the site along the eastern and southern property lines. Due to the existing industrial use and existing development, the project is not likely to interfere substantially with the movement of any native resident. There were no established native residents, migratory wildlife corridor, or native wildlife nursery site identified on the project site. The project was reviewed by the California Department of Fish and Wildlife which commented that the project site may have potentially suitable habitat for several species of nesting birds, and that the project may impact nesting birds if construction were to take place during nesting/breeding season. To address this potential, the following Mitigation Measures have been included.

* **Mitigation Measure(s)**

1. If any project related construction or other ground disturbing activity is to occur between February 1st and mid September, the project applicant shall provide that a biological assessment for nesting bird habitat is conducted, and that that pre-construction surveys for migratory birds, are completed by a qualified biologist, no more than 10-days prior to ground or vegetation disturbance, and also that if any active nests are found on the project site, a no disturbance buffer of 250 be maintained around active nests of non-listed species, and 500 feet around active nests of non-listed raptor species..
- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
 - F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?

FINDING: NO IMPACT:

There were no policies or ordinances for protecting biological resources identified as being in conflict with the project. Additionally, no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan was identified as being in conflict with the project.

V. CULTURAL RESOURCES

Would the project:

- A. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; or
- B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- C. Disturb any human remains, including those interred outside of formal cemeteries?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Existing conditions of the subject site indicates that ground disturbing activities have already occurred. Review of the project proposal indicates that proposed structures will result in ground-disturbance on undeveloped portions of the site. As there is no removal of any structures involved with the project, historical resources are not expected to be impacted by the project proposal. Due to the presence of industrial development directly and surrounding the subject site, archaeological and other cultural resources are highly unlikely to be unearthed on the project site. Although unlikely, a mitigation measure will be implemented to properly address cultural resources should they be unearthed during ground-disturbing activities related to the development of the project.

* **Mitigation Measure(s)**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance it to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

VI. ENERGY

Would the project:

- A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or
- B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

FINDING: NO IMPACT:

The project would allow storage and utilization of electrical energy produced from renewable energy sources. The main goal of the project is to provide storage of electrical energy, and the utilization of said energy during off-peak energy producing hours. As the energy stored will reduce the reliance of other energy producing activities this project will have a beneficial impact for energy resources and reduce inefficient production and consumption of energy resources. This project is not in conflict with state and local plans for renewable energy or energy efficiency.

VII. GEOLOGY AND SOILS

Would the project:

- A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

FINDING: NO IMPACT:

According to Figure 9-3 of the Fresno County General Plan Background Report and the Earthquake Hazard Zone web application (EQZ App) maintained by the California Department of Conservation, the project site is not located near a known earthquake fault or rupture of a known earthquake fault. However, any construction will be subject to the applicable seismic standards of the California Building Standards Code.

- 2. Strong seismic ground shaking?
- 3. Seismic-related ground failure, including liquefaction?

FINDING: NO IMPACT:

Per Figure 9-5 of the Fresno County General Plan Background Report (FCGPBR), in the event of a seismic hazard occurring, the project site is located on land identified as having a 0% to 20% peak horizontal ground acceleration assuming a 10% probability in 50 years. The FCGPBR indicates that the potential of ground shaking is minimal in Fresno County. Due to the minimal peak horizontal ground acceleration risk and minimal ground shaking risk, the project is not subject to adverse risk from ground shaking or seismic-related ground failure.

4. Landslides?

FINDING: NO IMPACT:

Per Figure 9-6 of the Fresno County General Plan Background Report (FCGPBR), the project site is not located in areas identified as having a landslide hazard. Review of the project site and surrounding area indicate that there are no steep slope areas in the vicinity.

B. Result in substantial soil erosion or loss of topsoil?

FINDING: NO IMPACT:

The project will result in the development of battery energy storage facilities that will result in a minor increase the amount of impervious surface on the site. The effects of the project on soil erosion and loss of topsoil would not be substantial as the site proposed for the energy storage array is relatively flat with planned drainage facilities reducing effects of erosion and topsoil loss.

C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No geologic unit or unstable soil was identified on the project site. As noted, the subject parcel is already improved with a power plant. The proposed development is subject to the most current building code which will ensure safe development of the site taking into consideration existing site conditions.

D. Be located on expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

FINDING: NO IMPACT:

Per Figure 7-1 of the FCGPBR, the project site is not located in areas of Fresno County identified as having expansive soils.

E. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

FINDING: NO IMPACT:

The subject application does not propose the construction of a wastewater disposal system. If a wastewater disposal system were to be developed on the subject site, County standards and regulations set by the Fresno County Local Area Management

Program (LAMP) for wastewater disposal systems would apply and ensure that development complies with local and state development standards.

- F. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

FINDING: NO IMPACT:

No paleontological or unique geologic feature was identified on the project site. As no resource is identified on the project site, the project would not destroy a unique paleontological or unique geologic feature.

VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- B. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

As discussed under Section 111.A (AIR QUALITY), a Greenhouse Gas Emissions Analysis was conducted to estimate project emissions of CO₂e (Carbon Dioxide Emissions) for construction and operation of the project. Estimated construction emissions over a two-year schedule indicates that emissions would total 371 metric tons of CO₂e (MT CO₂e). As construction emissions are short-term impacts, the increase in GHG emissions are considered less than significant. Operational emissions were estimated at approximately 4 MT CO₂e.

In reviewing the project proposal, the battery energy storage system (BESS) intends to store energy generated primarily from renewable sources, and provide energy to the grid during peak demand hours when necessary. The system will not utilize power from the existing peaking plant. The system allows energy generation to maximize its generation in renewable sources, while also reducing the load on non-renewable sources have an indirect reduction on GHG emissions associated with non-renewable sources.

The GHG analysis concluded that the project would be consistent with the provisions of Assembly Bill (AB) 32, Senate Bill (SB) 32 and the 2017 Scoping Plan for GHG reductions. Reviewing agencies and Departments did not express concern with the project to indicate a significant impact from GHG generation or a conflict with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions. The project would therefore not contribute substantially to cumulative greenhouse gas emissions.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or
- B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Department of Public Health, Environmental Health Division has reviewed the project proposal and will require that the project applicants that the Hazardous Materials Business Plan and Risk Management Plan be updated to ensure that changes to the site associated with the project proposal are documented and addressed. EHD also provided comment on compliance with State and Local requirements for handling of hazardous materials and waste.

In considering the project scope and required compliance of Local and State requirements for hazardous materials, the project would have a less than significant impact.

- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

FINDING: NO IMPACT:

There are no existing or proposed schools within a quarter mile of the project site. For reference, the nearest school is located approximately 0.73 miles south of the project site.

- D. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to a review of the U.S. EPA the NEPAAssist database web tool, the subject property is a listed site under the Resource Conservation and Recovery Act (RCRA). The information provided under the RCRA includes an inventory on all generators, transporters, treaters, storers, and disposers of hazardous waste that are required to provide information on their activities. Review of available records from NEPAAssist indicate that the subject site is designated Electric Power Distribution. k

As noted, the Department of Public Health will require that the facility update its management plans and disclose the utilization of any additional materials associated

with the project proposal. The project would not result in an increased significant hazard to the project being located on a listed hazardous materials site and is subject to all state and local requirements for hazardous material handling.

- E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is not located within an airport land use plan and not within two miles of a public airport or public use airport.

- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; or
- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

FINDING: NO IMPACT:

Reviewing agencies and departments did not express concern with the project in terms of impairing implementation of an adopted emergency response plan or evacuation plan or exposing people or structures to a significant risk of loss, injury, or death involving wildland fires.

X. HYDROLOGY AND WATER QUALITY

Would the project:

- A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality; or
- B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

FINDING: NO IMPACT:

The Water and Natural Resources Division and the State Water Resources Control Board did not express concern with the project proposal in regard to water usage. Per the Applicant's Operational Statement, normal operation of the site would not utilize water. A Will-Serve Letter provided by the Malaga County Water District indicates that the Malaga County Water District can service the project site with water and sewer service contingent on conditions addressed in the Will-Serve Letter. As water usage is expected to minimal, there were no water quality standard, waste discharge

requirement or groundwater supply concern expressed by reviewing agencies and departments.

- C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on or off site?
1. Result in substantial erosion or siltation on- or off-site;
 2. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?
 3. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to comments from the Fresno Metropolitan Flood Control District (FMFCD), the subject parcel is located within Drainage Area "AZ". FMFCD has developed a storm drainage master plan for the area, and had indicated that the project can be accommodated by the Master Plan facilities. Review of the proposal by FMFCD indicates that the site will be required to conform with storm drainage patterns under the FMFCD's Master Plan facilities. Additionally, a State National Pollutant Discharge Elimination System general permit for storm water discharges is required for all clearing, grading, and disturbance to ground that result in soil disturbance of at least one acre.

There is a stormwater retention basin on the project site, and additional drainage retention facilities (catch basins) are planned for the energy storage project as well as street improvements including curb and gutter improvements to direct runoff to existing and planned FMFCD facilities off-site.

Additionally, the project will be required to submit an engineered grading and drainage plan to show any additional storm water runoff generated by the proposed development will be addressed without adversely impacting adjacent properties; the grading and drainage plan will be required to provide calculations verifying the storage capacity of the existing storm water retention basin. The project will also be required to obtain a grading permit. Therefore, the project would not result in substantial soil erosion or loss of topsoil.

Based on the foregoing information, staff has determined that, with the project's compliance with requirements from FMFCD, and County development and drainage standards, the project would have a less than significant impact on stormwater drainage facilities and not result in substantial erosion and flooding of the subject site, nor exceed the capacity of any existing or planned stormwater drainage systems, or create substantial sources of polluted runoff.

4. Impede or redirect flood flows?

FINDING: NO IMPACT:

According to FEMA FIRM Pan C2130H, the subject property is designated Zone X, Area of Minimal Hazard. A designated flood zone is located in close proximity of the project site. As noted, the project site is located within the boundaries of the Fresno Metropolitan Flood Control District and would be required to comply with requirements of the FMFCD for drainage and surface runoff. In considering the existing conditions the project site would not impede or redirect flood flows.

- D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

FINDING: NO IMPACT:

The project site is located near a designated special flood hazard area. Due to the project site being located within master planned facilities of the FMFCD and required to be make improvements to connect to planned drainage facilities, the project would not be subject to flooding and would not risk release of pollutants. There are no bodies of water to indicate increased risk due to tsunamis or seiche zones.

- E. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

FINDING: NO IMPACT:

Per the Applicant's Operational Statement, regular water usage is not necessary for the operation of the facility. Reviewing agencies and departments did not identify applicable water quality control plans or sustainable groundwater management plans that would conflict with the subject proposal.

XI. LAND USE AND PLANNING

Would the project:

- A. Physically divide an established community?

FINDING: NO IMPACT:

The subject site is located in an industrial area and is improved with a power plant. The project would not physically divide an established community.

- B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

FINDING: NO IMPACT:

Review of relevant Fresno County General Plan Policies indicate that with required compliance of State and local requirements for fire safety and hazardous material handling, the project would not cause significant environmental impacts and would not be in conflict with the Fresno County General Plan.

XII. MINERAL RESOURCES

Would the project:

- A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or
- B. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local General Plan, Specific Plan or other land use plan?

FINDING: NO IMPACT:

According to Figure 7-7 and 7-8 of the Fresno County General Plan Background Report (FCGPBR), the project site is not located on an identified mineral resource location or principal mineral production location.

XIII. NOISE

Would the project result in:

- A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; or
- B. Generation of excessive ground-borne vibration or ground-borne noise levels?

FINDING: LESS THAN SIGNIFICANT IMPACT:

A Noise and Vibration Study prepared by Rincon Consultants, Inc. has submitted for the project addressing noise impacts associated with project construction and operation. The study concludes that the both BESS projects would result in generation of temporary construction-related noise and long-term noise associated with operation. It was determined that noise generated from construction activities would not exceed standards established under the Fresno County Noise Ordinance. Stationary noise sources would not exceed applicable daytime or nighttime noise standards established under the Fresno County Noise Ordinance. In addition to generated noise, ground borne vibrations resulting from construction would not adversely impact structures adjacent to the project site.

Review of the prepared noise study by the Department of Public Health, Environmental Health Division resulted in concurrence of the conclusions made in the study.

- C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels; or

FINDING: NO IMPACT:

The project site is located outside the noise contours of both the Chandler Executive Airport and Fresno Yosemite International Airport, the two nearest airports, and therefore would not result in substantial noise exposure to construction workers, maintenance works, or infrequent visitors.

XIV. POPULATION AND HOUSING

Would the project:

- A. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?; or
- B. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

FINDING: NO IMPACT:

The subject parcel is improved with a power plant and located within an existing industrial area. The project will further develop the subject parcel and does not induce substantial unplanned population growth or displace existing housing and people.

XV. PUBLIC SERVICES

Would the project:

- A. Result in substantial adverse physical impacts associated with the provision of new or physically-altered governmental facilities, or the need for new or physically-altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

- 1. Fire protection;

FINDING: NO IMPACT:

The Fresno County Fire Protection District (FCFPD) has reviewed the proposed project and commented that the project would be subject to all applicable Fire Code regulations and be subject to further plan review when construction plans are submitted for building permit. There are no comments from the FCFPD to indicate the project would result in

substantial adverse physical impacts associated with the provision or need of governmental facilities and would not impact service ratios and response times.

2. Police protection;
3. Schools;
4. Parks; or
5. Other public facilities?

FINDING: NO IMPACT:

Reviewing Agencies and Departments did not express concern with the subject application to indicate that the project would result in adverse impacts to service ratios, response times, or other performance objectives of the listed services.

XVI. RECREATION

Would the project:

- A. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or
- B. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

FINDING: NO IMPACT:

The project would not result in the increased use of existing neighborhood and regional parks or other recreational facilities that would enable physical deterioration of recreational facilities. The project does not include or require construction or expansion of recreational facilities that would have an adverse effect on the environment.

XVI. TRANSPORTATION

Would the project:

- A. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Review of the project by County departments concluded that although the project would not conflict with any County Policies, programs, plans or ordinances related to the Counties circulation system, project construction does have the potential to create

impacts to the condition of County roads in the vicinity of the project; therefore, the following mitigation measure(s) have been included to address potential impacts.

* **Mitigation Measure(s)**

1. *Prior to issuance of any occupancy permit or beginning any operations, the Applicant shall construct, along the property's frontage, appropriate concrete improvements consistent with County Development Standards, including but not limited to curb and gutter to tie-into existing FMFCD facilities and widen the road surface to match adjacent improvements. The applicant may defer these improvements if an improvement deferral agreement is approved by the County during a subsequent Site Plan Review (SPR) application.*
2. *Construction traffic shall be limited to right-in, right-out movements only for the access point on North Avenue. A Traffic Management Plan must be prepared and approved showing how this will be handled.*

- B. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Review of the submitted operational statement indicates that the majority of trip generation and vehicle miles traveled (VMT) increases are associated with construction of the project. The Battery Energy Storage System (BESS) is designed to be operated remotely with periodic inspections and maintenance activities being the main producer of trips during operation. A VMT Technical Memorandum for the project was prepared by Rincon Consultants, dated September 26, 2022. The VMT memo analyzed the project's impacts as they relate to compliance with the VMT reduction goals of Senate Bill (SB) 743. Because the County of Fresno has not yet adopted specific VMT thresholds of significant, this CEQA evaluation is reliant upon the thresholds established by the State of California Office of Planning and Research (OPR) in its Technical Advisory on Evaluating Transportation Impacts in CEQA, December 2018. In that guidance, under Screening Threshold for Small Projects, the guidance states "Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, project that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact". The VMT memo estimated that the project would generate approximately 100 daily round trips during the construction phase, estimate to last approximately 8-10 months. After construction the facility would be generally unmanned and monitored remotely, and would typically generate no daily operational trips, excepting for one weekly maintenance trip or two round trips per week. Therefore, impacts related to VMT for the project would be less than significant.

The Road Maintenance and Operations Division does however have concerns with construction centric trips and the impacts vehicles related to the construction of the project could have on County-maintained roads. To mitigate physical impacts

associated with trips generated from project construction, a mitigation measure shall be incorporated to study and address impacts resulting from construction of the project on County-maintained right-of-way.

- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Operation of the project will not result in substantial traffic circulation on the project site. The majority of trips associated with the project will occur from project construction and decommissioning of the site. Review of the submitted site plan indicates that access to the subject site will occur from E. North Avenue and utilize the existing access road to access the portions of the subject parcel that will be developed. A temporary construction lay-down yard is to be located at the northern portion of the subject site. No concerns related to the design of the site were noted during review to indicate a significant impact.

