

County of Fresno

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

DATE: July 12, 2024

> TO: Department of Public Works and Planning, Attn: Steven E. White, Director

Department of Public Works and Planning, Attn: Bernard Jimenez,

Planning and Resource Management Officer

Development Services and Capital Projects, Attn: William M. Kettler,

Deputy Director of Planning

Development Services and Capital Projects, Attn: Chris W. Motta, Division Manager

Development Services and Capital Projects, Attn: Tawanda Mtunga,

Principal Planner

Development Services and Capital Projects, Attn: James Anders,

Principal Planner

Development Services and Capital Projects, Current/Environmental

Planning, Attn: David Randall, Senior Planner

Development Services and Capital Projects, Policy Planning, Attn:

Mohammad Khorsand, Senior Planner

Development Services and Capital Projects, Zoning & Permit Review,

Attn: Daniel Gutierrez, Senior Planner

Development Services and Capital Projects, Building and Safety/Plan Check, Attn: Mike Granat, Chief Building Inspector/ Arnulfo Valdivia, Supervising Building Inspector

Development Services and Capital Projects, Development Engineering,

Attn: Laurie Kennedy, Office Assistant III

Water and Natural Resources Division, Attn: Augustine Ramirez, Division Manager

Water and Natural Resources Division, Attn: Roy Jimenez, Senior Planner

Water and Natural Resources Division, Transportation Planning, Attn:

Hector Luna, Senior Planner

Design Division, Attn: Mohammad Alimi, Division Manager;

Erin Haagenson, Principal Staff Analyst

Resources Division, Attn: Daniel Amann, Division Manger

Road Maintenance and Operations Division, Attn: Wendy Nakagawa,

Supervising Engineer

Department of Public Health, Environmental Health Division, Attn: Deep

Sidhu, Supervising Environmental Health Specialist; Kevin Tsuda,

Environmental Health Specialist;

Agricultural Commissioner, Attn: Melissa Cregan

California Department of Fish and Wildlife, Attn: R4CEQA@wildlife.ca.gov / Jeremy Pohlman, Senior Environmental Scientist/ Jeremy.pohlman@wildlife.ca.gov

California Energy Commission, Attn: Elizabeth Huber, Deputy Director, Siting,

Transmission, and Environmental Protection

California Public Utilities Commission, Attn: Mary Jo Borak

U.S. Fish and Wildlife Service, Attn: Patricia Cole/ Matthew Nelson

Sheriff's Office, Attn: Ryan Hushaw, Assistant Sheriff, Adam Esmay, Kevin Lolkus, Lt.

Brandon Pursell, Lt. Kathy Curtice

Fresno County Fire Protection District, Attn: FKU. Prevention-Planning@fire.ca.gov

California Highway Patrol, Attn: Captain Austin Matulonis/Sergeant Miguel Andrade Pacific Gas and Electric, Centralized Review Team, Attn: PGEPlanReview@pge.com CALTRANS, Attn: David Padilla, Division Chief/Nicholas Isla, Transportation Planner San Joaquin Valley Unified Air Pollution Control District (PIC-CEQA Division),

Attn: PIC Supervisor

CA Regional Water Quality Control Board, Attn:

centralvalleyfresno@waterboards.ca.gov

State Water Resources Control Board, Division of Drinking Water, Attn: Cinthia Reyes Westlands Water District, Attn: Jose Gutierrez/Russ Freeman/Kiti Campbell Westside Subbasin GSA, Attn: Kiti Campbell

Dumna Wo Wah Tribal Government, Attn: Robert Ledger, Tribal Chairman/Eric Smith, Cultural Resources Manager/Chris Acree, Cultural Resources Analyst

Picayune Rancheria of the Chukchansi Indians, Attn: Heather Airey/Cultural Resources Director

Santa Rosa Rancheria Tachi Yokut Tribe, Attn: Ruben Barrios, Tribal Chairman, Director/Shana Powers, Cultural Director

Table Mountain Rancheria, Attn: Robert Pennell, Cultural Resources Director

FROM: Jeremy Shaw, Planner

Development Services and Capital Projects Division

SUBJECT: Unclassified Conditional Use Permit Application Nos. 3800 and 3801 and Initial Study

No. 8579

APPLICANTS: Midway BESS LLC and Panoche BESS LLC

DUE DATE: July 25, 2024.

The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing the subject applications proposing to allow the construction and operation of two battery energy storage system (BESS) facilities on an approximately 9.0-acres of a 24.7-acre leased area portion of a 91.33-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

The projects will be comprised of the following elements:

The proposed Midway BESS is an approximately 120-megawatt hour (MWh) battery storage system including battery storage enclosures, inverters on approximately 5.5 acers, with a 13.8 kilovolt (kV) switchyard and overhead transmission line connection to the existing Midway peaker plant to the northwest.

The adjacent proposed Panoche BESS is an approximately 57-megawatt hour (MWh) battery storage system including battery storage enclosures, inverters, a switchyard on approximately 3.5 - acres, with an overhead transmission line connection to the existing CalPeak Panoche Peaker plant to the northwest.

The subject parcels are located on the south side of W. Panoche Road approximately one half-mile west of its intersection with S. Fairfax Avenue and approximately 2.2 miles east of its intersection with Interstate 5. Both of the proposed BESS projects will be located on the same parcel, APN 027-060-91S; the Midway BESS interconnection will be located on APN 027-060-91S; the Panoche BESS interconnection will be located on APN 027-060-61SU. (APNs: 027-060-91S, 027-060-82SU, 61SU) (Sup. Dist. 1).

The Department is also reviewing for environmental effects, as mandated by the California Environmental Quality Act (CEQA) and for conformity with plans and policies of the County.

Based upon this review, a determination will be made regarding conditions to be imposed on the project, including necessary on-site and off-site improvements.

If you do not have comments, please provide a "NO COMMENT" response to our office by the above deadline (e-mail is 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

JS GG:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3800-3899\3800 (Panoche) (see CUP 3801)\Routing\CUP 3800-3801 Routing Ltr.doc

Activity Code (Internal Review): 2384

Enclosures

Fresno County Department of Public Works and Planning

MAILING ADDRESS:

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

LOCATION:

Date Received:

(Application No.)