The Design Division did however recommend submittal of a Traffic Management Plan to address potential impacts during construction and decommissioning phases of the project to ensure safe ingress and egress of the site onto County right-of-way and safe travel within the site. The submittal of a Traffic Management Plan will be required as mitigation to ensure that a plan is in place for the safe circulation of the site and public right-of-way

* **Mitigation Measure(s)**

1. *A Traffic Management Plan (TMP) shall be submitted and approved by the Fresno County Department of Public Works and Planning prior to construction and decommission phases of the project. In addition to managing traffic flow, the TMP shall also address dust mitigation.*

- D. Result in inadequate emergency access?

FINDING: NO IMPACT:

Review of the project by the Design Division, Road Maintenance and Operations Division, and the Fresno County Fire Protection District did not result concerns regarding emergency access. Project development will be subject to all local and state requirements for site access for emergency vehicles.

XVIII. TRIBAL CULTURAL RESOURCES

Would the project:

- A. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size

and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

As noted in Section V, Cultural Resources, the subject site is developed with a power plant and located within an industrial area suggesting minimal chance of a cultural resources occurring on the project site. Under the provisions of Assembly Bill 52 (AB 52), participating California Native American Tribes were notified of the project proposal and given the opportunity to enter into consultation with the County on addressing potential tribal cultural resources. No concerns were expressed by notified California Native American Tribes and no consultation request was received. Therefore, mitigation will be implemented to address tribal cultural resources in the unlikely event they are unearthed during ground-disturbing activities related to the project.

* **Mitigation Measure(s)**

1. See Section V. Cultural Resources A., B., and C. Mitigation Measure #1

XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will result in the construction of a battery energy storage system that would connect to the public utility grid and provide storage for electrical energy for use during non-energy producing hours. The subject facility is proposed to be constructed upon a subject parcel already improved with a power plant and is located in an industrial area. The resulting battery energy storage systems are not expected to result in significant environmental effects and would provide benefits to the existing energy grid.

- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

FINDING: NO IMPACT:

Both battery energy storage systems would not result in the utilization of significant water supplies. A Will-Serve letter provided by the Malaga County Water District indicates intent of service for the site in terms of water and sewer services. Minimal water usage for maintenance of the subject site is expected. As discussed, the Water and Natural Resources Division and State Water Resources Control Board did not express concern with the estimated water usage resulting from the project.

- C. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

FINDING: NO IMPACT:

The project proposal indicates that both battery energy storage facilities are planned to be operated remotely and would not require development of a wastewater treatment system. The Malaga County Water District has provided a conditional will-serve letter which indicates possible connection to water and sewer facilities. Therefore, adequate capacity is established.

- D. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or
- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

FINDING: NO IMPACT:

The operation of the proposed use is not expected to result in the generation of solid waste in excess of State or local standards. Reviewing agencies and departments did not express concern with the project to indicate conflict with State or local standards for solid waste management, reduction or capacity goals.

XX. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- A. Substantially impair an adopted emergency response plan or emergency evacuation plan, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; or

- B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire; or
- C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

FINDING: NO IMPACT:

The subject parcel is not located within a State Responsibility Area and per the 2007 Fresno County Fire Hazard Severity Zones in LRA Map produced by the California Department of Forestry and Fire Hazards, is not located in lands classified as very high fire hazard severity zones.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- A. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

FINDING: NO IMPACT:

The project entails development of a relatively small portion of an already developed industrial use. No reviewing agency expressed any concern with the project having an adverse impact on fish or wildlife species, no reviewing agencies identified any potential suitable habitat for special status species.

- B. Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No cumulatively considerable impacts were identified in the analysis.

- C. Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: LESS THAN SIGNIFICANT IMPACT:

No project impacts which would have the potential to cause, direct or indirect substantial adverse effects on human beings were identified in the analysis, which was based in part on comments from reviewing agencies and County Departments.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3748, staff has concluded that the project will not have a significant effect on the environment.

It has been determined that there would be no impacts to Aesthetics, Agriculture and Forestry Resources, Cultural Resources, Energy, Geology and Soils, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire.

Potential impacts related to Air Quality, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality have been determined to be less than significant.

Potential impacts relating to Biological Resources, Cultural Resources, Transportation and Tribal Cultural Resources have determined to be less than significant with compliance with implementation of the included Mitigation Measures.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, street level, located on the southwest corner of Tulare and "M" Street, Fresno, California.

JS

G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3700-3799\3748\IS CEQA\CUP 3748 IS Writeup.docx



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

DATE: October 7, 2022

TO: Development Services and Capital Projects, Attn: William M. Kettler, Manager
Development Services and Capital Projects, Attn: Chris Motta, Principal Planner
Development Services and Capital Projects, Current Planning, Attn: David Randall, Senior Planner
Development Services and Capital Projects, Policy Planning, ALCC, Attn: Mohammad Khorsand
Development Services and Capital Projects, Zoning & Permit Review, Attn: Daniel Gutierrez/ James Anders
Development Services and Capital Projects, Site Plan Review, Attn: Hector Luna
Development Services and Capital Projects, Building & Safety/Plan Check, Attn: Dan Mather
Development Engineering, Attn: Laurie Kennedy, Grading/Mapping
Road Maintenance and Operations, Attn: Martin Querin/Wendy Nakagawa/Nadia Lopez
Design Division, Transportation Planning, Attn: Mohammad Alimi/ Erin Haagenson/Gloria Hensley
Resources Division/Special Districts, Attn: Amina Flores-Becker, Chris Bump
Water and Natural Resources Division, Attn: Augustine Ramirez, Division Manager; Roy Jimenez
Department of Public Health, Environmental Health Division, Attn: Kevin Tsuda/Deep Sidhu/Steven Rhodes
County Counsel, Attn: Alison Samarin, Deputy County Counsel
Fresno County Fire Protection District; Attn: FKU.Prevention-Planning@fire.ca.gov
Fresno Irrigation District, Attn: Engr-Review@fresnoirrigation.com
North Kings GSA, Attn: Kassy D. Chauhan, P.E.
Fresno Metropolitan Flood Control District, Attn: developmentreview@fresnofloodcontrol.org
Malaga County Water District, Attn: Moises Ortiz, General Manager
CA Regional Water Quality Control Board, Attn: centralvalleyfresno@waterboards.ca.gov
CA Department of Fish and Wildlife, Attn: R4CEQA@wildlife.ca.gov
US Fish & Wildlife Service, Attn Mathew Nelson
CA Public Utilities Commission, Infrastructures Permitting and CEQA, Attn: Mary Jo Borak
State Department of Water Resources, Division of Drinking Water, Attn: Jose Robledo, Cinthia Reyes.
California Department of Transportation, District 6, Attn: David Padilla, Branch Chief
Pacific Gas and Electric, Attn: PGEPlanReview@pge.com
City of Fresno
Fresno County Sheriffs Department, Attn: Captain Mark Padilla, Captain Ryan Hushaw, Lt. Brent Stalker, Lt. Ron Hayes, Lt. Robert Salazar, Lt. Kathy Curtice
City of Fresno, Planning & Development Department, Attn: Israel Trejo, Assistant Director

City of Fresno, Public Works Department, Attn: Scott Mozier, Director/ Louise Gilio, Andreina Aguilar, Jill Gormley
Dumna Wo Wah Tribal Government, Attn: Robert Ledger, Tribal Chairperson
Picayune Rancheria of the Chukchansi Indians, Attn: Heather Airey, THPO/Cultural Resources Director
Table Mountain Rancheria, Attn: Leanne Walker-Grant, Tribal Chairperson
Robert Pennell, Cultural Resources Director/Kim Taylor, Sara Barnett, Cultural Resources Department
Santa Rosa Rancheria Tachi-Yokut Tribe, Attn: Shana Powers, Cultural Director
San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division), Attn: PIC Supervisor

FROM: Jeremy Shaw, Planner
Development Services and Capital Projects Division

SUBJECT: **Unclassified Conditional Use Permit Application No. 3748 & Initial Study No. 8274**

APPLICANT: Malaga BESS, LLC

DUE DATE: **October 14, 2022**

The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing the subject application proposing to allow a battery energy storage system with an estimated storage capacity of 140 Megawatts, along with appurtenant equipment on an approximately 4.5-acre portion of a 19-acre parcel in the M-3 (Heavy Industrial) Zone District.

The subject parcel is located on the south side of North Avenue between S. Maple and S Chestnut Avenues, approximately 740 feet west of its intersection with S Chestnut Avenue, and approximately 1,300 feet east of the nearest city limits of the City of Fresno. (APN: 330-050-27SU) (2611 E. North Avenue) (Sup. Dist. 3).

We must have your comments by **October 14, 2022**. Any comments received after this date may not be used.

If you do not have comments, please provide a “NO COMMENT” response to our office by the above deadline (e-mail is also acceptable; see email address below).

Please address any correspondence or questions related to environmental and/or policy/design issues to me, Jeremy Shaw, Planner, Development Services and Capital Projects Division, Fresno County Department of Public Works and Planning, 2220 Tulare Street, Sixth Floor, Fresno, CA 93721, or call (559) 600-4207, or email jshaw@fresnocountyca.gov.

G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3700-3799\3748\ROUTING\CUP 3748 Routing Ltr.doc

Activity Code (Internal Review): 2384

Malaga BESS CUP Application (CUP 3748, IS 8274)
Summary of Project Description Updates
Relative to CUP Application Submittal in July 2022
(October 5, 2022)

CUP Application Item	Summary of Changes	Comments
_1_Land Use Application	-BESS Project acreage revised upwards from previous 4.3 acres to 4.5 acres	See revised Site Layout figure in other updated CUP Application submittals.
	-Submittal of Detailed Site Plan ("Plot Plan") with exiting building dimensions, etc.	Review copy provided to County on 10-3-22.
_2_Initial Study Application	No changes	
_3_Operational Statement	-BESS Project acreage revised upwards from previous 4.3 acres to 4.5 acres	See updated Operational Statement submittal with revisions shown.
	-Updated BESS description to simply be a nominal 140 MW project with no delineation of 96 MW and 44 MW components. Deleted 13.8 kV gen-tie component that was associated with prior 96 MW component.	
_4_Project Description	-Made changes consistent with those identified above for the Operational Statement.	See updated Project Description submittal.
	-Added discussion and details for Preliminary Grading and Drainage Plan which has been added	
	-Revised figures to match updated Project Description	
_5_Site Photographs	-Updated to reflect updated Project Description	See updated Site Photographs
_6_Grant Deed	No changes	
_7_Pre-application Form	No change	
_8_Applicant Signature Authorization Letter Resolution	No change	



Fresno County Department of Public Works and Planning

Date Received: 7/21/22 CUP 3748 (Application No.)

MAILING ADDRESS: Department of Public Works and Planning Development Services Division 2220 Tulare St., 6th Floor Fresno, Ca, 93721

LOCATION: Southwest corner of Tulare & "M" Streets, Suite A Street Level Fresno Phone: (559) 600-4497 Toll Free: 1-800-742-1011 Ext: 0-4497

APPLICATION FOR:

- Pre-Application (Type) UCUP for battery energy storage facility
Amendment Application
Amendment to Text
Conditional Use Permit
Variance (Class)/Minor Variance
Site Plan Review/Occupancy Permit
No Shop/Dog Leash Law Boundary
General Plan Amendment/Specific Plan/SP Amendment
Time Extension for
Director Review and Approval
for 2nd Residence
Determination of Merger
Agreements
ALCC/RLCC
Other

DESCRIPTION OF PROPOSED USE OR REQUEST:

Requesting UCUP for Battery Energy Storage System (BESS) Project on approximately 4.3 acres within a 19-acre property that has an existing, operational gas-fired peaker power plant. The proposed BESS facilities include battery storage enclosures, onsite electrical switchyards, and electrical interconnections. Batteries to be charged by, and discharge to, the regional electrical grid via an existing 115 kV kilovolt connection to the PG&E Malaga Substation to meet peak electrical demand in California. Refer to the Operational Statement and attachments for more information.

CEQA DOCUMENTATION: [X] Initial Study [] PER [] N/A

PLEASE USE FILL-IN FORM OR PRINT IN BLACK INK. Answer all questions completely. Attach required site plans, forms, statements, and deeds as specified on the Pre-Application Review. Attach Copy of Deed, including Legal Description.

LOCATION OF PROPERTY: south side of E North Avenue between and Street address: 2611 E North Avenue, Fresno County, CA 93725

APN: 330-050-27SU Parcel size: ~19 acres Section(s)-Twp/Rg: S 25 - T 14 S/R 20 E

ADDITIONAL APN(s):

I, [Signature] (signature), declare that I am the owner, or authorized representative of the owner, of the above described property and that the application and attached documents are in all respects true and correct to the best of my knowledge. The foregoing declaration is made under penalty of perjury.

Table with 5 columns: Name, Address, City, Zip, Phone. Rows include Malaga Power, LLC; Malaga BESS LLC; James Suehr.

CONTACT EMAIL:

OFFICE USE ONLY (PRINT FORM ON GREEN PAPER)

Application Type / No.: UCUP 3748 Fee: \$9,123.00
Application Type / No.: pre-App credit Fee: \$-247.00
PER/Initial Study No.: IS 8274 Fee: \$5,151.00
Ag Department Review: Fee: \$
Health Department Review: Fee: \$992.00
Received By: J.S. Invoice No.: 241277 TOTAL: \$15,019.00

UTILITIES AVAILABLE:

WATER: Yes [X] / No [] Agency: Malaga County Water District
SEWER: Yes [X] / No [] Agency: Malaga County Water District

STAFF DETERMINATION: This permit is sought under Ordinance Section: Sect-Twp/Rg: - T S/R E

Related Application(s):

Zone District:

Parcel Size:

-NOTE-
 This map is for Assessment purposes only.
 It is not to be construed as portraying legal
 ownership or divisions of land for purposes
 of zoning or subdivision. law.

SUBDIVIDED LAND IN POR. SEC. 25, T. 14 S., R. 20 E., M. D. B. & M.

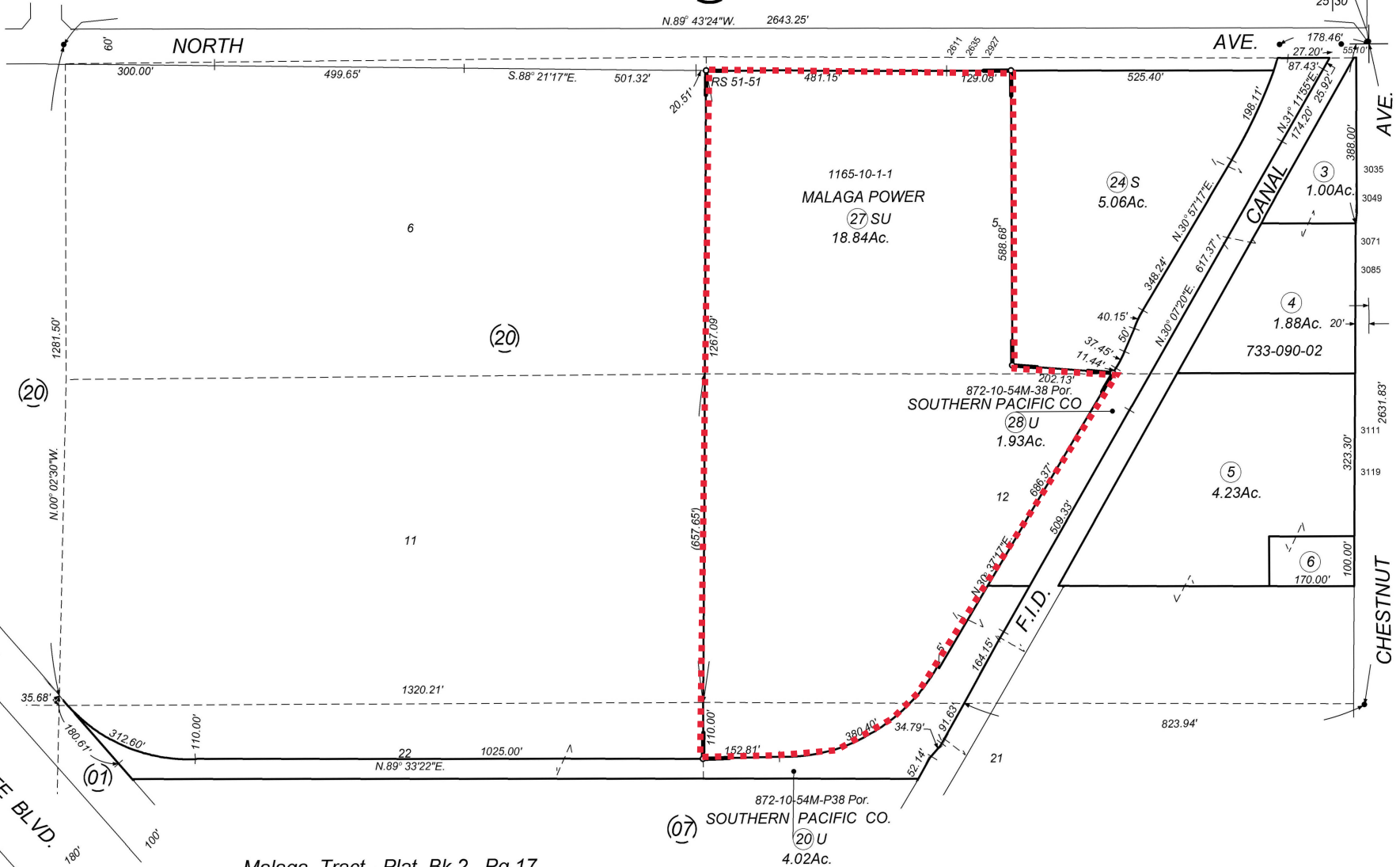
Tax Rate Area
 95-011
 95-041
 95-043

330-05



(Bk.)
 487

(Bk.)
 331

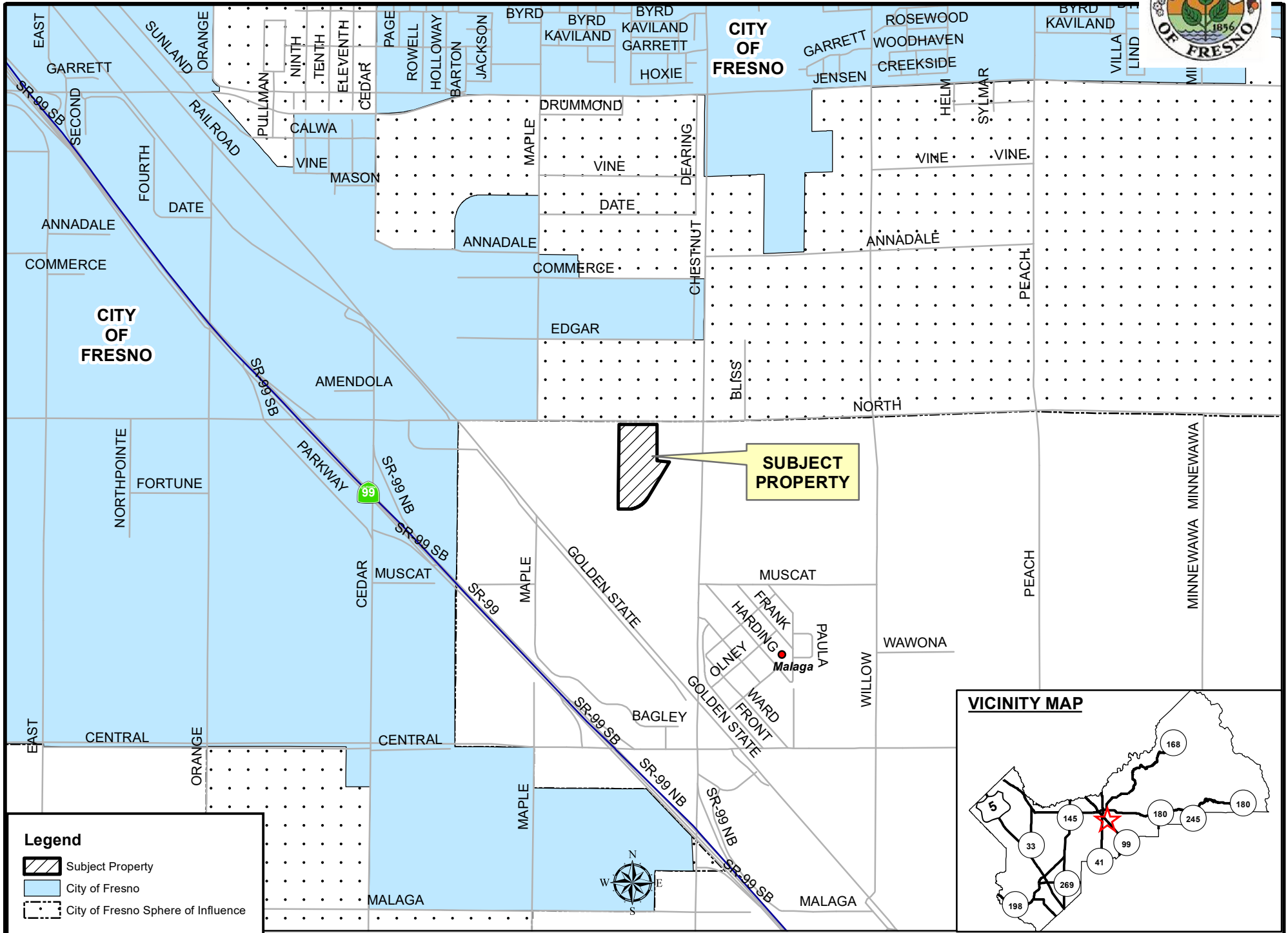


Malaga Tract - Plat Bk.2, Pg.17
 Record of Survey, Bk.51, Pg.51




Assessor's Map Bk.330 - Pg.05
 County of Fresno, Calif.

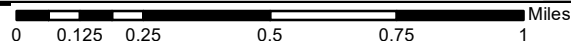
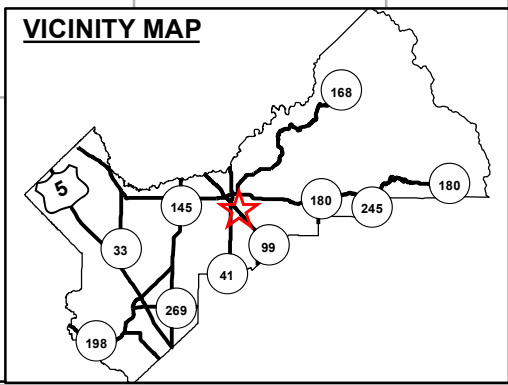
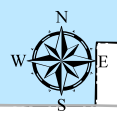
Note - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles

LOCATION MAP

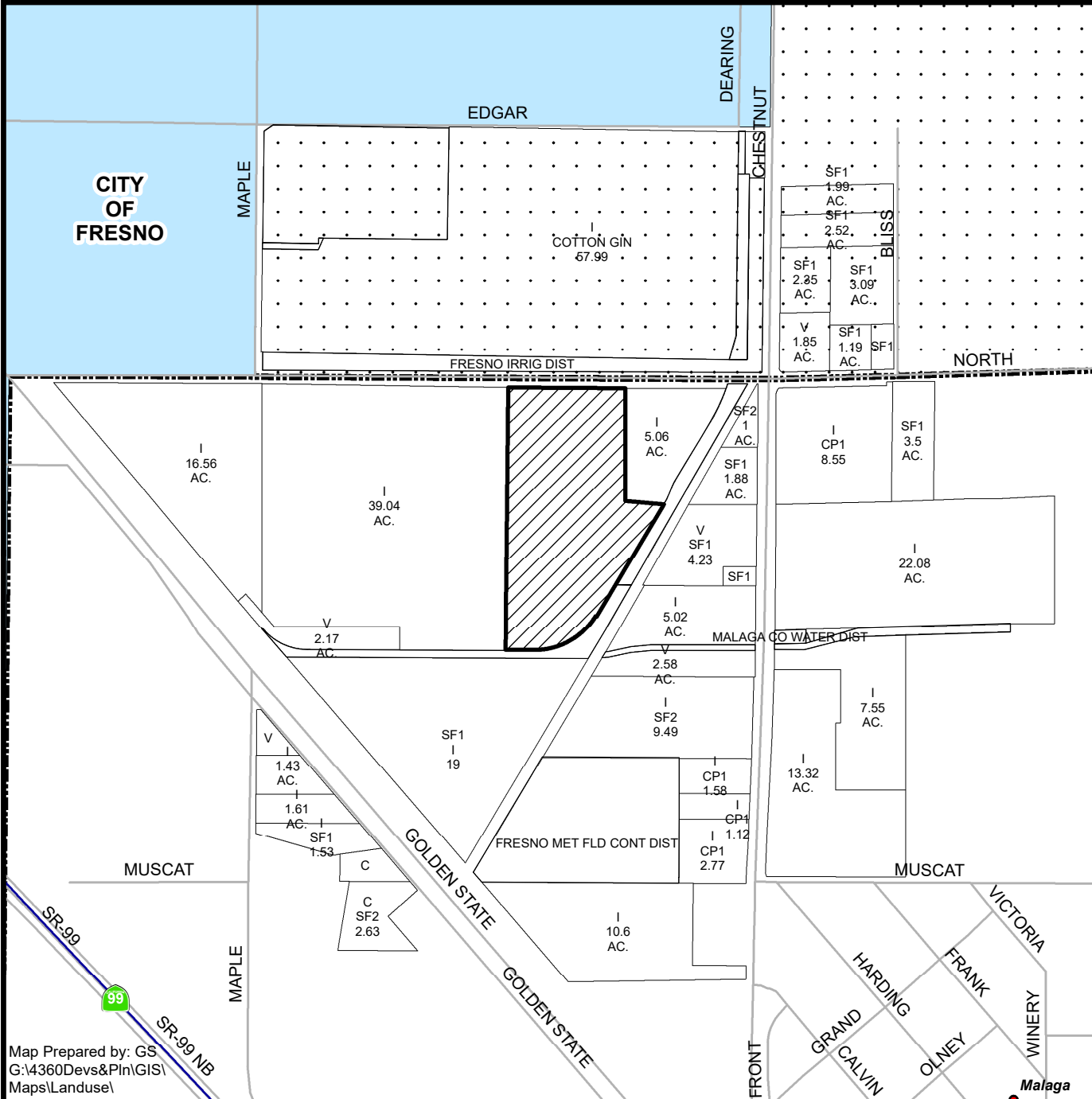


Legend

-  Subject Property
-  City of Fresno
-  City of Fresno Sphere of Influence



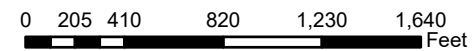
EXISTING LAND USE MAP



LEGEND	
C	COMMERCIAL
CP#	OFFICE COMM./PROF
I	INDUSTRIAL
SF#	SINGLE FAMILY RESIDENCE
V	VACANT

Legend

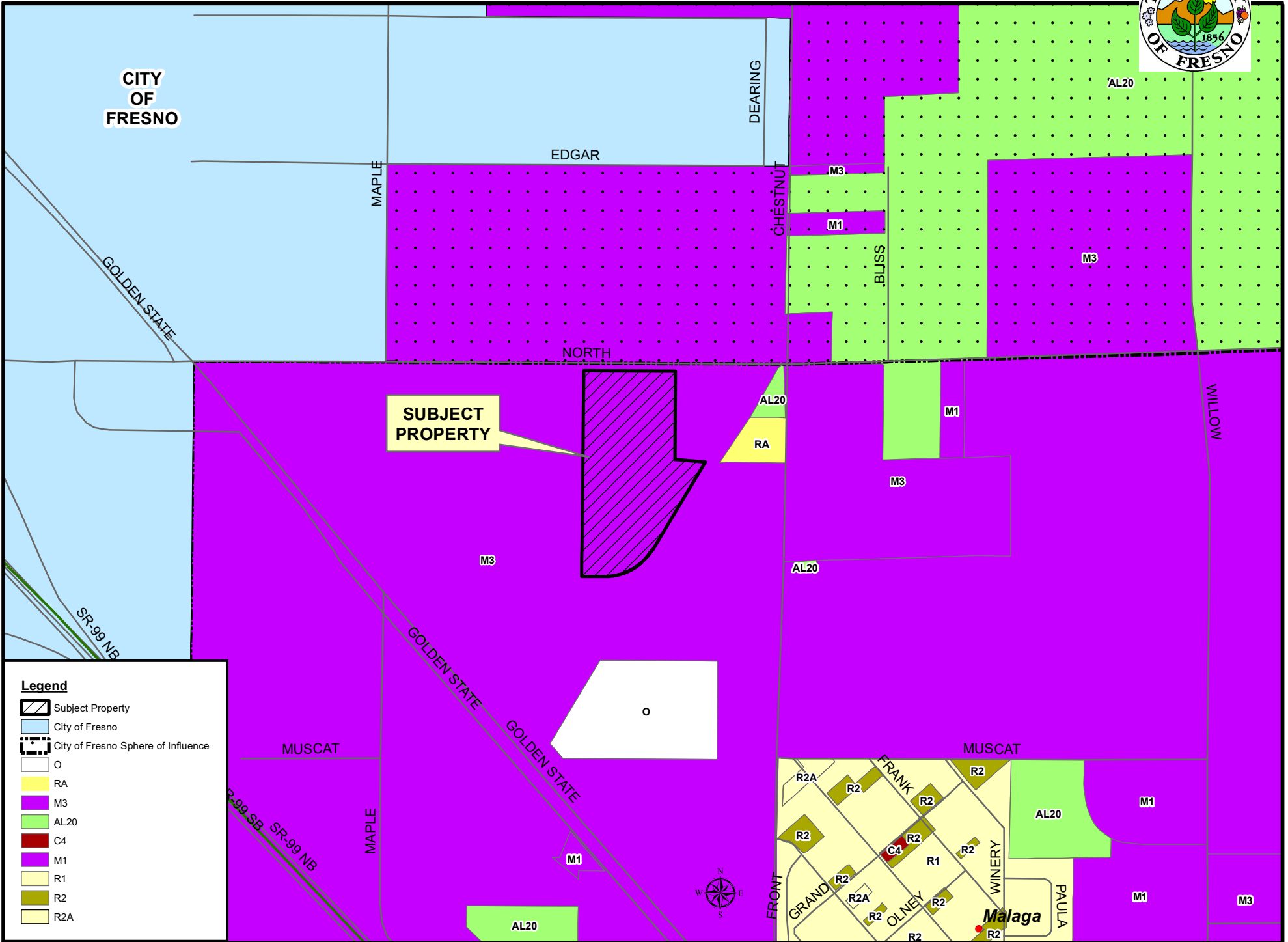
-  Subject Property
-  City of Fresno Sphere of Influence
-  City of Fresno



Map Prepared by: GS
 G:\4360Devs&PIn\GIS\Maps\Landuse\

Department of Public Works and Planning
 Development Services Division

EXISTING ZONING MAP



Legend

- Subject Property
- City of Fresno
- City of Fresno Sphere of Influence
- O
- RA
- M3
- AL20
- C4
- M1
- R1
- R2
- R2A

**Project Description Updates Considering
Preliminary Grading and Drainage Plan and Project Refinements**

PROJECT DESCRIPTION

Malaga Battery Energy Storage System Project

2611 E. North Avenue

Fresno, California 93725

APN: 330-050-27SU

CUP 3748 and IS 8274



Updated October 3, 2022



**Malaga Power, LLC
Malaga BESS LLC**

Table of Contents	<u>Page</u>
1.0 Overview	1
2.0 Project Objectives	2
3.0 Project Location and Site History	2
3.1 Location	2
3.2 Site History and Previous Energy Facility Permitting at Site	3
4.0 Project Site	3
4.1 General	3
5.0 Schedule	4
6.0 Surrounding Land Uses and Conditions	4
6.1 Regional Setting	4
6.2 Local Setting	4
7.0 County Zoning	5
8.0 Detailed Project Description	5
8.1 Facilities and Design	5
8.1.1 Overview of BESS Technology	5
8.1.2 Access and Parking	6
8.1.3 Perimeter Fencing	6
8.1.4 Control Systems	7
8.1.5 Signage and Lighting	7
8.1.6 Stormwater Facilities	7
8.1.7 Other Infrastructure	9
8.1.8 Applicant Proposed Best Management Practices	9
8.2 Construction	10
8.3 Operations and Maintenance	11
8.4 Decommissioning	12
9.0 Permits	13
10.0 References	13

Figures

Figure 1. Site Location Map

Figure 2. Site Plan

Figure 3. Typical Battery Energy Storage System Enclosure Cutaway

Figure 4. Typical Switchyard for 115 kV Connection

Figure 5. Typical Single Circuit Tubular 115 kV Pole

Figure 6. Battery Enclosure Foundation Floor Plan & Elevation

Attachment

Attachment A – Preliminary Grading and Drainage Plan

Project Description

Malaga Battery Energy Storage System Project

1.0 OVERVIEW

Malaga BESS LLC (applicant) proposes to construct a nominal 140-megawatt (“MW”) battery energy storage system (“BESS”) project at the existing Malaga Peaking Plant on Assessor Parcel No. 330-050-27SU at 2611 E North Avenue in unincorporated Fresno County (see Figures 1 and 2). The applicant submitted an Unclassified Conditional Use Permit (“UCUP”) application to Fresno County on July 1, 2022 for the proposed Malaga BESS facilities. The current UCUP application in 2022 (Fresno County CUP 3748; Initial Study [“IS” 8274]) supersedes UCUP applications 3703 and 3704 for BESS facilities at the same site that were withdrawn by the applicant in 2021.