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:			DESCRIPTION OF PROPOSE	D USE OR REQUEST:
Pre-Application (Type)				
☐ Amendment Application	☐ Director Re	view and Approval		
☐ Amendment to Text	\square for 2 nd f	Residence		
☐ Conditional Use Permit	☐ Determinat	ion of Merger		
☐ Variance (Class)/Minor Variance	ce 🗌 Agreements	s		
Site Plan Review/Occupancy Pern	_			
☐ No Shoot/Dog Leash Law Bounda				
General Plan Amendment/Specific	·	_		
☐ Time Extension for	Trianger / internamenty			
	ial Study			
PLEASE USE FILL-IN FORM OR PRIN	•		tely. Attach required site pla	ans forms statements
and deeds as specified on the Pre-				and, rorms, statements,
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APN:				T C/D F
			Section(s)-Twp/Rg: 5	I 5/K E
ADDITIONAL APN(s):				
I, the above described property and knowledge. The foregoing declarat	that the application a	and attached documents	wner, or authorized represe are in all respects true and	
Owner (Print or Type)	Address	City	Zip	Phone
Owner (Frint of Type)	Address	City	216	THORE
Applicant (Print or Type)	Address	City	Zip	Phone
Representative (Print or Type)	Address	City	Zip	Phone
CONTACT EMAIL:				
OFFICE USE ONLY (P	RINT FORM ON GR	EEN PAPER)	UTILITIES A	VAII ARI F:
Application Type / No.:		Fee: \$		<u></u>
Application Type / No.:		Fee: \$	WATER: Yes / No	
Application Type / No.:		Fee: \$	Agency:	
Application Type / No.:		Fee: \$	J 5 17	
PER/Initial Study No.:		Fee: \$	SEWER: Yes / No	
Ag Department Review:		Fee: \$	Δgency:	
Health Department Review:		Fee: \$	/ igency.	
Received By: II	nvoice No.:	TOTAL: \$		
STAFF DETERMINATION: This po	ermit is sought under	Ordinance Section:	Sect-Twp/Rg:	<u> </u>
Dolotod Application (s)			APN #	
Related Application(s):			APN#	
			APN #	
Darcol Sizo:				

COUNTY 1856 O FREST

Fresno County Department of Public Works and Planning

MAILING ADDRESS:

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

LOCATION:

Date Received:

(Application No.)

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:		DESCRIPTION OF PROPOSED USE	OR REQUEST:
Pre-Application (Type)			
Amendment Application	Director Review and Approval		
☐ Amendment to Text	for 2 nd Residence		
☐ Conditional Use Permit	Determination of Merger		
☐ Variance (Class)/Minor Variance ☐	Agreements		
☐ Site Plan Review/Occupancy Permit ☐	ALCC/RLCC		
□ No Shoot/Dog Leash Law Boundary □	Other		
General Plan Amendment/Specific Plan/SP A			
	amenament)		
CEQA DOCUMENTATION: Initial Study	П П		
•	PER N/A	ataly. Attack varying data who as	
PLEASE USE FILL-IN FORM OR PRINT IN BLAC and deeds as specified on the Pre-Application			orms, statements,
		including Legal Description.	
LOCATION OF PROPERTY:	side of		
	and		_
APN: Parcel si	ze:	_ Section(s)-Twp/Rg: S T _	S/R E
ADDITIONAL APN(s):			
knowledge. The foregoing declaration is ma	Address City	Zip	Phone
Owner (Print or Type)	Address	Ζίρ	Priorie
Applicant (Print or Type)	Address City	Zip	Phone
Representative (Print or Type)	Address City	Zip	Phone
CONTACT EMAIL:			
OFFICE USE ONLY (PRINT FOI	RM ON GREEN PAPER)	UTILITIES AVAILA	RI F·
Application Type / No.:	Fee: \$	OTILITIES AVAILA	DEL.
Application Type / No.:	Fee: \$	WATER: Yes/ No	
Application Type / No.:	Fee: \$	Agency:	
Application Type / No.:	Fee: \$		
PER/Initial Study No.:	Fee: \$	SEWER: Yes ☐/ No☐	
Ag Department Review:	Fee: \$	Vaeuch.	
Health Department Review:	_Fee: \$	Agency:	
Received By: Invoice No	o.: TOTAL: \$		
STAFF DETERMINATION: This permit is so	ought under Ordinance Section:	Sect-Twp/Rg: T APN #	_S /RE
Related Application(s):		APN #	
Zone District:		APN #	
Parcel Size:		APN #	



County of Fresno

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

INITIAL STUDY APPLICATION

INSTRUCTIONS

Answer all questions completely. An incomplete form may delay processing of your application. Use additional paper if necessary and attach any supplemental information to this form. Attach an operational statement if appropriate. This application will be distributed to several agencies and persons to determine the potential environmental effects of your proposal. Please complete the form in a legible and reproducible manner (i.e., USE BLACK INK OR TYPE).

OFFICE USE ONLY
IS No
Project No(s)
Application Rec'd.:

GENERAL INFORMATION

1.	Property Owner: Midway BESS LLC	Phone/Fax (760) 912-3007	
	Mailing Address: 4350 Executive Dr., Ste. 320 Street	San Diego City	CA, 92101 State/Zip
2.	Applicants: Midway BESS LLC and Panoc	he BESS LLC	Phone/Fax: (760) 912-3007
	Mailing Address: 4350 Executive Dr., Ste. 320 Street	San Diego City	CA, 92101 State/Zip
3.	Representative: Jon Boyer		Phone/Fax: (760) 912-3007
	Mailing Address: 4350 Executive Dr., Ste. 320 Street	San Diego City	CA, 92101 State/Zip

- 4. Proposed Project: Midway and Panoche battery energy storage system (BESS) projects (2) to be installed on previously disturbed agricultural land south of the existing Midway Peaker Plant and CalPeak Panoche Peaker Plant properties. See attached Operational Statement and Project Description for more information.
- 5. Project Locations: Unincorporated Fresno County south of West Panoche Road and adjacent to existing Midway and CalPeak Panoche peaker plant power facilities and PG&E Panoche Substation.
- 6. Project Addresses: 43627 and 43699 W Panoche Road, Fresno County, CA 93622
- 7. Section/Township/Range: 5/15S/13E
 within larger 91.33-acre parcel)

 8. Parcel Size: 24.7 acres (BESS Lease area
- 9. Assessor's Parcel No. 027-060-91S

OVER

<i>10</i> .	Land Conservation Contract No. (If applicable): Not Applicable (NA)		
11.	What other agencies will you need to get permits or authorization from:		
	LAFCo (annexation or extension of services)SJVUAPCD (Air Pollution Control District)CALTRANSReclamation BoardDivision of AeronauticsDepartment of EnergyXWater Quality Control BoardAirport Land Use CommissionOtherOther		
12.	Will the project utilize Federal funds or require other Federal authorization subject to the provisions of the National Environmental Policy Act (NEPA) of 1969? Yes \underline{X} No		
	If so, please provide a copy of all related grant and/or funding documents, related information and environmental review requirements.		
13.	Existing Zone District ¹ : Exclusive Agricultural, 20-acre minimum parcel size (AE-20)		
14.	Existing General Plan Land Use Designation ¹ : Agriculture		
<u>EN</u>	VIRONMENTAL INFORMATION		
15.	Present land use: Agriculture with existing transmission lines Describe existing physical improvements including buildings, water (wells) and sewage facilities, roads, and lighting. Include a site plan or map showing these improvements: Physical improvements on BESS site include electrical transmission lines and agricultural improvements (vineyard) and perimeter access (dirt). Adjacent Midway and CalPeak Panoche power plant switchyard facilities to the north will be used for interconnecting the Midway and Panoche BESS facilities, respectively, to the electrical grid. Describe the major vegetative cover: Mature vineyards (Muscat grapes).		
	Any perennial or intermittent water courses? If so, show on map: NA		
	Is property in a flood-prone area? Describe:		
	NA; BESS Lease Area and properties are located outside FEMA mapped 100- and 500-year floodplains.		
	Northern portions of access routes connecting to W Panoche Road to the north of the BESS sites are		
	located in FEMA Zone A (100-year floodplain).		
<i>16</i> .	Describe surrounding land uses (e.g., commercial, agricultural, residential, school, etc.):		
	North: CalPeak Panoche Peaker Plant, Midway Peaker Plant, and Wellhead Power Peaker Plant		
	South: Agriculture		
	East: Agriculture		
	West: PG&E Panoche Substation and Agriculture		