This project description is intended to support California Environmental Quality Act (“CEQA”) compliance for the project whereby it is envisioned that a CEQA Initial Study and environmental review will be prepared by Fresno County to address the project.

Malaga Power, LLC purchased the peaker plant from Kings River Conservation District in 2015. Malaga Power, LLC became a wholly-owned subsidiary of MRP CalPeak Holdings, LLC in 2019. Malaga Power, LLC owns the peaker plant property where the existing peaker is located as well as the proposed Malaga BESS Project. The Malaga BESS Project will be owned and operated by Malaga BESS LLC.

The proposed BESS facilities include concrete pad foundations, modular battery storage and inverter enclosures, switchyard, and above ground and below ground onsite electrical interconnections. The applicant currently plans to begin construction of the BESS facilities in the second quarter of 2023. The BESS facilities are planned to be operational by mid-2024. The BESS facilities are expected to operate for 40 years or more with scheduled maintenance.

The BESS facilities are located on previously disturbed, vacant and relatively flat unvegetated areas within the eastern and southern portions of the existing 19-acre Malaga Peaking Plant property. Construction and operation of the proposed BESS facilities would be expected to have minimal impacts on the environment. Development of the proposed BESS facilities includes permanent use of up to approximately 4.5 acres for the BESS facilities (battery enclosures, inverters, foundations, internal access, etc.), including the 34.5 kilovolt (“kV”)/115 kV switchyard. In addition, the Malaga BESS Project includes temporary use of an undeveloped approximately 4.2-acre portion of the Malaga Peaking Plant property for construction laydown in the northern portion of the property (see Figure 2).

The key components of the Malaga BESS Project as follows:

- 4.5-acre, nominal 140 MW BESS facilities area, including 34.5 kV/115 kV BESS switchyard
- Approximately 250-foot-long overhead or underground 115 kV connection from the BESS switchyard to the existing Malaga Peaker Plant switchyard (which is connected to the Pacific Gas & Electric Company [“PG&E”] Malaga substation approximately 1 mile to the northeast)

Project Description

Malaga Battery Energy Storage System Project

- 4.2-acre temporary laydown area (Northern Construction Laydown Area)
- Stormwater conveyance facilities (catch basins, buried pipelines, and discharge outlet in southeastern portion of detention basin) for conveyance of onsite stormwater flows to the existing stormwater detention basin on the site

The Malaga BESS Project would utilize the existing paved access road for the Malaga Peaker Plant that connects to E North Avenue at the northwest corner of the property. The existing 19-acre Malaga Peaker Plant property has been previously fenced, graded and developed and currently consists of power plant related facilities and undeveloped, open areas. The existing Malaga Power, LLC peaker plant consists of two (2) combustion gas turbines with a nominal combined output of 96 MW and associated electrical transmission interconnection to the Pacific Gas & Electric Company (“PG&E”) Malaga Substation. The peaker plant was permitted by the California Energy Commission (“CEC”) in 2004 via a Small Power Plant Exemption (“SPPE”) and associated CEQA Initial Study and Mitigated Negative Declaration. The CEC determined in late-December 2020 that they do not have any discretionary permitting jurisdiction for the currently proposed BESS facilities. Consultation with Fresno County has determined that the County will require a UCUP for the Malaga BESS Project.

Given the critical need for additional electrical energy storage resources to support peak demand on the electrical grid in California, the applicant plans to initiate construction of the BESS facilities in the second quarter of 2023 assuming all necessary permits and approvals are received and that favorable market conditions exist at that time.

2.0 Project Objectives

The Malaga BESS Project offers the California Independent System Operator (“CAISO”) dispatchable energy storage resources to the 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 electrical grid and not from the existing gas-fired peaker plant.

The Malaga 140 MW BESS Project facility will interconnect to the electrical grid via the existing 115 kilovolt (“kV”) transmission line that connects the MPP 115 kV switchyard to the existing Pacific Gas & Electric Company (“PG&E”) 115 kV Malaga Substation approximately 1 mile to the northeast. The Malaga BESS Project is not expected to require any upgrades to the existing 115 kV transmission line between the MPP switchyard and the PG&E Malaga Substation. The Malaga BESS Project is not expected to require any discretionary approvals for the construction of the BESS facilities from the California Public Utilities Commission.

3.0 Project Location and Site History

3.1 Location

The Malaga BESS Project is located within the existing 19-acre Malaga Peaking Plant property on Assessor Parcel No. 330-050-027SU at 2611 E North Avenue in unincorporated Fresno County

Project Description

Malaga Battery Energy Storage System Project

(see Figures 1 and 2). The overall project site is located south and adjacent to E North Avenue in the unincorporated community of Malaga which is located near the southeast boundary of the City of Fresno. As shown on Figure 1, the property is located to the west of South Chestnut Avenue and northeast of S Golden State Boulevard and State Route 99 which is located further to the west-southwest.

The overall project site is located in Township 14 South, Range 20 East, Section 25. The approximate centroid of the overall Malaga Peaker Plant Property is located at latitude/longitude 36°41'25.19"N/119°44'23.84"W.

3.2 Site History and Previous Energy Facility Permitting at the Site

The 19-acre Malaga Peaker Plant property, including the locations for the proposed Malaga BESS Project components was reportedly used for agricultural purposes from at least 1937 until the early 2000s. In the 1940s, the site was operated by Producers Cotton Oil Company ("PCOC") for use associated with a cotton seed oil and cotton seed products plant. These operations appear to have ceased by the 1950s. Various small structures associated with agricultural operations appeared to be present on-site through the 1960s and 1970s; by the 1980s and 1990s, the proposed Project site did not appear to have on-site structures. In 2005, portions of the site were developed for use as a natural gas-fired peaking plant.

The peaker plant was licensed by the CEC SPPE process. The Kings River Conservation District ("KRCD") submitted its SPPE application for the KRCD Peaking Plant ("KRCDPP") project on November 26, 2003. CEC Staff filed the CEQA Initial Study ("IS"), Mitigated Negative Declaration ("MND") on March 10, 2004. The CEC Decision on May 19, 2004 acted to exempt the KRCDPP project from Application for Certification ("AFC") licensing and served as a Notice of Intent to adopt the MND pursuant to CEQA. The peaker plant was constructed and became operational in 2005. (Note: the KRCDPP is now known as the Malaga Peaker Plant, which is owned by Malaga Power, LLC.)

There is currently an onsite storm water detention pond to the north of the plant, and two undeveloped vegetated areas are located onsite: one south of the plant at the southern site boundary, and one north of the detention pond, at the northern site boundary. Drainage swales are on the eastern portion of the site. The Malaga BESS Project proposes to utilize the existing onsite detention basin for stormwater management. The property is located in a mixed industrial/agricultural land use area.

4.0 Project Site

4.1 General

Malaga Power, LLC owns the Malaga Peaker Plant and the 19-acre site on which the Malaga BESS Project is proposed. The 19-acre Malaga Peaker Plant property, including the locations of the proposed BESS project components, is located on Assessor Parcel Number 330-050-027SU.

Project Description

Malaga Battery Energy Storage System Project

The proposed BESS project components are located on previously disturbed and vacant land to the east and south of the existing Malaga Peaker Plant on the southern portion of the overall property as shown on Figure 2. The northern laydown area that is proposed for temporary use during the construction phase for the BESS project components is also located on previously disturbed and vacant land within the northern portion of the overall property as shown on Figure 2. No facilities require removal in the proposed BESS project footprints. The nominal 140 MW BESS project components include onsite electrical interconnections as shown on Figure 2.

An existing landscaped area along the eastern boundary of the overall site would be removed as part of the project.

5.0 Schedule

The applicant submitted the pre-application package for the proposed Malaga 140 MW BESS Project to Fresno County under cover letter dated April 8, 2022. The applicant submitted the CUP application package to Fresno County under cover letter dated July 1, 2022. The applicant currently plans to begin construction of the proposed BESS facilities in the second quarter of 2023 subject to market conditions and equipment availability. In order to help meet critical peak electrical demand in California by the summer of 2024, the BESS facilities are planned to be operational by mid-2024.

6.0 Surrounding Land Uses and Conditions

6.1 Regional Setting

The Malaga Peaker Plant property, including the proposed BESS project component sites are located in unincorporated Fresno County near the community of Malaga, which is located approximately 6 miles south-southeast of downtown Fresno, California. Fresno County is located in the center of the San Joaquin Valley which stretches approximately 100 miles from the Coast Range foothills to the eastern slope of the Sierra Nevada within the San Joaquin Valley Air Basin. Land uses in the area consist of a mixture of urban and rural, residential, commercial, and agricultural uses.

6.2 Local Setting

The proposed BESS project components are located on previously disturbed land within the Malaga Peaker Plant property as shown on Figure 2. The project site is zoned M-3, Heavy Industrial by Fresno County. Characteristic land uses (and Fresno County zoning designations) surrounding the Malaga Peaker Plant property include: heavy industrial (M-3), manufacturing (M-1), warehouse/commercial (C-6), and residential (R-1, R-2). The project site is located near the community of Malaga and is included in the Roosevelt Community planning area of Fresno County (KRCD 2003; CEC 2004a,b).

Project Description

Malaga Battery Energy Storage System Project

Based on a recent review of current uses of adjoining properties, the following general determination was developed (Ramboll 2019):

- North: East North Avenue and then an agricultural products storage facility on the north side of East North Avenue.
- East: Imperial Truck and Trailer Repair, a truck repair and parts facility to the northeast, and then a rail line right of way (apparently inactive), beyond which is a residential area. The rail line right of way is adjacent to the southeast of the property, beyond which is a chemical storage facility.
- South: A rail line is present to the south of the property. Beyond the rail line to the southeast is an apparent junkyard with outdoor material storage. Beyond the rail line to the southeast is a Derrel's Mini Storage Facility.
- West: United States Cold Storage, a refrigerated food storage facility which is adjacent to Green Valley Recycling, a landscaping supply store.

7.0 County Zoning

The Malaga Peaker Plant property where the proposed Malaga BESS Project is located is zoned Heavy Industrial (M-3). This zoning is intended to provide for the establishment of all industrial uses essential to the development of a balanced economic base. According to the Fresno County Zoning Ordinance, Sections 845.1-845.5, industrial zoned parcels have permitted uses of aluminum foundry, glass manufacturing, railroad repair shops, sawmills, automobile wrecking, etc. The zoning ordinance for M-3 zoned areas does not specifically outline the use of a natural gas fired peaking power plant or battery energy storage system projects; however, the development and operation of the KRCDPP was previously determined to be an acceptable use as part of the CEC permitting and approvals for the project.

8.0 Detailed Project Description

8.1 Facilities and Design

8.1.1 Overview of BESS Technology

The BESS facilities will consist primarily of the following:

- Battery energy storage technologies being considered are lithium iron phosphate (LFP) and lithium nickel manganese cobalt oxide (NMC) or other technologies that may become commercially available as the BESS project is being designed.
- Batteries would be installed in enclosures that are electrically connected together to reach the desired output of battery energy storage system. The capacity of the individual enclosures would be between 1.5 and 3.5 MW each or larger as technology advances. The medium voltage transformers and inverters would be located adjacent to the enclosures they serve. Approximate dimensions for the battery enclosures vary but can be in the range of 10 feet wide by 50 feet long by 10 feet high. These medium voltage transformers would

Project Description

Malaga Battery Energy Storage System Project

be either liquid-filled or dry-type transformers depending on final design and equipment availability.

- The BESS switchyard would include a liquid-filled transformer; for liquid filled transformers, EPA approved transformer fluids would be used. For liquid-filled transformers, the required containment and Spill Prevention, Control, and Countermeasure Plan(s) (“SPCC”) would be developed.
- Battery output degrades over time requiring replacement and/or additional battery bank modules (augmentation). Allowance for this work, including placement of the foundations required for the physical enclosures, will occur during initial construction of the BESS. The proposed site layout includes areas for these future augmentation activities.
- The 115 kV interconnection for the BESS would be a 34.5 kV underground cable connection from the BESS inverters to the 34.5 kV switchgear located in the 115 kV BESS switchyard.
- The aboveground support structures (115 kV) in the Malaga BESS switchyard needed to connect equipment within the BESS switchyard, including the connection to the Malaga Peaking Plant switchyard would have a maximum height of 75 feet.

Figure 3 presents a schematic side view of a battery energy storage system enclosure and the major internal components for a typical BESS. Figure 4 presents a typical BESS switchyard arrangement associated with a 115 kV overhead connection to the Malaga Peaker Switchyard. A typical 115 kV single circuit tubular pole diagram is presented on Figure 5.

8.1.2 Site Access and Parking

Access to the site at 2611 E North Avenue in unincorporated Fresno County is via E North Avenue which is paved and runs along the northern peaker plant property boundary (see Figure 2). The proposed BESS facilities as well as the temporary construction laydown area are all located adjacent to existing internal access roads with the overall 19-acre peaker plant property (see Figure 2). The entrance road off of E North Avenue and the internal perimeter access roads around the peaker plant facilities are all paved.

The BESS facilities would be designed to be operated remotely and limited customers or visitors are expected. Periodic inspections and maintenance activities would occur. There is ample open space for parking adjacent to both of the proposed BESS facilities and no designated parking spaces are planned or needed. Temporary construction workforce parking will occur in the temporary construction laydown area.

8.1.3 Perimeter Fencing

The perimeter of the existing peaker plant property already includes security fencing. Each of the BESS facilities will be enclosed by chain link fencing.

Project Description

Malaga Battery Energy Storage System Project

8.1.4 Control Systems

The proposed Malaga BESS Project will include metering, protection relays and communications required for the electrical interconnections and the designs will be compliant with the specific requirements of PG&E and CAISO Appendix H, “Interconnection Requirements for an Asynchronous Generating Facility”.

The BESS facilities will also include an integrated control system software platform necessary to monitor, protect, report, dispatch and control BESS plant operations. This integrated software platform will be functionally tested prior to field installation.

The BESS project will have the capability and capacity to respond to power market requirements for both load serving and ancillary services.

8.1.5 Signage and Lighting

No signage is planned for the proposed BESS project facilities with the exception of the gated front entrance to the overall 19-acre property on E North Avenue.

No outdoor lighting is required for the BESS facilities. Existing peaker plant lighting will provide adequate lighting for the BESS facilities. As needed to support a maintenance function, local lighting may be required.

8.1.6 Stormwater Facilities

According to the KRCDDP IS/MND (CEC 2004a, b), the project is located on an elevated alluvial plain situated between the San Joaquin River and Kings River systems. The San Joaquin River is located approximately 18 miles north of the project site, while the closest section of the Kings River is located about 15 miles south of the project site. No significant natural water features on or adjacent to the peaker plant project area were identified. There are man-made canals that deliver irrigation water originating from the Kings River and capture irrigation tail water. No natural surface waters were identified within a 2-mile radius of the project site, however, there are several canals and drainage ponds in the area. The only major surface waters in the project vicinity are the Central Canal and one of its diversions, the Fresno Colony Canal, which are owned and operated by the Fresno Irrigation District (“FID”). Portions of these canals are in close proximity to the Malaga Peaker Plant.

The Federal Emergency Management Agency (“FEMA”) has mapped the project area as being located outside the 100-year flood hazard zone. Only two narrow areas along the Central Canal and west of State Route 99 are considered susceptible to a 100-year flood event. These areas are within the project vicinity but are not adjacent to the proposed project site.

The proposed Malaga BESS Project would be subject to the National Pollutant Discharge Elimination System (NPDES) Permit process and would be required to obtain coverage for storm water discharges. Storm water runoff will be controlled during construction and operations by adhering to the requirements of the General Construction Permit and General Industrial Permit

Project Description

Malaga Battery Energy Storage System Project

that will be obtained from the CVRWQCB. The Construction storm water pollution prevention plan (SWPPP) identifies specific measures and Best Management Practices (“BMPs”) that will be implemented to control storm water runoff.

The proposed Malaga BESS Project will not result in any significant increase in storm water runoff. The existing site is a flat within an already developed industrial use area. The Malaga Peaker Plant power block area has a high point along the center of the site. This directs surface stormwater flows from the northern portion of the site to drain in a northerly direction to the existing retention basin. Surface stormwater flows from the southerly portion of the site where the proposed BESS equipment is located currently drains in a southeasterly direction across the railroad. The goal of the Site Grading and Drainage Plan is to control stormwater flows away for BESS equipment without damage to existing facilities in compliance with Fresno County General Plan requirements.

The existing detention basin has capacity for a 100-year, 10-day storm event. No improvements to the existing basin are necessary to provide flood control mitigation for the BESS site areas. Import of approximately 3,500 cubic yards of clean soil will be used to provide fill for elevating the BESS site areas. The BESS project site areas will use catch basins connected to an underground storm drain system to carry stormwater flows in a northerly direction to the existing detention basin. The foundations for BESS equipment will be elevated above the access roads, keeping them free from inundation during storm events. For the preliminary design, all equipment foundations are set to an elevation of 296.5 feet. This elevation places equipment foundations at an elevation of 297.5 feet. Overland releases to the detention basin will occur at an elevation of approximately 296 feet. By setting the equipment at an elevation of 297.5, the BESS site areas will be protected from inundation during a large storm event. If a storm event greater than the design event were to occur, the site would drain in a southerly direction, consistent with the existing flow direction. This would prevent BESS equipment from inundation.

Proposed project equipment areas that possess a potential for storm water contamination, will be designed with secondary containment basins to prevent contaminants from entering the storm water system. Site preparation and development in the BESS facility areas is expected to be performed in general accordance with the engineered grading and drainage plan presented in Attachment A. The final grading and drainage plan will be prepared during final design and with consideration of County comments. As currently planned, the BESS project will require minor modifications and disturbance in the southeastern portion of the existing stormwater retention basin located between the Northern Construction Laydown area and the peaker plant switchyard. The modifications will involve installation of an engineered stormwater discharge outlet into the existing detention basin for stormwater flows captured in 7 new catch basins to be installed on the eastern portion of the BESS site area (see Attachment A). Stormwater flows in the southern portion of the overall BESS site area will be captured in 10 new catch basins to be installed and connected to the existing catch basin that discharges to the southwest corner of the existing detention basin (see Attachment A). The stormwater drainage plan for the BESS areas will be integrated into the existing site stormwater drainage system and the stormwater management plan will be incorporated into the construction SWPPP. The Malaga BESS Project will also comply with Fresno Metropolitan Flood Control District requirements, as applicable.

Project Description

Malaga Battery Energy Storage System Project

8.1.7 Other Infrastructure

The proposed BESS facilities would have access to onsite electrical supply during the construction and operational phases of the project. Electrical service is provided in the project area by PG&E. In addition, the BESS facilities would store and dispatch energy obtained from the regional electrical grid.

Water service to the project site is provided by the Malaga County Water District (“MCWD”) which gets its water supply from groundwater. All customers, whether residential, commercial, or industrial within the MCWD service territory and/or served by MCWD get their supply from the MCWD system. Water usage during the first two to three months of construction for the Malaga BESS Project is estimated to average about 2,000 to 3,000 gallons per day for fugitive dust control, earthwork, and other miscellaneous needs. The BESS facilities would not use water during normal operations. Existing fire hydrants at the peaker facility would be available for use in the unlikely event of a fire.

8.1.8 Applicant Proposed Best Management Practices

The proposed BESS project facilities will be designed, constructed, operated, and maintained in accordance with existing federal, state, and local regulations for health and safety, including the 2019 California Fire Code. The applicant will select batteries or BESS from experienced providers that comply with the application-specific codes, standards, and regulations for the siting, construction, and operation of lithium-ion (or similar) stationary BESS. The configuration of the safety system will be determined based on site-specific environmental factors and associated fire response strategy. The BESS facilities will contain a safety system that would be triggered automatically when the system senses imminent fire danger. The fire safety and suppression system inside each battery enclosure will shut down the unit if any hazard indicators are detected. If the safety system detects a potential issue as detected by the smoke and temperature sensors, the batteries will be automatically deenergized by opening the electrical contacts, the HVAC units and fans will automatically shut off, and an aerosol extinguishing agent will be released inside the enclosure. Depending on fire water availability, a sprinkler system within the container will be activated. The enclosure wall is designed to contain the fire. Fire responders are trained to monitor fire from a safe distance using infrared cameras until temperature of the affected enclosure cools to a safe temperature.

The Emergency Response Plan will be developed and used to train local emergency response personnel during development and operations of the BESS facilities. The plan will be completed in accordance with existing state regulations (Health and Safety Code [HSC] § 25504(b); 19 California Code of Regulations [CCR] §2731; 22 CCR §66262.34(a)(4)). The contents of the Emergency Response Plan would comply with existing state regulations and include the following components and involve training for the local fire responders:

- Developed in consultation with Fire Department and BESS Supplier(s)
- Defined roles and responsibilities
- Potential emergency scenarios, including fire

Project Description

Malaga Battery Energy Storage System Project

- On-site training of fire personnel and on-site Project staff
- Training for local first responders

The Malaga BESS Project will comply with Fresno County Fire Protection District requirements, as applicable.

In addition to compliance with applicable health and safety code requirements, the proposed BESS project will be designed, constructed, and operated to comply with applicable environmental regulations including those related to air quality emissions, noise, water quality, biological resources, cultural resources, and transportation, as identified.

8.2 Construction

Site grading would occur on the BESS site areas to achieve the required surface conditions. The BESS site areas, including the proposed battery storage enclosure areas, switchyard, electrical interconnection route, and laydown area are all previously graded and flat. In order to prepare the site to drain properly and protect the BESS facilities, approximately 3,500 cubic yards of clean fill material will be imported via trucks and placed in the BESS area to elevate the pad areas above the flood inundation level. Any excess cut material associated with site preparation will be used and balanced onsite. No export of materials would be necessary. Spill containment areas with appropriate liners may be installed in the Northern Construction Laydown area if onsite construction equipment fueling is planned.

It is currently anticipated that the BESS facilities would be placed on concrete mat foundations. Site preparation is anticipated to include soil stripping and scarifying to an average depth of 2 feet, soil moisture conditioning and recompaction in multiple layers. Up to 3,500 yards of imported soil material will be placed and compacted in multiple layers to support the BESS facility and switchyard foundations. Additional site-specific geotechnical investigations will be performed to confirm or modify the foundation requirements for the BESS project components. In addition, approximately stormwater catch basins and subsurface stormwater conveyance pipelines will be installed. The maximum cut and fill/earthwork quantity is estimated to be 18,340 cubic yards as follows:

- Site preparation/soil stripping, scarifying, replacement, and compaction for BESS area, including BESS Switchyard (4.5 acres), approximately 13,900 cubic yards
- Addition of imported soil to BESS equipment pad areas, approximately 3,500 cubic yards
- Stormwater catch basins and conveyance pipeline trenches, approximately 750 cubic yards
- 115 kV Line from BESS Switchyard to Peaker Switchyard (underground option), approximately 190 cubic yards
- Total cubic yards of cut and fill/earthwork, approximately 18,340 cubic yards

Construction vehicles would access the BESS project sites from the Malaga Peaker Plant entrance at 2611 E North Avenue at the northwest corner of the overall site boundary and then via the existing internal access roads with the Malaga Peaker Plant property (see Figure 2). It is expected that construction worker parking and temporary equipment and materials laydown will occur in

Project Description

Malaga Battery Energy Storage System Project

the onsite Northern Laydown Area (see Figure 2). E North Avenue can be readily accessed from Highways 99 and 41 to the west as well as from the east (e.g., via Chestnut Avenue).

Waste disposal would occur in a permitted off-site facility. Domestic water for use by construction employees would be provided by the construction contractor through deliveries to the site. The applicant anticipates that construction would occur during a period of approximately 9 months followed by an approximately 3-month long testing and commissioning period prior to commercial operation.

The onsite construction workforce would consist of laborers, craftspeople, supervisory personnel, and support personnel. The onsite assembly and construction workforce is expected to reach a peak of approximately 70-80 workers; the average number of workers onsite is anticipated to be approximately 50-55. It is anticipated that the majority of construction workers would commute to the site from nearby communities in the general Fresno area. Construction would occur primarily during daylight hours. Workers would reach the site using existing roads. Project construction would consist of two major stages. The first stage would include site preparation, grading, and preparing staging areas and on-site access routes, and the second stage would involve assembling and installing the battery enclosures, switchyard, and onsite electrical interconnection facilities.

During construction, a variety of equipment and vehicles would operate on the BESS project sites. Construction equipment to be utilized would be expected to include graders and excavators, backhoes, water trucks, sheep's foot compactors, front end loaders, concrete trucks, dump trucks, trash trucks, and flatbed trailers. Cranes, man-lifts, portable welding units, portable air compressors, line trucks, and mechanic trucks will also be required. All equipment and vehicles would comply with the noise requirements of the Fresno County Noise Control Ordinance (Fresno County Code 8.40). In addition, the project will utilize construction equipment with Tier 4, CARB certified off-road diesel engines. Construction hours would be limited to 6 a.m. to 9 p.m., Monday through Friday, and 7 a.m. to 5 p.m., Saturday and Sunday (consistent with the Fresno County Noise Ordinance).

Construction deliveries of material and equipment are estimated to peak at approximately 15 truck trips per day for 10 to 12 weeks and average about 5 truck trips per day for an additional 3 to 6 months. Deliveries during the startup and testing phase would be minimal.

Water for dust control and other construction needs is estimated at 2,000 - 3,000 gallons per day for the first 2 to 3 months and would be provided via the existing Malaga Peaker Plant supply from the Malaga County Water District or be trucked to the site.

8.3 Operations and Maintenance

Once constructed, the BESS project would operate seven days per week and 365 days per year. The BESS facilities would be designed to be operated remotely and limited customers or visitors are expected. Periodic inspections and maintenance activities would occur. No permanent onsite staff are anticipated. Security would be maintained through installation of chain-link fencing in

Project Description

Malaga Battery Energy Storage System Project

addition to the existing security fencing that surrounds the overall Malaga Peaking Plant property. The BESS project facilities would also be protected by the existing security measures at the Malaga Peaker Plant.

Operation and maintenance of the Project would generate minimal noise, primarily from fans used to cool electrical equipment and transformers. The BESS project facilities will be designed to comply with applicable County noise standards. Only occasional, on-site maintenance is expected to be required following commissioning. Operations and maintenance activities would require several workers performing visual inspections, monitoring BESS performance, executing minor repairs, and responding to needs for BESS adjustment.

It is anticipated that battery module augmentation via installation of additional battery enclosures will be required to make up for decreased battery performance over time. The frequency and extent of such augmentations over the life for the BESS project is currently estimated to occur every 4 to 5 years. The expected infrequent maintenance activities would generate little traffic during operations. The areas surrounding the inverters and switchgear would be graveled and would have adequate space for parking several vehicles. Operations and maintenance vehicles would include light duty trucks (e.g., pickup, flatbed) and other light equipment and hand tools for maintenance. Heavy equipment would not be utilized during normal operation. Large or heavy equipment may be brought to the facility infrequently for equipment repair or battery replacement.

Sanitary disposal needs for operations would be provided through the existing Malaga Peaker Plant's facilities which are connected to the Malaga County Water Agency sanitary system. Other wastes from equipment replacement or other work would be removed from the site at the end of the day, or as needed. As applicable, spent batteries removed during infrequent battery module augmentation events would be handled and transported as Universal Waste prior to offsite recycling. As applicable over time, combustible vegetation on and around the BESS project boundaries would be actively managed by the applicable BESS project owner or its affiliates to minimize fire risk. Additionally, the BESS project would comply with all applicable County fire standards.

8.4 Decommissioning

The proposed Malaga BESS Project is currently anticipated to be capable of operating for 40 years or more with required maintenance and periodic augmentation. If operations at any one of the BESS project components is terminated, the facility would be decommissioned. Many of the parts of the proposed BESS systems are recyclable including a substantial percentage of the battery and other electrical components. Metal, scrap equipment, and parts that do not have free-flowing oil can be sent for salvage. Equipment containing any free-flowing oil such as oil filled transformers, as applicable, would be managed as waste and would require evaluation. Oil and lubricants removed from equipment would be managed as used oil. Decommissioning would comply with federal, state, county and other local standards and all regulations that exist when the project is decommissioned in the future.

Project Description

Malaga Battery Energy Storage System Project

9.0 Permits

The proposed Malaga BESS Project is anticipated to require the following permits, approvals, and/or consultations prior to construction:

- Fresno County: Unclassified Conditional Use Permit, including CEQA compliance and Planning Commission approval
- Central Valley Regional Water Quality Control Board: General Permit for Discharges of Stormwater Associated with Construction Activity, Construction General Permit Order 2009-0009-DWQ
- San Joaquin Valley Air Pollution Control District: comply with regulations and consult during CEQA process
- California Department of Fish and Wildlife: comply with regulations and consult during the CEQA process
- Fresno County Fire Protection District: comply with regulations and consult during the UCUP and CEQA processes
- Fresno Metropolitan Flood Control District: comply with regulations and consult during the UCUP and CEQA processes

In addition, the proposed Malaga BESS Project will require ministerial building permits, grading permits, and oversize load permits prior to or during construction of the project.

10.0 References

California Energy Commission (CEC). 2004a. Initial Study, Kings River Conservation District Peaking Plant, Staff Report. March.

_____. 2004b. Kings River Conservation District Peaking Plant, 03-SPPE-2, Fresno County. Proposed Small Power Plant Exemption and Notice of Intent to Adopt a Mitigated Negative Declaration. April.

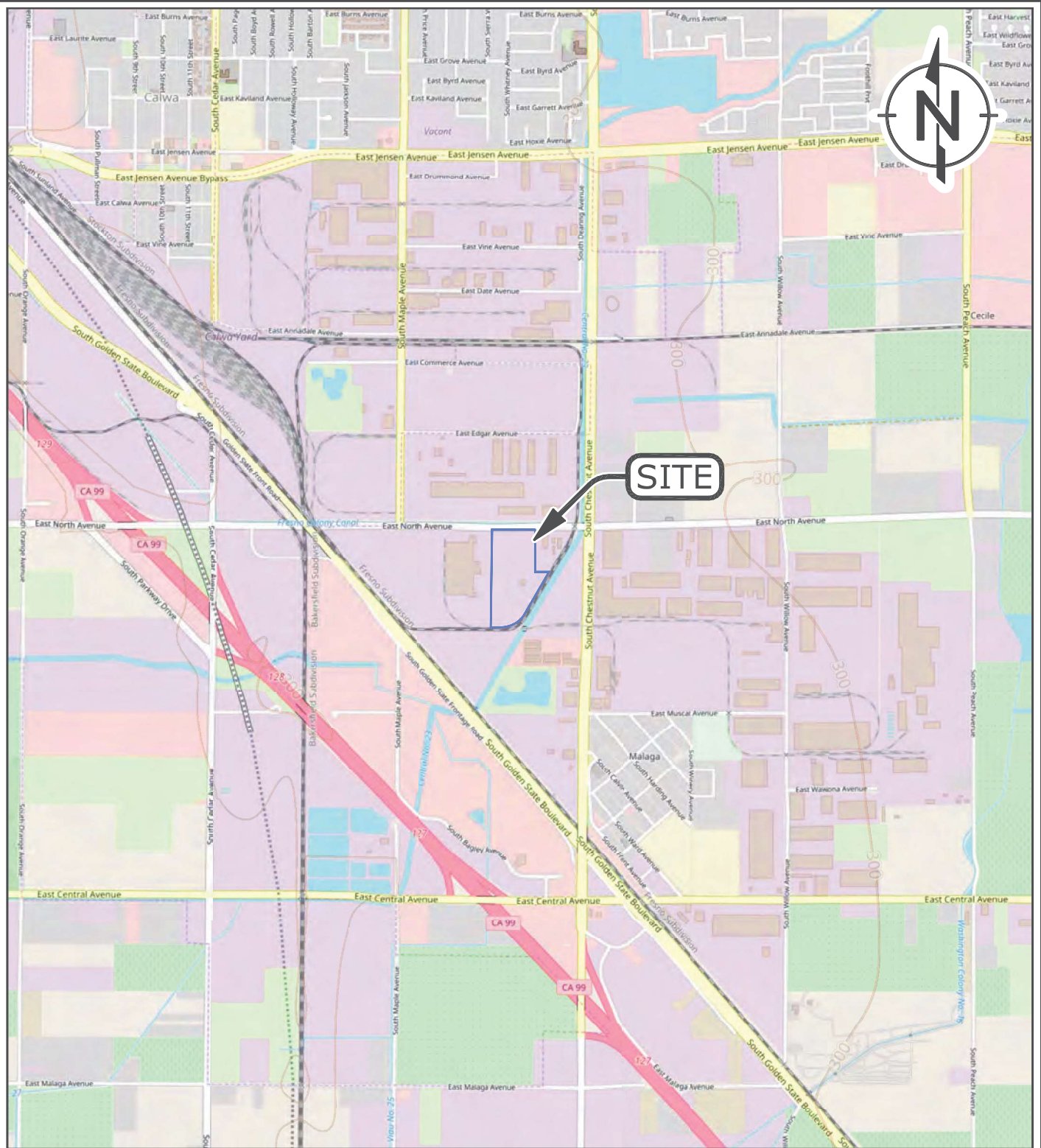
Kings River Conservation District Peaking Plant. 2003. Application for Small Power Plant Exemption. November.