<i>17</i> .	What land use(s) in the area may be impacted by your Project?: None identified			
18.	. What land use(s) in the area may impact your project?: None identified			
19.	Trai	Transportation:		
	NO'		information below will be used in determin also show the need for a Traffic Impact St	ning traffic impacts from this project. The data udy (TIS) for the project.
	A. Will additional driveways from the proposed project site be necessary to access public roads? Yes X No			
	B. Daily traffic generation:			
		I.	Residential - Number of Units Lot Size Single Family Apartments	<u>NA</u>
		II.	Commercial - Number of Employees Number of Salesmen Number of Delivery Trucks Total Square Footage of Building	<u>NA</u>
		cons cons to 10 cons phas wee	est approximately 9 months for each BESS prostruction workforce of 50 workers and up to struction period. Therefore, each project will 60 combined round trips per day (i.e., 320 or structed simultaneously. The BESS facilities see. Periodic maintenance activities would type	have up to 80 round trips per day resulting in up ne-way trips) assuming both projects are would be unmanned during the operational pically require up to several pickup trucks per over time during the operational phase would
<i>20</i> .	Des	cribe any	source(s) of noise from your project that m	ay affect the surrounding area: Construction
			d activities for approximately 9 months. Opens would comply with all applicable Fresno C	erational phase noise levels will be minor. The
21.			source(s) of noise in the area that may affe	
22	D	•1 .1		
<i>22</i> .		_	probable source(s) of air pollution from you	
	_		tter), site preparation/grading, and constructi	
	appı	oximately	y 9 months. None during normal operations.	Minor emissions during maintenance and
	infre	equent bat	tery augmentation activities. BESS projects	would be expected to have the potential to result

	supplying power to the electrical grid in lieu of the gas-fired peaker plants.		
23.	Proposed source of water: () private well () community system³—name: Trucked to sites from offsite source.		
24.	Anticipated volume of water to be used (gallons per day) ² : 2,000 – 3,000 gallons/day per BESS project during construction; 0 during normal operations.		
<i>25</i> .	Proposed method of liquid waste disposal: () septic system/individual () community system³-name Porta-potties for sanitary waste. Other liquid wastes, if any, would be collected and disposed of in an approved manner by trucking offsite.		
<i>26</i> .	Estimated volume of liquid waste (gallons per day) ² : NA		
27.	Anticipated type(s) of liquid waste: NA		
28.	Anticipated type(s) of hazardous wastes ² : Limited construction waste such as oil, solvents, oily rags		
29.	Anticipated volume of hazardous wastes ² : Minimal; spent batteries to be handled as Universal Waste and recycled.		
<i>30</i> .	2. Proposed method of hazardous waste disposal ² : Certified waste hauler		
<i>31</i> .	Anticipated type(s) of solid waste: Construction debris		
<i>32</i> .	Anticipated amount of solid waste (tons or cubic yards per day): Minimal		
<i>33</i> . ₂	Anticipated amount of waste that will be recycled (tons or cubic yards per day): <1 cubic yard per day		
<i>34</i> .	Proposed method of solid waste disposal: Certified waste hauler		
36. sites Plan	Fire protection district(s) serving this area: Fresno County Fire Protection District Has a previous application been processed on this site? If so, list title and date: None on these BESS s. Fresno County issued an Unclassified Conditional Use Permit (No. 2976) for the CalPeak Panoche Peaker at to the north which is where the CalPeak Panoche BESS Project will interconnect at 13.8 kV at the existing chyard via an overhead gen-tie line. The CalPeak Panoche Peaker Plant was operational as of 2001.		
	Do you have any underground storage tanks (except septic tanks)? Yes No_X_		
	If yes, are they currently in use? Yes No		
	THE BEST OF MY KNOWLEDGE, THE FOREGOING INFORMATION IS TRUE.		

in reduced emissions from the Midway and CalPeak Panoche peaker plants when the BESS projects are





3/1/2024

DATE

¹Refer to Development Services and Capital Projects Conference Checklist ²For assistance, contact Environmental Health System, (559) 600-3357 ³For County Service Areas or Waterworks Districts, contact the Resources Division, (559) 600-4259 (Revised 12/14/18)

NOTICE AND ACKNOWLEDGMENT

<u>INDEMNIFICATION AND DEFENSE</u>

The Board of Supervisors has adopted a policy that applicants should be made aware that they may be responsible for participating in the defense of the County in the event a lawsuit is filed resulting from the County's action on your project. You may be required to enter into an agreement to indemnify and defend the County if it appears likely that litigation could result from the County's action. The agreement would require that you deposit an appropriate security upon notice that a lawsuit has been filed. In the event that you fail to comply with the provisions of the agreement, the County may rescind its approval of the project.

STATE FISH AND WILDLIFE FEE

State law requires that specified fees (effective January 1, 2022: \$3,539.25 for an EIR; \$2,548.00 for a Mitigated/Negative Declaration) be paid to the California Department of Fish and Wildlife (CDFW) for projects which must be reviewed for potential adverse effect on wildlife resources. The County is required to collect the fees on behalf of CDFW. A \$50.00 handling fee will also be charged, as provided for in the legislation, to defray a portion of the County's costs for collecting the fees.