Ramboll US Corporation. 2019. Phase I Environmental Site Assessment, Malaga Power, LLC, 2611 East North Avenue, Fresno, California. July.

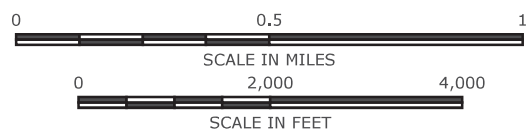
Figures

The following figures are attached:

- Figure 1. Site Location Map
- Figure 2. Site Plan
- Figure 3. Example Battery Energy Storage System Enclosure Cutaway
- Figure 4. Typical Switchyard for 115 kV Connection
- Figure 5. Typical Single Circuit Tubular 115 kV Pole
- Figure 6. Battery Enclosure Foundation Floor Plan & Elevation



LEGEND:
 PROPERTY BOUNDARY (APPROXIMATE)



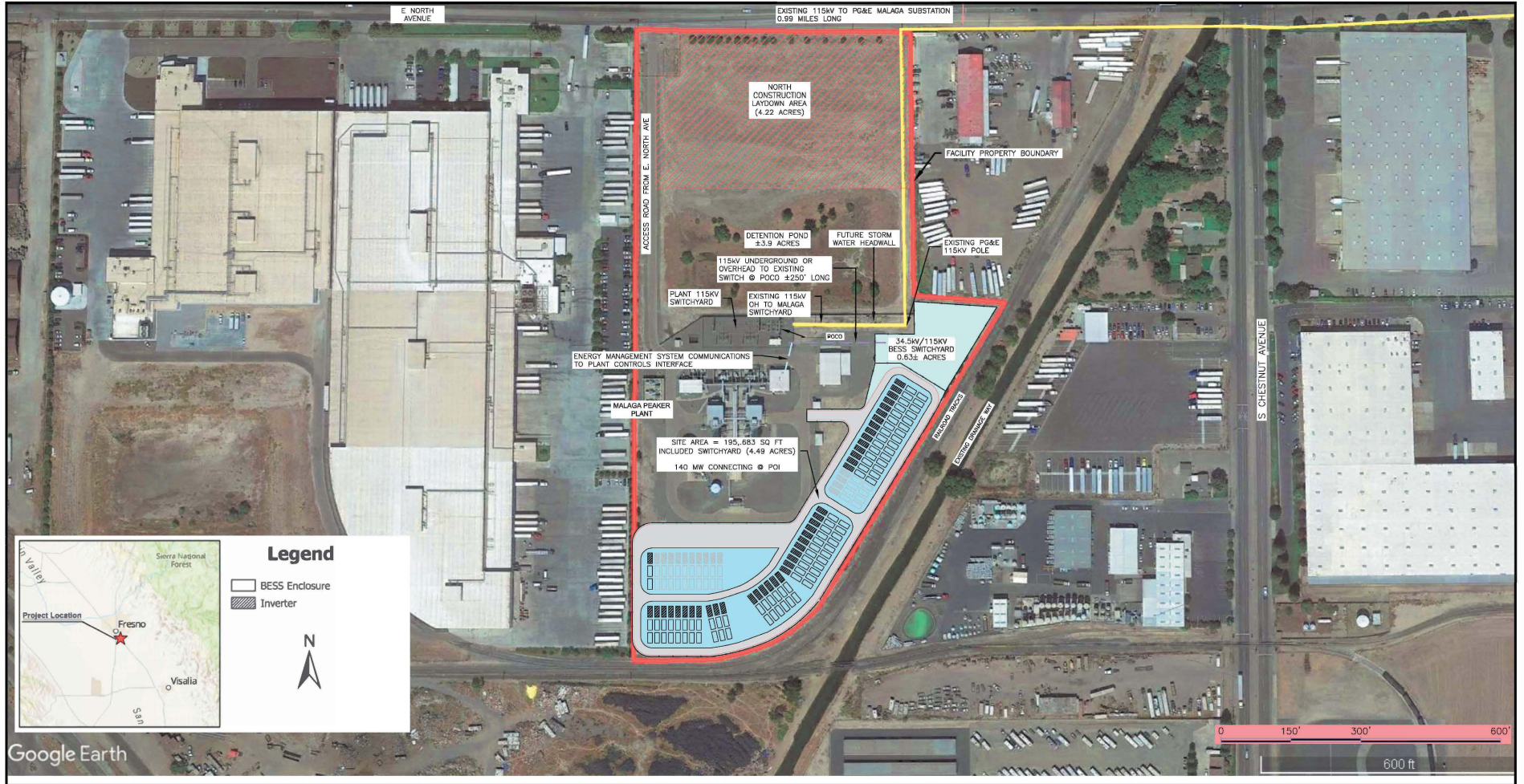
SOURCE:
 OpenStreetMap: © OpenStreetMap (and) contributors, CC-BY-SA
 USGS National Map - Contours: USGS The National Map: 3D Elevation Program. Data Refreshed April, 2018.
www.openstreetmap.org/key
 Map Scale 1:24,000. Spatial Reference: NAD 1983 2011 StatePlane California IV FIPS 0404 Ft Us; Map Center: 119°44'23"W 36°41'25"N

Key Map

<p>Malaga BESS LLC</p>	<p>SITE LOCATION MAP MALAGA POWER 2611 EAST NORTH AVENUE FRESNO, CA</p>	<p>FIGURE 1</p>
------------------------	---	------------------------------------

NOTE:

1. PRELIMINARY SPACING BETWEEN ADJACENT BATTERY AND INVERTER ENCLOSURES IS 5' SIDE TO SIDE AND 5' BACK TO BACK
2. LAYOUT INCLUDES INITIAL OVERBUILD @ 25% FOR 350,338KWH.



Project Location

Legend

- BESS Enclosure
- Inverter

Figure 2

MALAGA POWER PLANT
2611 EAST NORTH AVENUE
FRESNO, CA 93725

THIS DRAWING WAS PREPARED BY PATCH SERVICES FOR A SPECIFIC PROJECT. TAKING INTO CONSIDERATION THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT, REUSE OF THIS DRAWING OR ANY INFORMATION CONTAINED IN THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH PATCH SERVICES AND PRECH'S CLIENT IS OBTAINED.		18-21-2020	REVISED SITE PLAN	DM	CIP				
18-17-2022	PRELIMINARY	DM	CIP						
REV	DATE	DESCRIPTION	DRAWN BY	CHECKED BY	ENGR	PROJECT	DATE	APPROV BY	

PATCH SERVICES

CALIFORNIA * ENGINEERING * TEXAS

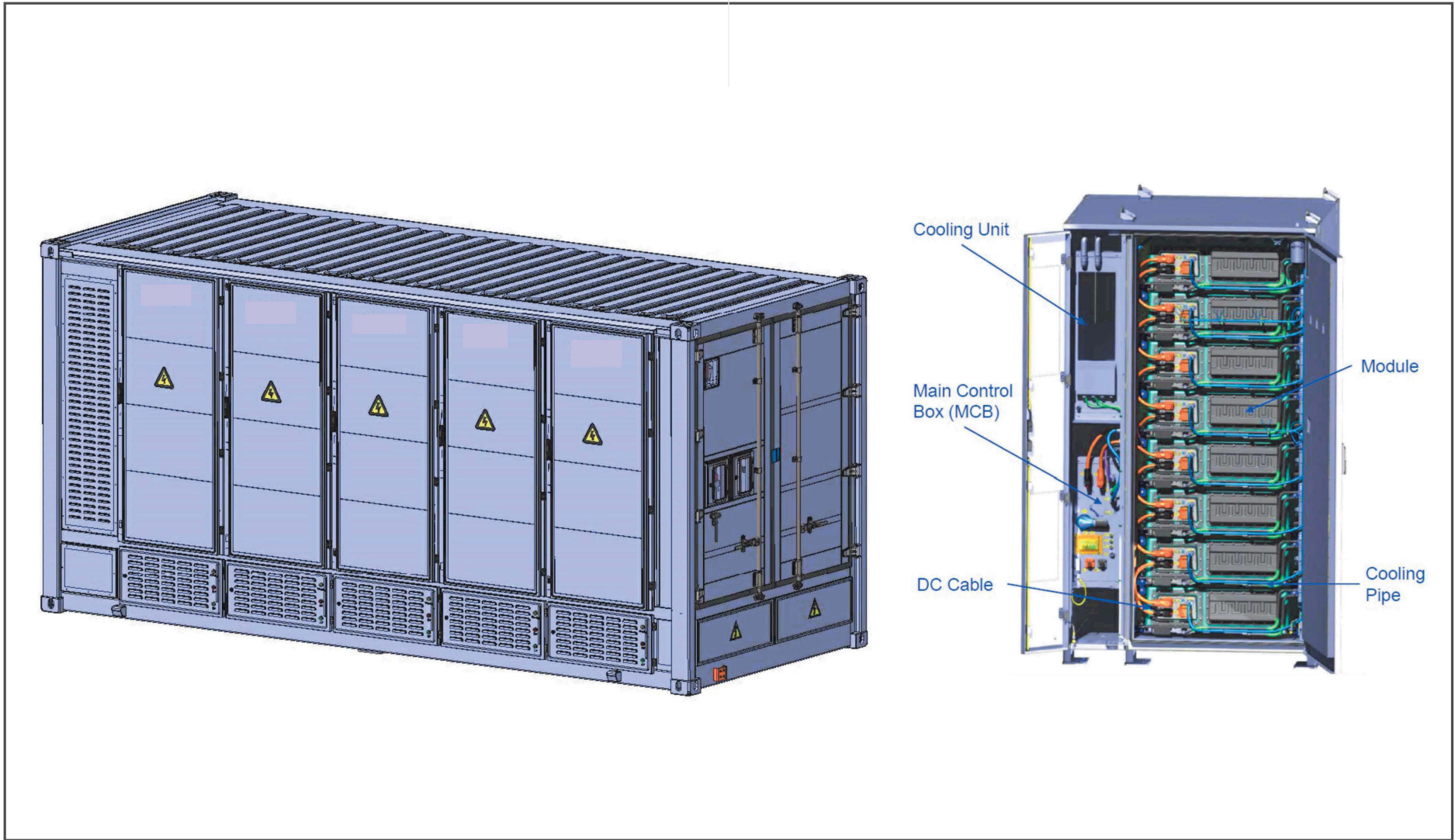
333 SUNSET AVE.
SUITE 210
SUNSHINE CITY, CA 94505
PHONE: 707-425-4849
FAX: 707-425-4553

21175 TOMBALL PARKWAY
SUITE #308
HOUSTON, TX 77070
PHONE: 281-339-1466
FAX: 832-698-2835

MALAGA BESS LLC

MALAGA BESS
NOMINAL 140MW
SITE PLAN

SCALE:	AS SHOWN
JOB NO:	2020
DATE:	08-21-2022
DRAWN BY:	DM
CHECKED BY:	CIP
DRAWING NUMBER	SHEET NUMBER
D-2020-2750	



MALAGA POWER PLANT
 2611 EAST NORTH AVENUE
 FRESNO, CA 93725

THIS DRAWING WAS PREPARED BY PATCH SERVICES FOR A SPECIFIC PROJECT, TAKING INTO CONSIDERATION THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING OR ANY INFORMATION CONTAINED IN THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH PATCH SERVICES AND PATCH'S CLIENT IS GRANTED.		△								
△										
△										
△										
△	06-20-2022	REVISED			CM	CP				
△	02-04-2021	PRELIMINARY			CM	CP				
REV	DATE	DESCRIPTION	DRAWN	CHKD BY	ENGR	PROJECT ENGR	APPVED BY			

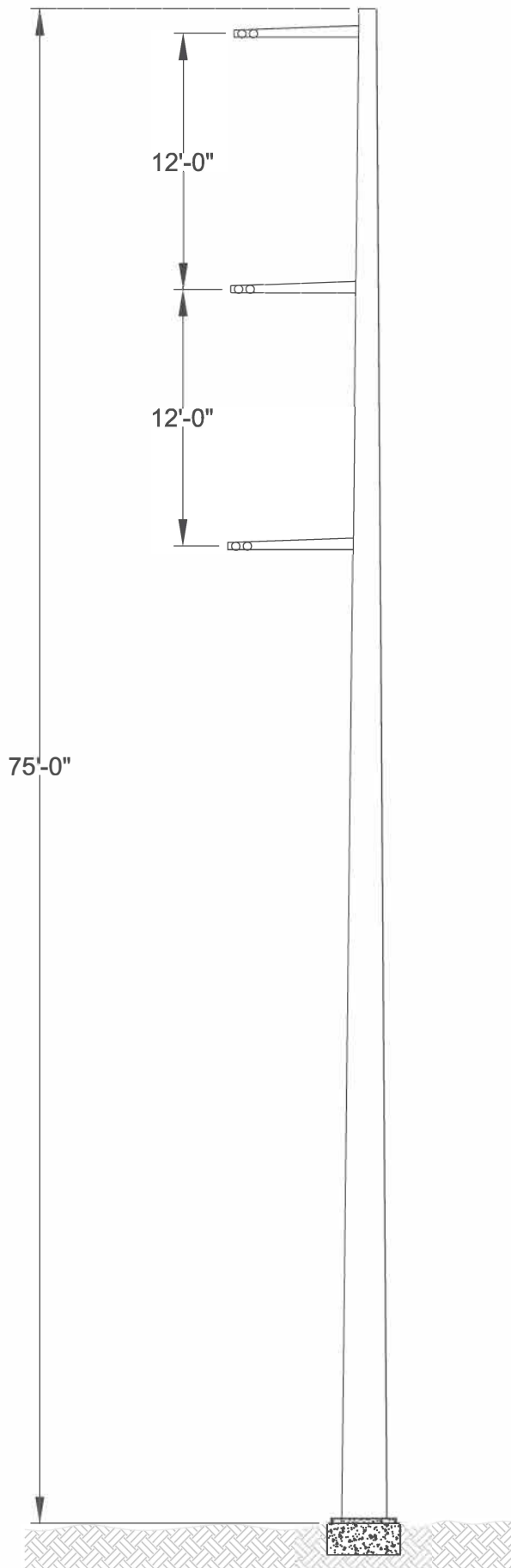
PATCH SERVICES
 • ENGINEERING •

CALIFORNIA	SUITE: 210	TEXAS
333 SUNSET AVE.	21175 TOMBALL PARKWAY	
SUSUN CITY, CA 94585	SUITE: #308	
PHONE: 707-425-4949	HOUSTON, TX 77070	
FAX: 707-425-4533	PHONE: 281-330-1466	
	FAX: 832-698-2830	