The following projects are exempt from the fees:

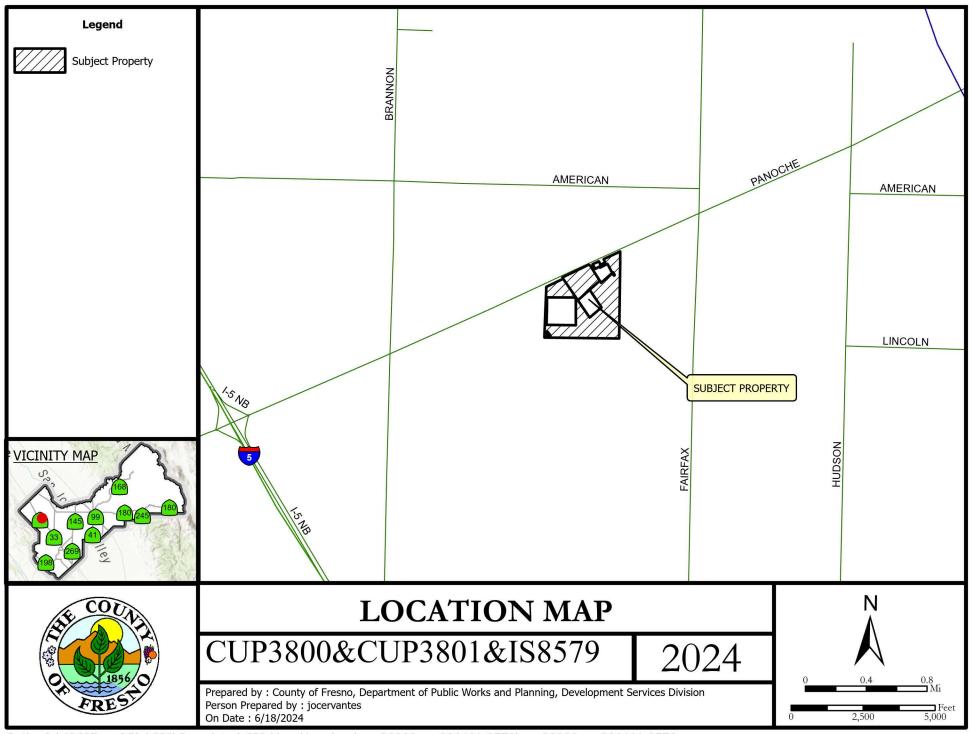
- 1. All projects statutorily exempt from the provisions of CEQA (California Environmental Quality Act).
- 2. All projects categorically exempt by regulations of the Secretary of Resources (State of California) from the requirement to prepare environmental documents.

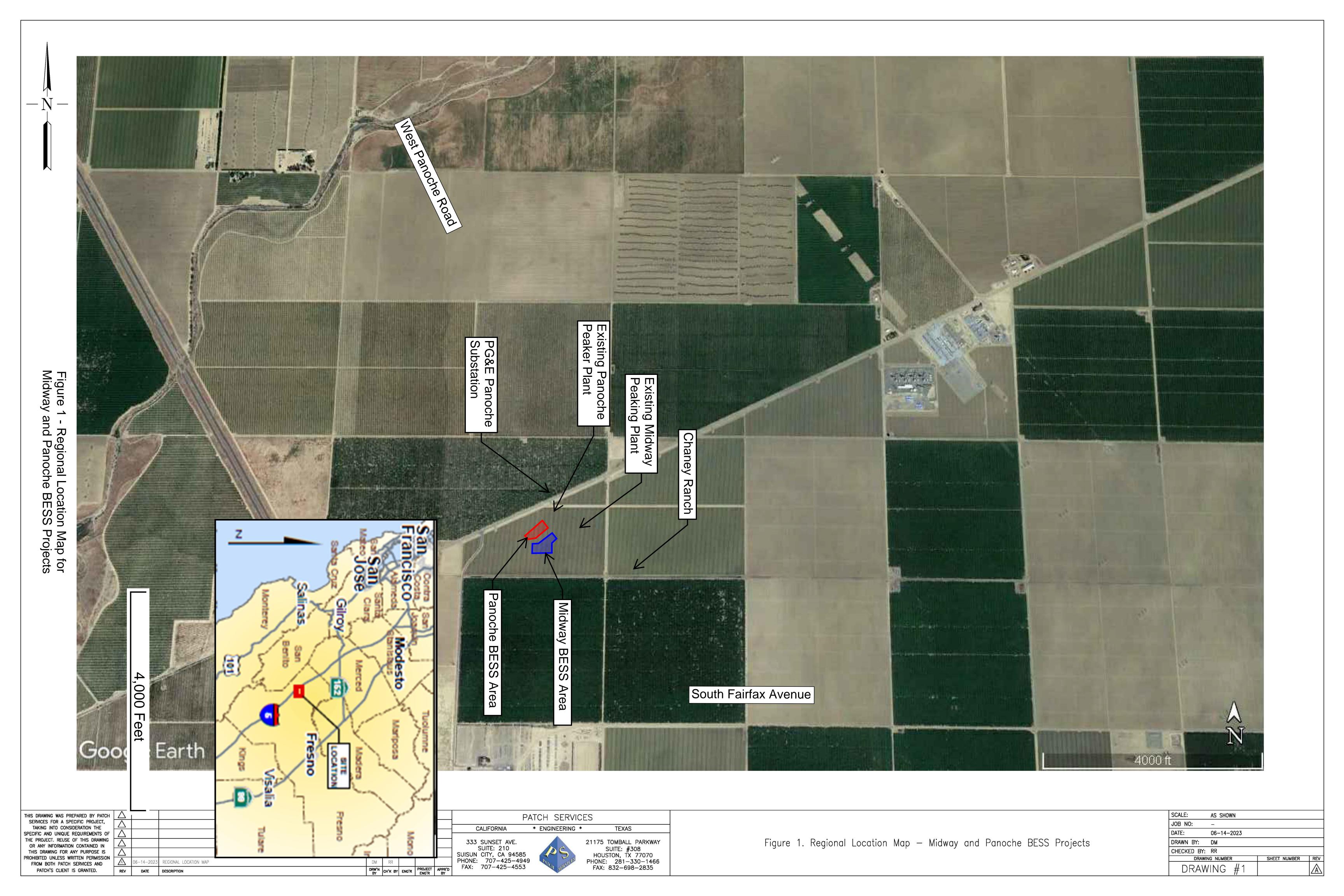
A fee exemption may be issued by CDFW for eligible projects determined by that agency to have "no effect on wildlife." That determination must be provided in advance from CDFW to the County at the request of the applicant. You may wish to call the local office of CDFW at (559) 222-3761 if you need more information.

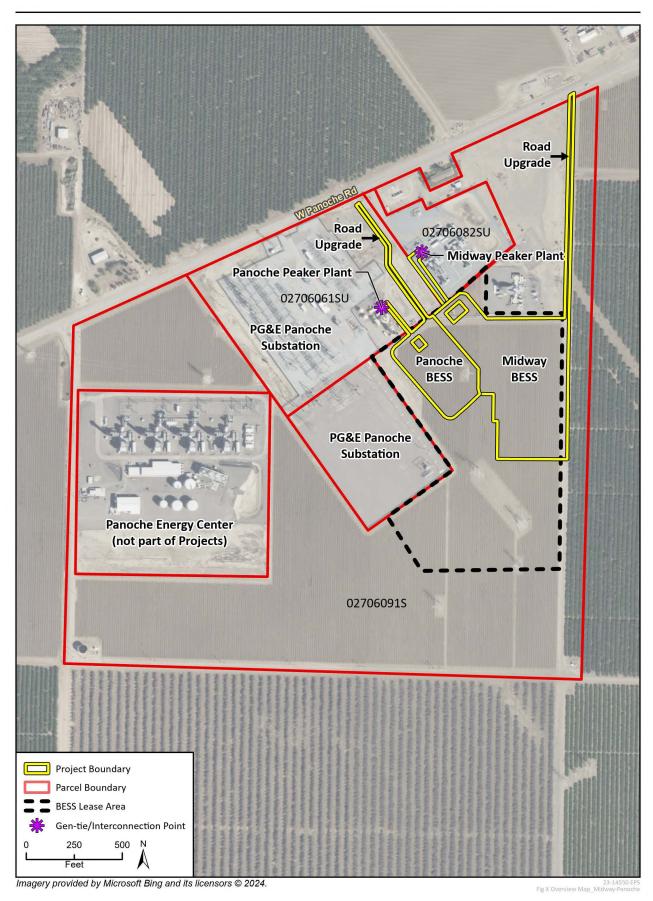
Upon completion of the Initial Study you will be notified of the applicable fee. Payment of the fee will be required before your project will be forwarded to the project analyst for scheduling of any required hearings and final processing. The fee will be refunded if the project should be denied by the County.

la Be	3/1/2023
Applicant's Signature	Date

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Midway BESS

Fresno County Department of Public Works and Planning Development Services and Capital Projects Division

Operational Statement Checklist Input March 2024

1. Nature of the Operation

Midway BESS LLC proposes to construct the Midway Battery Energy Storage System (BESS) Project (Project) within a portion of Assessor Parcel No. 027-060-91S at 43627 W Panoche Road in unincorporated Fresno County (see Figure 1, Regional Location Map and Exhibit 1, Preliminary Site Plan). The proposed Midway BESS Project is located primarily on a 5.5-acre portion of an approximately 24.7-acre BESS Lease Area south of the existing Midway Peaking Plant. The Midway BESS LLC Project components are as follows:

- Midway BESS LLC, 120 megawatt hour(MWh) BESS encompassing approximately 5.5 acres, including --
 - A nominal 120 MWh facility, including battery enclosures, inverters, 13.8 kV BESS switchyard
 - Onsite stormwater detention basin
 - Internal access road network and connection to W Panoche Road to the north via an upgraded agricultural road on the eastern side of the BESS facilities.
- Construction laydown area (2.55 acres) and topsoil stockpile area (4.65 acres) to be shared with the separately proposed Panoche BESS Project.
- Connection to W Panoche Road to the north via an existing agricultural road on the eastern side of the BESS facilities which will be upgraded and paved to provide all weather access.
- An overhead 13.8 kV connection line to the existing Midway Peaker Plant switchyard to the north. Note: the portion of this component on the Midway Peaker Plant property to the north of the Midway BESS is under the jurisdiction of the California Energy Commission for discretionary permitting purposes.

The proposed Midway BESS facility includes modular battery storage and inverter enclosures, switchyards, and above ground and below ground onsite electrical interconnections and fiber optic communication line interface connections. The proposed overhead 13.8 kV connection line from the BESS switchyard to the existing Midway Peaker Plant switchyard is approximately 380-feet long. Midway BESS LLC currently plans to begin construction of the BESS facilities in the first quarter of 2025. It is expected that the landowner will remove the existing vineyards on the entire 24.7-acre Lease Area prior to initiation of the BESS project construction activities. BESS construction would include grading of the approximately 5.5-acre BESS facilities footprint and the 2.55 acre construction laydown area to the south. Approximately 1 foot of topsoil would be removed from the combined approximately 8.1-acre area encompassing the BESS and

Fresno County Department of Public Works and Planning Development Services and Capital Projects Division

Operational Statement Checklist Input March 2024

construction laydown areas and then be redistributed/stockpiled on the 4.85 acre topsoil redistribution area as shown on the preliminary site plan. A preliminary Grading and Drainage Plan is presented on attached Exhibit 2. Following removal and redistribution of topsoil, site grading and foundation installation activities would occur. The planned progression of construction activities is generally as follows: (1) access road upgrading; (2) redistribute/stockpile topsoil and grading; (3) install foundations; (4) set modules, inverters and switchgear; (5) electrical wire installation and finish grading; and (6) commissioning and testing. Construction equipment is expected to include the following types of equipment: motor graders, backhoes, auger drills, water trucks, sheep's foot compactors, front end loaders, concrete trucks, dump trucks, trash trucks, flatbed trailers, and a portable electric generator. Cranes, rough terrain forklifts, man-lifts, portable welding units, line trucks, and mechanic trucks will also be required. Depending on the foundation type selected during final design (e.g., drilled pier, concrete slab, and/or piles), pile drivers may be required. All equipment and vehicles would comply with applicable noise requirements of Fresno County. In addition, the BESS project will utilize construction equipment with Tier 4, CARB certified off-road diesel engines and diesel particulate filters, as applicable, to minimize air emissions.

The Midway BESS facility is planned to begin commercial operation in the fourth quarter of 2025 or the first quarter of 2026. With scheduled maintenance and battery augmentation, the BESS facility is expected to be capable of operating for 30-40 years or more. Battery augmentation will include the addition and/or replacement of battery modules with less than contracted state of health to achieve the expected project life. The foundations and subsurface wiring for the planned battery additions will be installed during the initial construction as shown on the preliminary site plan.

The Midway BESS facilities will be located on previously disturbed, relatively flat areas within the northeastern portion of the overall BESS Lease Area as shown on the preliminary site plan. Once constructed the BESS facility will be unmanned and operated remotely. Minimal maintenance activities will be required. Construction and operation of the proposed BESS facilities would be expected to have minimal impacts on the environment. At the end of the operational life of the BESS facility, the BESS Lease Area is planned to be reclaimed, including removal of facilities and returning the land to an agriculture ready condition in accordance with Fresno County and landowner requirements. The topsoil that was salvaged and stockpiled at the start of site preparation will be redistributed during the site reclamation phase to prepare the site for post-BESS project agricultural use again.

Fresno County Department of Public Works and Planning Development Services and Capital Projects Division

Operational Statement Checklist Input March 2024

The Midway BESS Project offers the California Independent System Operator ("CAISO") dispatchable battery energy storage resources to the electrical grid to help meet electrical demand in California. The batteries will be charged via the electrical grid and not from the existing gasfired peaker plant. The nominal Midway 120 MWh BESS Project facility will interconnect to the electrical grid via the existing 115 kV transmission line that connects the Midway Peaker Plant 115 kV switchyard to the existing Pacific Gas & Electric Company (PG&E) 115 kV Panoche Substation to the west. The California Energy Commission (CEC) issued the Final Decision for the Starwood Power Project (Docket No. 06-AFC-10) on January 16, 2008 (CEC 2008). This peaking plant project is now known as the Midway Peaker and is owned by Midway Peaking, LLC.