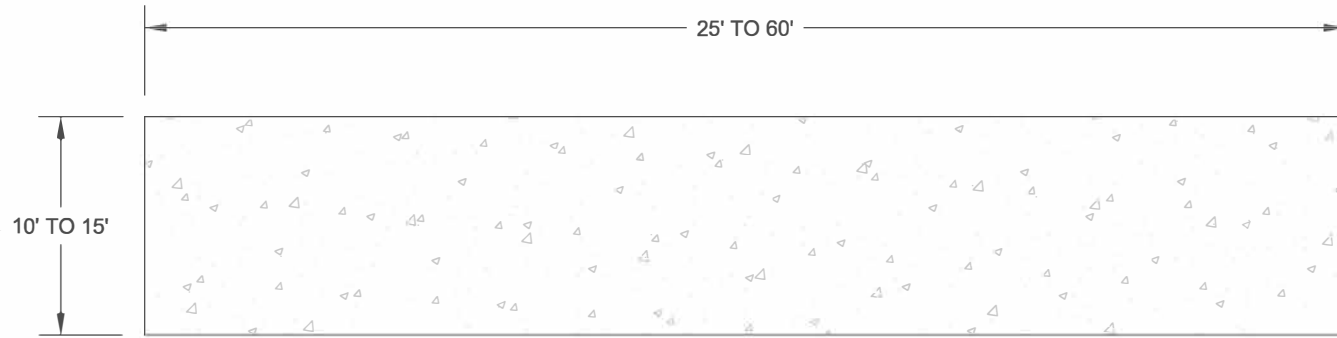
MALAGA BESS LLC

FIGURE 3
 MALAGA BESS
 TYPICAL BATTERY ENERGY STORAGE SYSTEM ENCLOSURE CUTAWAY

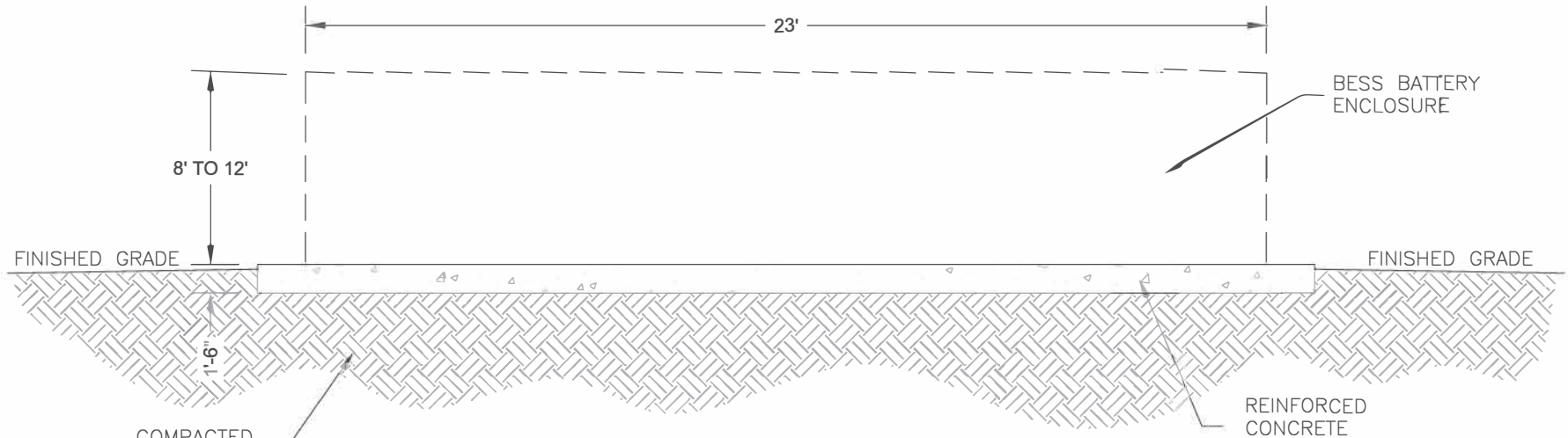
SCALE:		
JOB NO:	2620	
DATE:	02-04-2021	
DRAWN BY:	CM	
CHECKED BY:	CP	
DRAWING NUMBER	SHEET NUMBER	REV
D-2620-2011		△



MALAGA BESS LLC			
FIGURE 5 TYPICAL SINGLE CIRCUIT TUBULAR 115 KV POLE			
CALIFORNIA		TEXAS	
333 SUNSET AVE. SUITE 210 SUSUN CITY, CA 94685 PHONE: 707-425-4848 FAX: 707-425-4653		21175 TOWERHILL PARKWAY SUITE 4308 HOUSTON, TX 77070 PHONE: 281-330-1488 FAX: 632-698-2835	
SCALE: NONE		DRAWING NO. SHEETS	
JOB NO: 2620		D-2620--2010	
			REV B



PLAN VIEW
BATTERY ENERGY STORAGE SYSTEM ENCLOSURE FOUNDATION



SECTION A-A
BATTERY ENERGY STORAGE SYSTEM ENCLOSURE FOUNDATION
ELEVATION VIEW

THIS DRAWING WAS PREPARED BY PATCH SERVICES FOR A SPECIFIC PROJECT, TAKING INTO CONSIDERATION THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING OR ANY INFORMATION CONTAINED IN THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM PATCH SERVICES AND PATCH'S CLIENT IS OBTAINED.

REV	DATE	DESCRIPTION	DESIGNED BY	CHECKED BY	PROJECT NO.	APPROVED BY
01	02-05-2021	PRELIMINARY	CM	CM		
02	04-22-2022	REVISED	CM	CM		

PATCH SERVICES
 * ENGINEERING *
 CALIFORNIA TEXAS

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

MALAGA BESS LLC

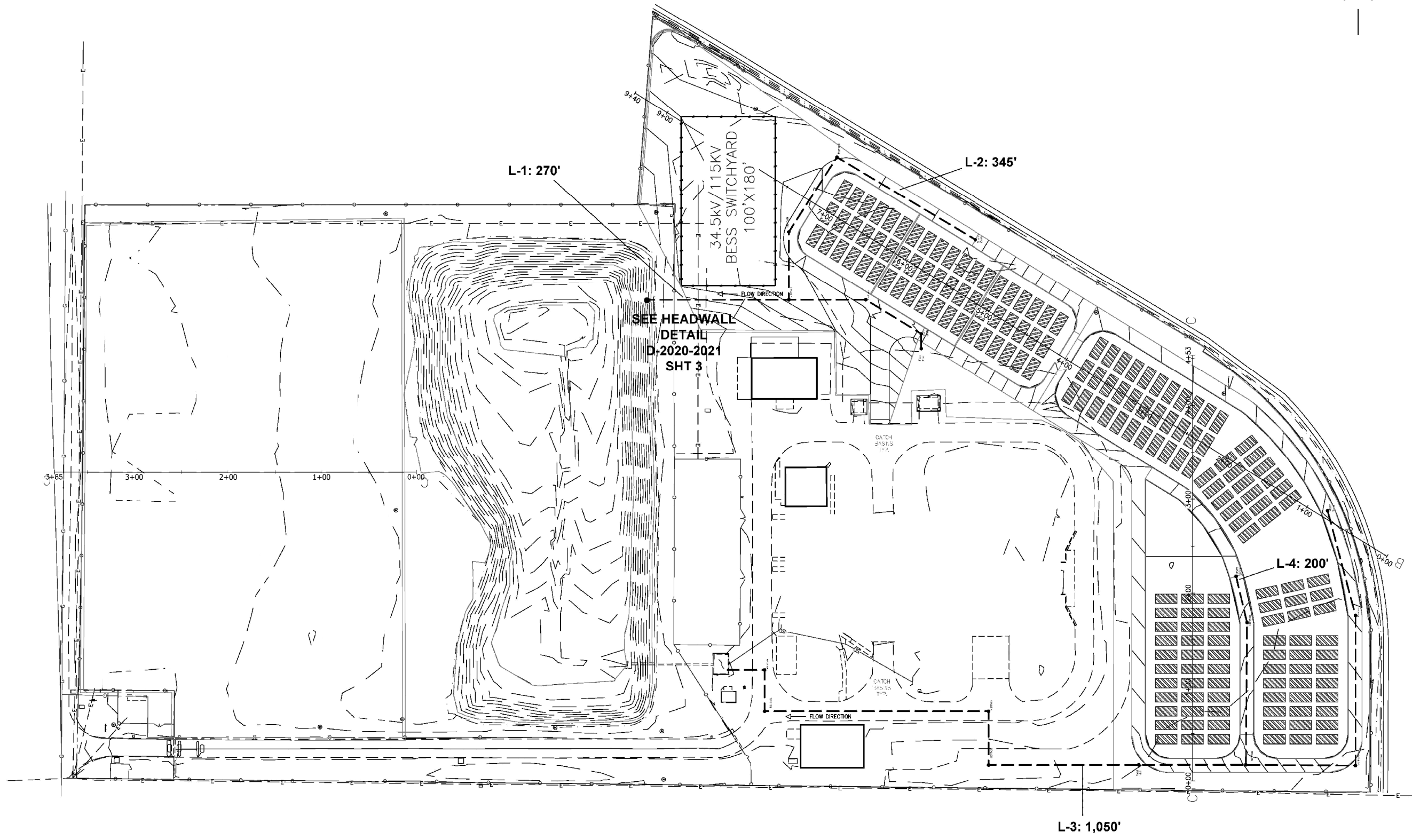
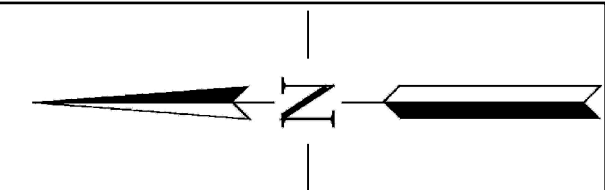
FIGURE 6
MALAGA BESS
BATTERY ENCLOSURE FOUNDATION
FLOOR PLAN & ELEVATION

SCALE:	NTS
JOB NO:	3820
DATE:	02-05-2021
DRAWN BY:	CM
CHECKED BY:	CM
DRAWING NUMBER	SHEET NUMBER
D-2020-2012	A

Attachment A

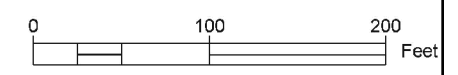
Preliminary Grading and Drainage Plan

The attached preliminary grading and drainage plan has been developed to support environmental permitting for the Malaga BESS Project and will be refined during final design prior to construction.



MALAGA POWER PLANT
 2611 EAST NORTH AVENUE
 FRESNO, CA 93725

PRELIMINARY FOR REVIEW ONLY



THIS DRAWING WAS PREPARED BY PATCH SERVICES FOR A SPECIFIC PROJECT, TAKING INTO CONSIDERATION THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING OR ANY INFORMATION CONTAINED IN THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH PATCH SERVICES AND PATCH'S CLIENT IS GRANTED.							
REV	DATE	DESCRIPTION	DRAWN BY	CHK BY	ENGR	PROJECT ENGR	APPRD BY
▲	8/17/2022	Preliminary Issue					
▲	8/04/2022	Preliminary Issue					

PATCH SERVICES
 * ENGINEERING *

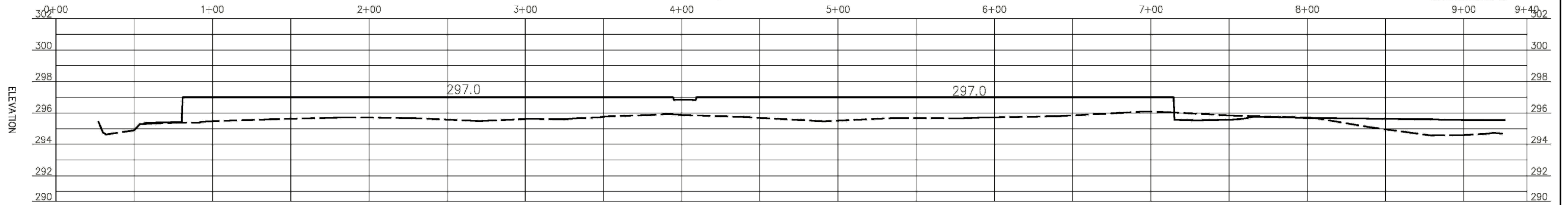
CALIFORNIA	TEXAS
333 SUNSET AVE. SUITE: 150 SUISUN CITY, CA 94585 PHONE: 707-425-4949 FAX: 707-425-4553	1701 NORTH GREENVILLE AVE. SUITE: 800 RICHARDSON, TX 75081 PHONE: 972-231-4060 FAX: 972-231-4059

MALAGA BESS LLC

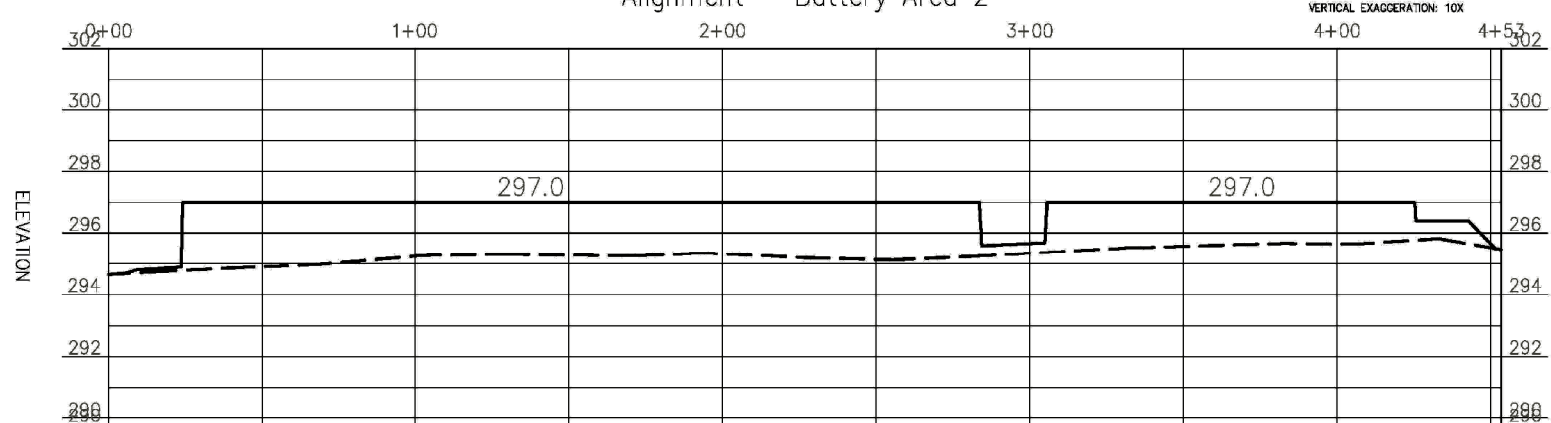
MALAGA BESS
 GRADING AND DRAINAGE PLAN

SCALE:		
JOB NO:		
DATE:		
DRAWN BY:		
CHECKED BY:		
DRAWING NUMBER	SHEET NUMBER	REV
D-3122-2801	1 OF 5	▲

Alignment – Battery Area 1



Alignment – Battery Area 2



THIS DRAWING WAS PREPARED BY PATCH SERVICES FOR A SPECIFIC PROJECT, TAKING INTO CONSIDERATION THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING OR ANY INFORMATION CONTAINED IN THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH PATCH SERVICES AND PATCH'S CLIENT IS GRANTED.

REV	DATE	DESCRIPTION	DRAWN BY	CHECKED BY	ENGR	PROJECT ENG'N	APPROD BY
1	8/17/2022	Preliminary Issue					

PATCH SERVICES
* ENGINEERING *

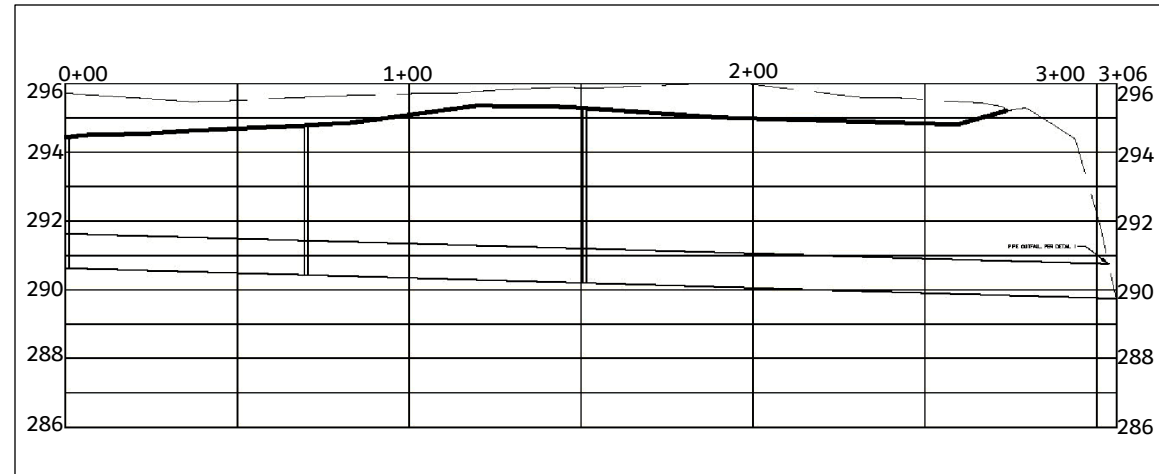
CALIFORNIA 333 SUNSET AVE. SUITE: 150 SUISUN CITY, CA 94585 PHONE: 707-425-4949 FAX: 707-425-4553		TEXAS 1701 NORTH GREENVILLE AVE. SUITE: 800 RICHARDSON, TX 75081 PHONE: 972-231-4060 FAX: 972-231-4059
--	---	---