The parcel where the proposed Midway BESS facility is located is within Fresno County's AE-20 Zone District. A battery storage facility is not an explicitly permitted use. Therefore, this use falls under Zoning Ordinance Sec. 853.B-14, which requires a new Conditional Use Permit (CUP) application. The applicant understands that the County has jurisdiction over the discretionary permitting for the Midway BESS Project and that the County's Unclassified Conditional Use Permit (UCUP) permitting process will apply to the project. Midway Power LLC is the property lessee, Midway BESS project owner, and applicant for the Midway BESS project and is requesting that the County process an UCUP for the purposes of the entitlement process. Midway Power LLC is not proposing to subdivide the parcel.

Applicant representatives have previously coordinated with County representatives during the preapplication phase to discuss the BESS project, including the appropriate permitting path and environmental issues to be addressed. Fresno County issued a Pre-application Review No. 23-012058 for the Midway BESS Project in a letter to the applicant dated August 22, 2023. Based on the previous coordination with the County, the Applicant currently anticipates that the County can base the UCUP/project approvals on a CEQA Mitigated Negative Declaration (MND) subject to the results of the forthcoming CEQA Initial Study. Applicant representatives are available to assist in the permitting process, as appropriate, in order to help expedite the permitting timeframe.

2. Operational Time Limits

Similar to the existing Midway Peaker Plant, the Midway BESS facility would normally be on standby until called upon to operate, 24 hours per day, 7 days per week. The BESS modular battery racks will be located in enclosures. The battery enclosures and electrical switchyard will be located

Fresno County Department of Public Works and Planning Development Services and Capital Projects Division

Operational Statement Checklist Input March 2024

outdoors and typically installed on piles or concrete pad foundations. The foundation type to be utilized will be determined during detailed engineering. Periodic maintenance and repair activities will occur on an as needed basis.

3. Number of Customers or Visitors

The BESS facility will be designed to be operated remotely. No onsite personnel are required to support daily operations. Periodic inspections and maintenance activities would occur.

4. Number of Employees

No full time employee workforce will be required for the operation of the BESS facility.

5. Service and Delivery Vehicles

The BESS facility will be designed to be operated remotely. No service or delivery vehicles will be needed for normal operations. Periodic inspections and maintenance activities will occur and involve service and delivery vehicles during those limited events.

6. Access to the Site

Access to the site at 43627 W Panoche Avenue in unincorporated Fresno County is via W Panoche Avenue which is paved. Access to the internal site area is via an agricultural operation road that runs along the eastern border of the Midway BESS site and connects to W Panoche Road to the north. The agricultural road will be upgraded and paved to make it all weather as part of the project. In addition, the proposed Midway BESS Project will include internal paved access roads within the BESS layout as shown on the preliminary site layout. The proposed BESS facility and associated switchyard as well as the construction laydown area are all located adjacent to existing internal access roads within the BESS facility area.

7. Number of Parking Spaces for Employees, Customers, and Service Delivery Vehicles

The BESS facility will be designed to be operated remotely. Periodic inspections and maintenance activities would occur and there may be occasional visitors. There is ample open space for parking adjacent to the proposed BESS facilities and no designated parking spaces are planned or needed.

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Temporary construction workforce parking will occur in the construction laydown area which will be surfaced with gravel.

8. Are any Goods to be Sold Onsite?

The proposed BESS facility will store and discharge electrical energy to the electrical grid as per the dispatch commands from CAISO. No goods will be sold onsite.

9. What Equipment is Used?

The BESS facility will consist primarily of the following:

- Battery technologies being considered are lithium iron phosphate (LFP) and lithium nickel manganese cobalt oxide (NMC) or other technologies that may be available as the BESS project enters the final design phase.
- Batteries will be installed in enclosures that are electrically connected together to reach the desired output of battery energy storage system. The medium voltage transformers and/or inverters would be located adjacent to the enclosures they serve. Approximate dimensions for the battery enclosures vary but are typically in the range of 8-feet wide by 9.5-feet high by 20-feet long. Current design includes 60 BESS enclosures (including 8 future for augmentation) and 60 PCS shelters (including 8 future for augmentation). The maximum weights of the enclosures are up to approximately 80,000 pounds per BESS enclosure and 40,000 pounds per PCS enclosure.
- The BESS switchyard would include liquid-filled or dry-type transformers; for the liquid filled transformers, EPA approved transformer fluids would be used. The anticipated design for the Midway BESS Project switchyard includes transformer(s) with a combined oil storage capacity greater than 1,320 gallons. A Spill Prevention, Control, and Countermeasure Plan(s) (SPCC) will be provided for the Project.
- Battery output degrades over time requiring replacement and/or additional battery bank modules (augmentation). Allowance for this work and the physical enclosures required will be made during construction of the BESS, including installation of foundations or pilings and conduits for future electrical cabling.
- The 13.8 kV interconnection for the Midway BESS Project will be an overhead connection from the BESS switchyard to the low side of the 13.8 kV/115 kV generation step up transformer (GSU) at the Midway Peaker switchyard to the north of the BESS facility.

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10. What Supplies or Materials are Used and How are They Stored?

Once installed the BESS facility will store energy in batteries contained within modular enclosures. The BESS facility will dispatch stored electrical energy when needed to meet electrical demand and the batteries would be recharged from the electrical grid following discharge. No fuel, disposable supplies or process materials would be used or stored for normal BESS operation.

11. Does the Use Cause an Unsightly Appearance? (Noise, Glare, Dust, or Odor) and, if so, Explain How This Will be Reduced or Eliminated

Once constructed, the BESS facilities will not result in glare, dust, or odors. The BESS facility will be designed to meet applicable County noise and visual standards.

12. List and Solid or Liquid Wastes to be Produced

The BESS facility will not produce solid or liquid waste that cannot be repurposed or recycled.

13. Estimated Volume of Water to be Used (gallons per day) and Source

The BESS facility would not use water during normal operations. A new Fire Water Tank will be installed in accordance with Fresno County Fire Protection District requirements and will be available for use in the unlikely event of a fire.

14. Describe any Proposed Advertising

No advertising is proposed at the BESS facility.

15. Will Existing Buildings be Used or Will New Buildings Be Constructed?

The proposed BESS facilities will include integrating the BESS control management system with the Midway Peaker Plant Site Controller that is located in an existing building at the peaker facility and will not involve construction of any new buildings. A small enclosure may be required to house protection, communications and controls equipment. The primary components of the BESS facilities consist of: i) the modular battery storage enclosures and inverter enclosures supported on concrete or pile foundations, ii) the outdoor electrical switchyard, and iii) the above ground and below ground electrical interconnections as described previously under Item 9.

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Operational Statement Checklist Input March 2024

16. Explain Which Buildings or What Portion of Buildings will be Used in the Operation

The proposed BESS facilities do not include physical use of any buildings during operation.

17. Will an Outdoor Lighting or an Outdoor Sound Amplification System be Used?

No outdoor lighting is required for the BESS facilities. As needed, motion activated lighting that is shielded downward will be installed on the BESS enclosures. As needed to support a maintenance function, temporary local lighting may be required.

18. Landscaping or Fencing Proposed?

Given the remote, shielded locations of the proposed Midway BESS facilities, the proposed BESS facilities do not include any landscaping. The perimeter of the BESS property, including switchyard will include chain link security fencing.

19. Any Other Information that Would Provide a Clear Understanding of the Project or Operation

The proposed BESS facility would be expected to help California meet its electrical demand requirements while potentially reducing reliance on fossil fuels for electrical generation.

20. Identify all Owners, Officers and/or Board Members for Each Application Submitted (this may be accomplished by submitting a cover letter in addition to the information provided on the signed application forms)

Please see the attached Cover Letter and signed application form.

Panoche BESS

Fresno County Department of Public Works and Planning Development Services and Capital Projects Division

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1. Nature of the Operation

Panoche BESS LLC proposes to construct the Panoche Battery Energy Storage System (BESS) Project (Project) within a portion of Assessor Parcel No. 027-060-91S at 43699 W Panoche Road in unincorporated Fresno County (see Figure 1, Regional Location Map and Exhibit 1, Preliminary Site Plan). The proposed Panoche BESS Project is located primarily on a 3.5-acre portion of an approximately 24.7-acre BESS Lease Area south of the existing CalPeak Panoche Peaking Plant. The Panoche BESS LLC Project components are as follows:

- Panoche BESS LLC, 57 megawatt hour(MWh) BESS encompassing approximately 3.5 acres, including --
 - A nominal 57 MWh facility, including battery enclosures, inverters, 13.8 kV BESS switchyard
 - Onsite stormwater detention basin
 - Internal access road network and connection to existing access road to the north on the CalPeak Panoche Peaker Plant property; the existing road will be paved and extended a short distance to the south to connect to the Panoche BESS site road network
- An overhead 13.8 kV connection line to the existing CalPeak Panoche Peaker Plant switchyard to the north.
- The Panoche Peaker Plant project will share the construction laydown area (2.55 acres) to the southeast and the topsoil stockpile area (4.65 acres) to the south and southeast with the separately proposed Midway BESS Project.

The proposed Panoche BESS facility includes modular battery storage and inverter enclosures, switchyard, and above ground and below ground onsite electrical interconnections and fiber optic communication line interface connections. The proposed overhead 13.8 kV connection line from the BESS switchyard to the existing CalPeak Panoche Peaker Plant switchyard is approximately 300-feet long. Panoche BESS LLC currently plans to begin construction of the BESS facilities in the first quarter of 2025. It is expected that the landowner will remove the existing vineyards on the entire 24.7-acre Lease Area prior to initiation of the BESS project construction activities. BESS construction would include grading of the approximately 3.5-acre BESS facilities footprint. Approximately 1 foot of topsoil would be removed from the BESS site and then be redistributed/stockpiled on the 4.85 acre topsoil redistribution area as shown on the preliminary site plan. Following removal and redistribution/stockpiling of topsoil, site grading and foundation installation activities would occur. A preliminary Grading and Drainage Plan is presented on

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attached Exhibit 2. The planned progression of construction activities is generally as follows: (1) access road upgrading; (2) redistribute/stockpile topsoil and grading; (3) install foundations; (4) set modules, inverters and switchgear; (5) electrical wire installation and finish grading; and (6) commissioning and testing. Construction equipment is expected to include the following types of equipment: motor graders, backhoes, auger drills, water trucks, sheep's foot compactors, front end loaders, concrete trucks, dump trucks, trash trucks, flatbed trailers, and a portable electric generator. Cranes, rough terrain forklifts, man-lifts, portable welding units, line trucks, and mechanic trucks will also be required. Depending on the foundation type selected during final design (e.g., drilled pier, concrete slab, and/or piles), pile drivers may be required. All equipment and vehicles would comply with applicable noise requirements of Fresno County. In addition, the BESS project will utilize construction equipment with Tier 4, CARB certified off-road diesel engines and diesel particulate filters, as applicable, to minimize air emissions.

The Panoche BESS facility is planned to begin commercial operation in the fourth quarter of 2025 or the first quarter of 2026. With scheduled maintenance and battery augmentation, the BESS facility is expected to be capable of operating for 30-40 years or more. Battery augmentation will include the addition and/or replacement of battery modules with less than contracted state of health to achieve the expected project life. The foundations and subsurface wiring for the planned battery additions will be installed during the initial construction as shown on the preliminary site plan.

The Panoche BESS facilities will be located on previously disturbed, relatively flat areas within the northwestern portion of the overall BESS Lease Area as shown on the preliminary site plan. Once constructed the BESS facility will be unmanned and operated remotely. Minimal maintenance activities will be required. Construction and operation of the proposed BESS facilities would be expected to have minimal impacts on the environment. At the end of the operational life of the BESS facility, the BESS Lease Area is planned to be reclaimed, including removal of facilities and returning the land to an agriculture ready condition in accordance with Fresno County and landowner requirements. The topsoil that was salvaged and stockpiled at the start of site preparation will be redistributed during the site reclamation phase to prepare the site for post-BESS project agricultural use again.

The Panoche BESS Project offers the California Independent System Operator (CAISO) dispatchable battery energy storage resources to the electrical grid to help meet electrical demand in California. The batteries will be charged via the electrical grid and not from the existing gas-fired peaker plant. The nominal Panoche 57 MWh BESS Project facility will interconnect to the

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Operational Statement Checklist Input March 2024

electrical grid via the existing 115 kV transmission line that connects the CalPeak Panoche Peaker Plant 115 kV switchyard to the existing Pacific Gas & Electric Company (PG&E) 115 kV Panoche Substation to the west. The CalPeak Panoche Peaker Plant was permitted by Fresno County in 2001 via a Conditional Use Permit (CUP No. 2976).

The parcel where the proposed Panoche BESS facility is located is within Fresno County's AE-20 Zone District. A battery storage facility is not an explicitly permitted use. Therefore, this use falls under Zoning Ordinance Sec. 853.B-14, which requires a new Conditional Use Permit (CUP) application. The applicant understands that the County has jurisdiction over the discretionary permitting for the Panoche BESS Project and that the County's Unclassified Conditional Use Permit (UCUP) permitting process will apply to the project. Midway Power LLC is the property lessee. Panoche BESS LLC will sublease the land from Midway Power LLC and Panoche BESS LLC will be the project owner, and applicant for the Panoche BESS project and is requesting that the County process an UCUP for the purposes of the entitlement process. The applicant is not proposing to subdivide the parcel.

Applicant representatives have previously coordinated with County representatives during the preapplication phase to discuss the BESS project, including the appropriate permitting path and environmental issues to be addressed. Fresno County issued a Pre-application Review No. 23-011853 for the Panoche BESS Project in a letter to the applicant dated August 22, 2023. Based on the previous coordination with the County, the Applicant currently anticipates that the County can base the UCUP/project approvals on a CEQA Mitigated Negative Declaration (MND) subject to the results of the forthcoming CEQA Initial Study. Applicant representatives are available to assist in the permitting process, as appropriate, in order to help expedite the permitting timeframe.