MALAGA BESS LLC

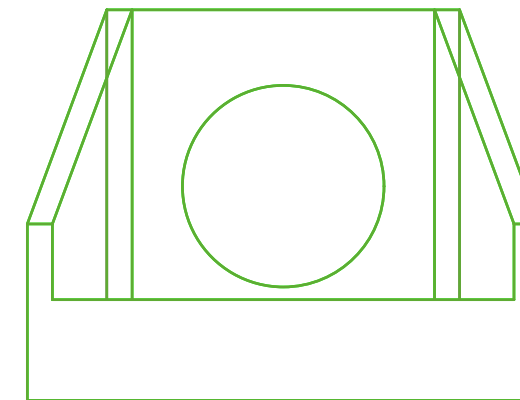
MALAGA BESS
EQUIPMENT AREA GRADING PLAN

SCALE:		
JOB NO:		
DATE:		
DRAWN BY:		
CHECKED BY:		
DRAWING NUMBER	SHEET NUMBER	REV
D-3122-2801	2 OF 5	A

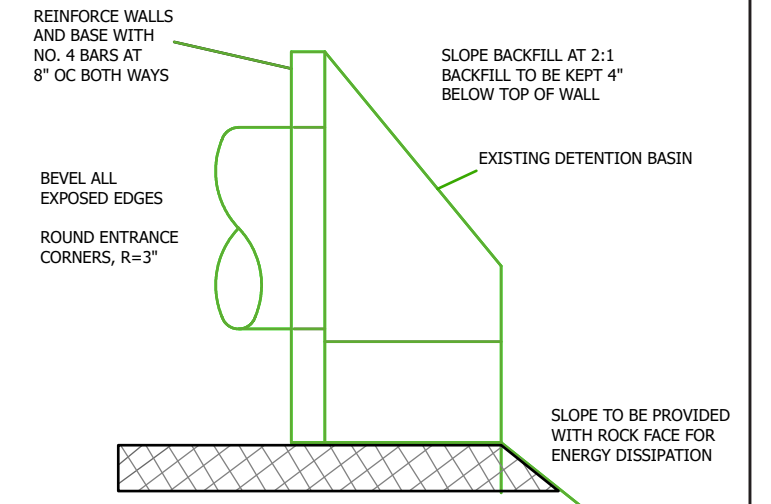
L1 STORM DRAIN PROFILE



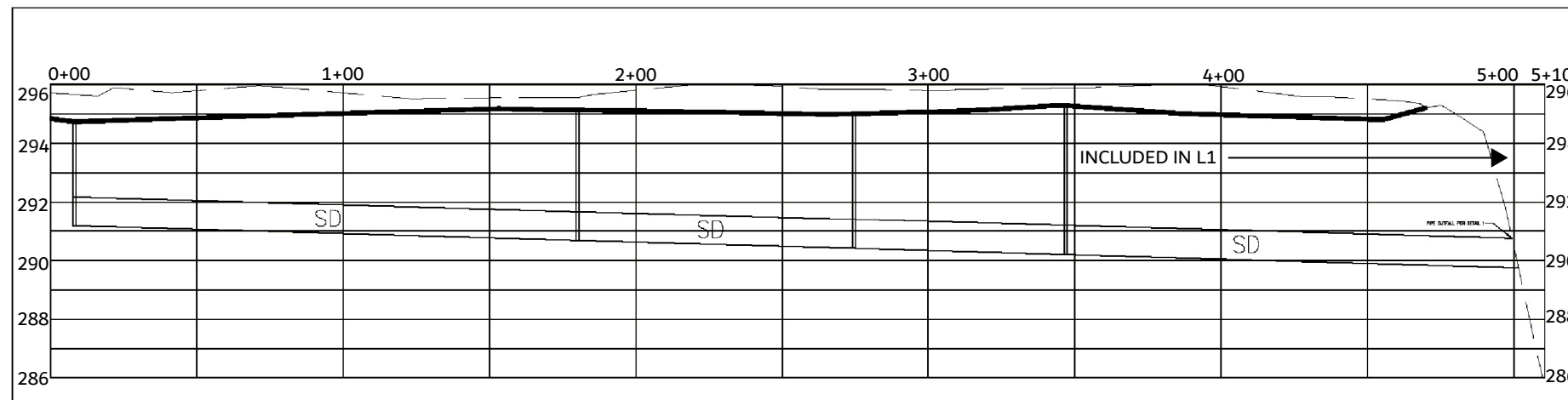
Headwall at Detention Basin



WHERE USED AS INLET STRUCTURE
INVERT OF STRUCTURE SHALL
MATCH INVERT AT PIPE



L2 STORM DRAIN PROFILE



THIS DRAWING WAS PREPARED BY PATCH SERVICES FOR A SPECIFIC PROJECT, TAKING INTO CONSIDERATION THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING OR ANY INFORMATION CONTAINED IN THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH PATCH SERVICES AND PATCH'S CLIENT IS GRANTED.

REV	DATE	DESCRIPTION	DRAWN BY	CHK BY	ENGR	PROJECT ENG'N	APPRD BY
1	8/17/2022	Preliminary Issue					

PATCH SERVICES
* ENGINEERING *

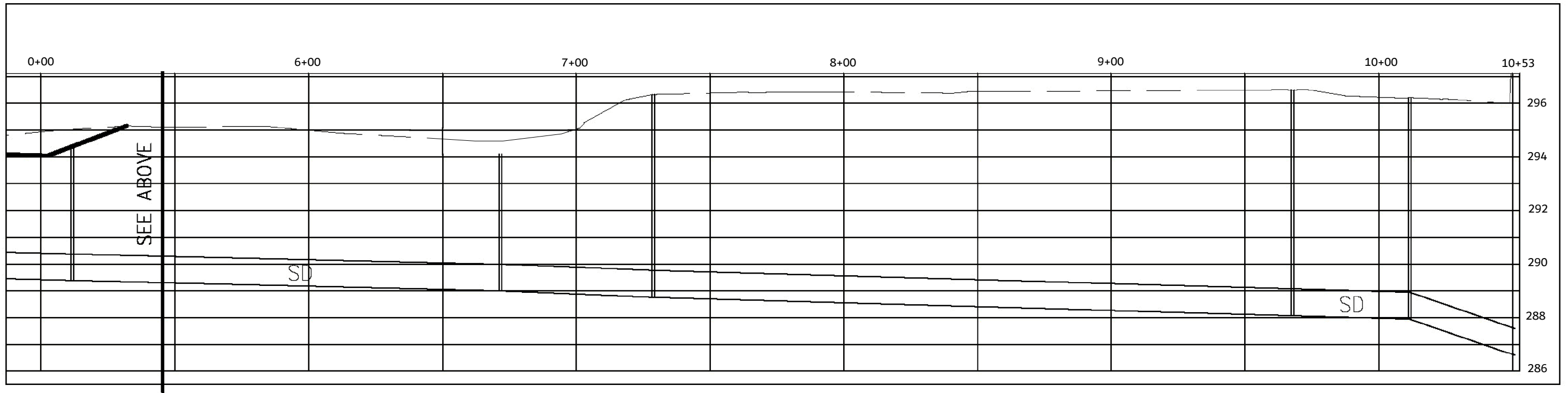
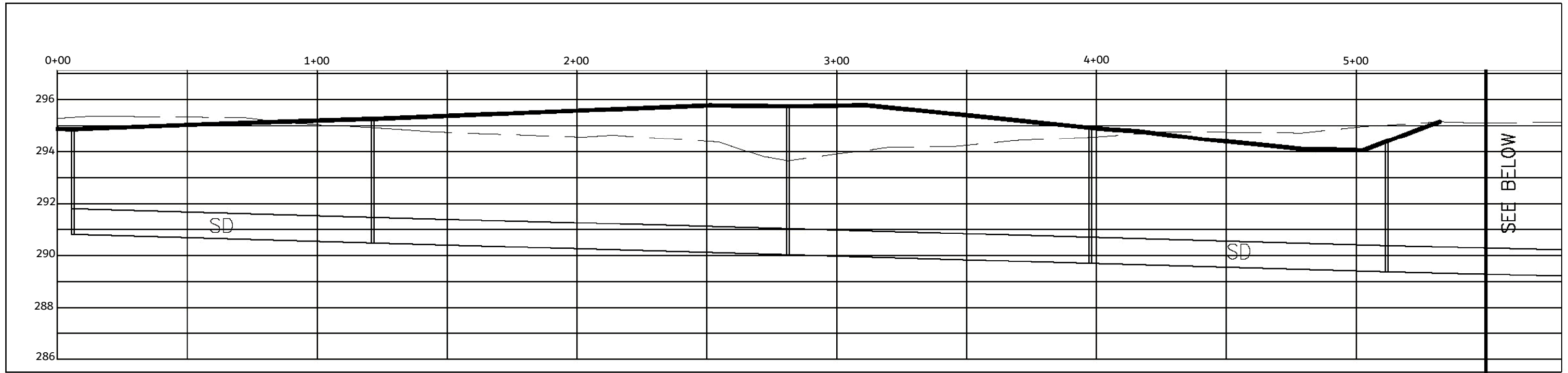
CALIFORNIA	TEXAS
333 SUNSET AVE. SUITE: 150 SUISUN CITY, CA 94585 PHONE: 707-425-4949 FAX: 707-425-4553	1701 NORTH GREENVILLE AVE. SUITE: 800 RICHARDSON, TX 75081 PHONE: 972-231-4060 FAX: 972-231-4059

MALAGA BESS LLC

MALAGA BESS
L1 & L2 STORM DRAIN PROFILE AND HEADWALL

SCALE:	
JOB NO:	
DATE:	
DRAWN BY:	
CHECKED BY:	
DRAWING NUMBER	SHEET NUMBER
D-3122-2801	3 OF 5

L3 STORM DRAIN PROFILE




THIS DRAWING WAS PREPARED BY PATCH SERVICES FOR A SPECIFIC PROJECT, TAKING INTO CONSIDERATION THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING OR ANY INFORMATION CONTAINED IN THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH PATCH SERVICES AND PATCH'S CLIENT IS GRANTED.

▲	
▲	
▲	
▲	
▲	

REV	DATE	DESCRIPTION	DRAWN BY	CHEK BY	ENGR	PROJECT ENGR	APPRD BY
1	8/17/2022	Preliminary Issue					

PATCH SERVICES
 * ENGINEERING *

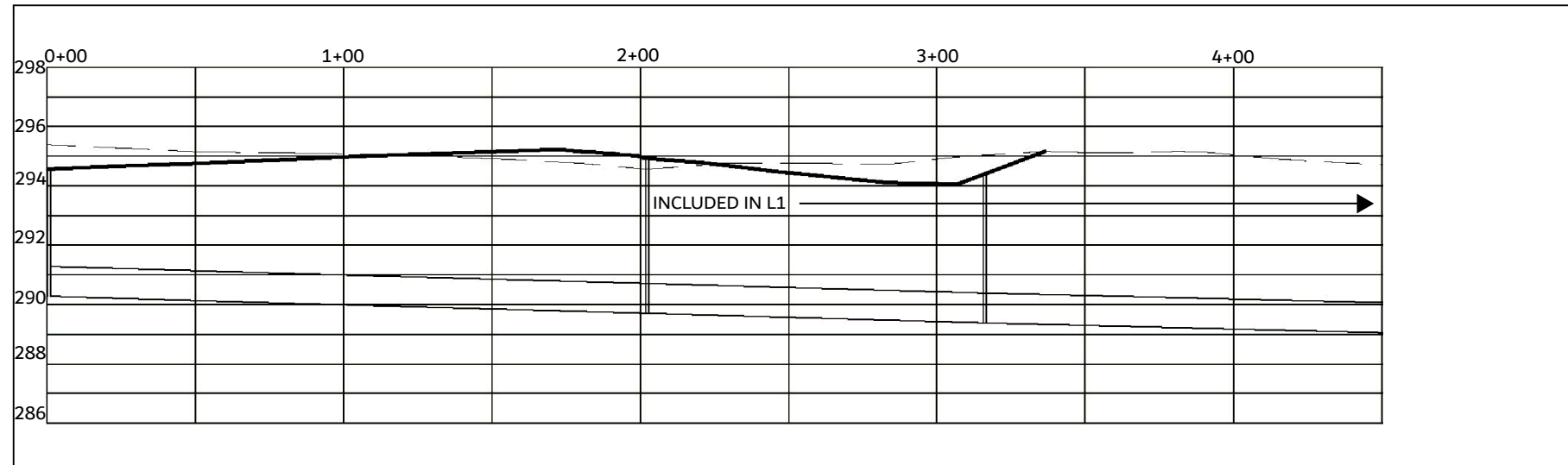
CALIFORNIA 333 SUNSET AVE. SUITE: 150 SUISUN CITY, CA 94585 PHONE: 707-425-4949 FAX: 707-425-4553		TEXAS 1701 NORTH GREENVILLE AVE. SUITE: 800 RICHARDSON, TX 75081 PHONE: 972-231-4060 FAX: 972-231-4059
--	---	---

MALAGA BESS LLC

MALAGA BESS
L3 STORM DRAIN PROFILE

SCALE:		
JOB NO:		
DATE:		
DRAWN BY:		
CHECKED BY:		
DRAWING NUMBER	SHEET NUMBER	REV
D-3122-2801	4 OF 5	▲

L4 STORM DRAIN PROFILE



THIS DRAWING WAS PREPARED BY PATCH SERVICES FOR A SPECIFIC PROJECT, TAKING INTO CONSIDERATION THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING OR ANY INFORMATION CONTAINED IN THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH PATCH SERVICES AND PATCH'S CLIENT IS GRANTED.


REV	DATE	DESCRIPTION	DRAWN BY	CHK BY	ENGR	PROJECT ENG'N	APPRD BY
1	8/17/2022	Preliminary Issue					

PATCH SERVICES
* ENGINEERING *

CALIFORNIA 333 SUNSET AVE. SUITE: 150 SUISUN CITY, CA 94585 PHONE: 707-425-4949 FAX: 707-425-4553		TEXAS 1701 NORTH GREENVILLE AVE. SUITE: 800 RICHARDSON, TX 75081 PHONE: 972-231-4060 FAX: 972-231-4059
--	---	---

MALAGA BESS LLC

MALAGA BESS
L4 STORM DRAIN PROFILE

SCALE:		
JOB NO:		
DATE:		
DRAWN BY:		
CHECKED BY:		
DRAWING NUMBER	SHEET NUMBER	REV
D-3122-2801	5 OF 5	



**MIDDLE RIVER POWER
MALAGA GRADING & DRAINAGE**

STORM WATER PIPING...CUT-FILL QUANTITIES

August 16, 2022

NO.	DESCRIPTION	EA	L (FT)	W (FT)	D (FT)	EXC QUA (CY)	EXCESS CUT	NOTES
L-1	12" Reinforced Concrete Pipe		315	2	4	93	14	
	Catch Basins	4	4	4	5	11	10	
L-2	12" Reinforced Concrete Pipe		345	2	4	102	15	
	Catch Basins	3	4	4	5	9	8	
L-3	12" Reinforced Concrete Pipe		250	2	4	74	11	South side, east-west leg
	Catch Basins	4	4	4	4	9	9	
L-3	18" Reinforced Concrete Pipe		800	3	4	356	53	Overall length of L-3 = 1,050'
	Catch Basins	4	4	4	5	12	11	
L-4	12" Reinforced Concrete Pipe		200	2	4	59	9	
	Catch Basins	2	4	4	5	12	11	
TOTAL						737	150	Excess Cut to Site Grading



LEGEND

 PHOTO NUMBER AND DIRECTION

MALAGA BESS LLC			
MALAGA BESS PROJECTS SITE PHOTOGRAPHS LOCATION KEY PATCH SERVICES LLC			
CALIFORNIA		TEXAS	
333 SUNSET AVE. SUITE: 210 SUISUN CITY, CA 94585 PHONE: 707-425-4949 FAX: 707-425-4553		21175 TOWNHALL PARKWAY SUITE: #308 HOUSTON, TX 77070 PHONE: 281-330-1486 FAX: 832-698-2833	
SCALE:	NONE	DRAWING NO.	SHEETS
JOB NO:	2620	D-2620-2015	-
			REV D

**MALAGA BESS PROJECT
SITE PHOTOGRAPHS**



Photograph 1

Comments:

APN: 330-050-27SU

Facing west across proposed
North Construction
Laydown Area.

Note: this area would be
temporarily used during the
construction phase for up to
about 6-9 months. This area
is currently vacant and has
been previously disturbed.



Photograph 2

Comments:

APN: 330-050-27SU

View of existing Malaga
Peaker Plant electrical
switchyard.

**MALAGA BESS PROJECT
SITE PHOTOGRAPHS**



Photograph 3

Comments:

APN: 330-050-27SU

View of existing Malaga Peaker Plant between units.



Photograph 4

Comments:

APN: 330-050-27SU

View looking south-southwest at eastern portion of BESS site adjacent to eastern APN property line.

**MALAGA BESS PROJECT
SITE PHOTOGRAPHS**



Photograph 5

Comments:

APN: 330-050-27SU

View looking south-southeast at southeastern portion of BESS Project site.



Photograph 6

Comments:

APN: 330-050-27SU

View looking south to north across southern portion of BESS Site.

**MALAGA BESS PROJECT
SITE PHOTOGRAPHS**



Photograph 7

Comments:

APN: 330-050-27SU

View looking east across southern portion of BESS Site.

Note: this area is currently vacant and has been previously disturbed.



Photograph 8

Comments:

APN: 330-050-27SU

View looking west across existing Malaga Peaker Plant stormwater retention basin area.

Note: this area was previously permitted as part of the peaker plant project and is used to collect stormwater runoff at the site. The Malaga BESS project plans to convey stormwater flows to this area as well.