2. Operational Time Limits

Similar to the existing Midway Peaker Plant, the Midway BESS facility would normally be on standby until called upon to operate, 24 hours per day, 7 days per week. The BESS modular battery racks will be located in enclosures. The battery enclosures and electrical switchyard will be located outdoors and typically installed on piles or concrete pad foundations. The foundation type to be utilized will be determined during detailed engineering. Periodic maintenance and repair activities will occur on an as needed basis.

Fresno County Department of Public Works and Planning Development Services and Capital Projects Division

Operational Statement Checklist Input March 2024

3. Number of Customers or Visitors

The BESS facility will be designed to be operated remotely. No onsite personnel are required to support daily operations. Periodic inspections and maintenance activities would occur.

4. Number of Employees

No full time employee workforce will be required for the operation of the BESS facility.

5. Service and Delivery Vehicles

The BESS facility will be designed to be operated remotely. No service or delivery vehicles will be needed for normal operations. Periodic inspections and maintenance activities will occur and involve service and delivery vehicles during those limited events.

6. Access to the Site

Access to the site at 43699 W Panoche Avenue in unincorporated Fresno County is via W Panoche Avenue which is paved. Access to the internal site area is via an existing access road on the CalPeak Panoche Peaker Plant that connects to W Panoche Road to the north. This existing road will be upgraded (paved) and extended a short distance to the northern portion of the Panoche BESS site area. In addition, the proposed Panoche BESS Project will include internal paved access roads within the BESS layout as shown on the preliminary site layout. The proposed BESS facility and associated switchyard as well as the shared construction laydown area are all located adjacent to existing internal access roads within the BESS facility areas.

7. Number of Parking Spaces for Employees, Customers, and Service Delivery Vehicles

The BESS facility will be designed to be operated remotely. Periodic inspections and maintenance activities would occur and there may be occasional visitors. There is ample open space for parking adjacent to the proposed BESS facilities and no designated parking spaces are planned or needed. Temporary construction workforce parking will occur in the shared construction laydown area which will be surfaced with gravel.

Fresno County Department of Public Works and Planning Development Services and Capital Projects Division

Operational Statement Checklist Input March 2024

8. Are any Goods to be Sold Onsite?

The proposed BESS facility will store and discharge electrical energy to the electrical grid as per the dispatch commands from CAISO. No goods will be sold onsite.

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Fresno County Department of Public Works and Planning Development Services and Capital Projects Division

Operational Statement Checklist Input March 2024

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13. Estimated Volume of Water to be Used (gallons per day) and Source

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14. Describe any Proposed Advertising

No advertising is proposed at the BESS facility.

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Operational Statement Checklist Input March 2024

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No outdoor lighting is required for the BESS facilities. As needed, motion activated lighting that is shielded downward will be installed on the BESS enclosures. As needed to support a maintenance function, temporary local lighting may be required.

18. Landscaping or Fencing Proposed?

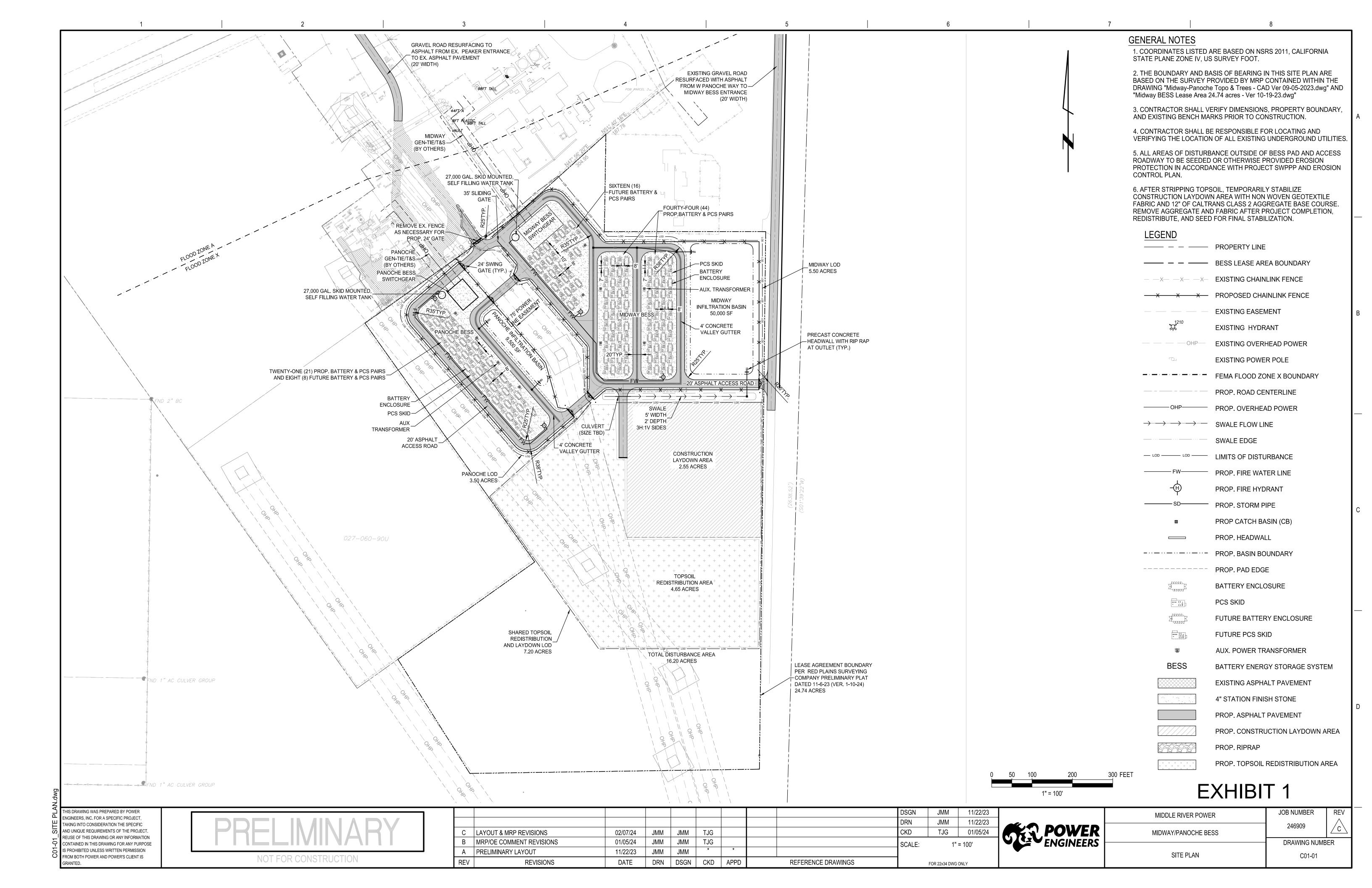
Given the remote, shielded locations of the proposed Panoche BESS facilities, the proposed BESS facilities do not include any landscaping. The perimeter of the BESS property, including switchyard will include chain link security fencing.

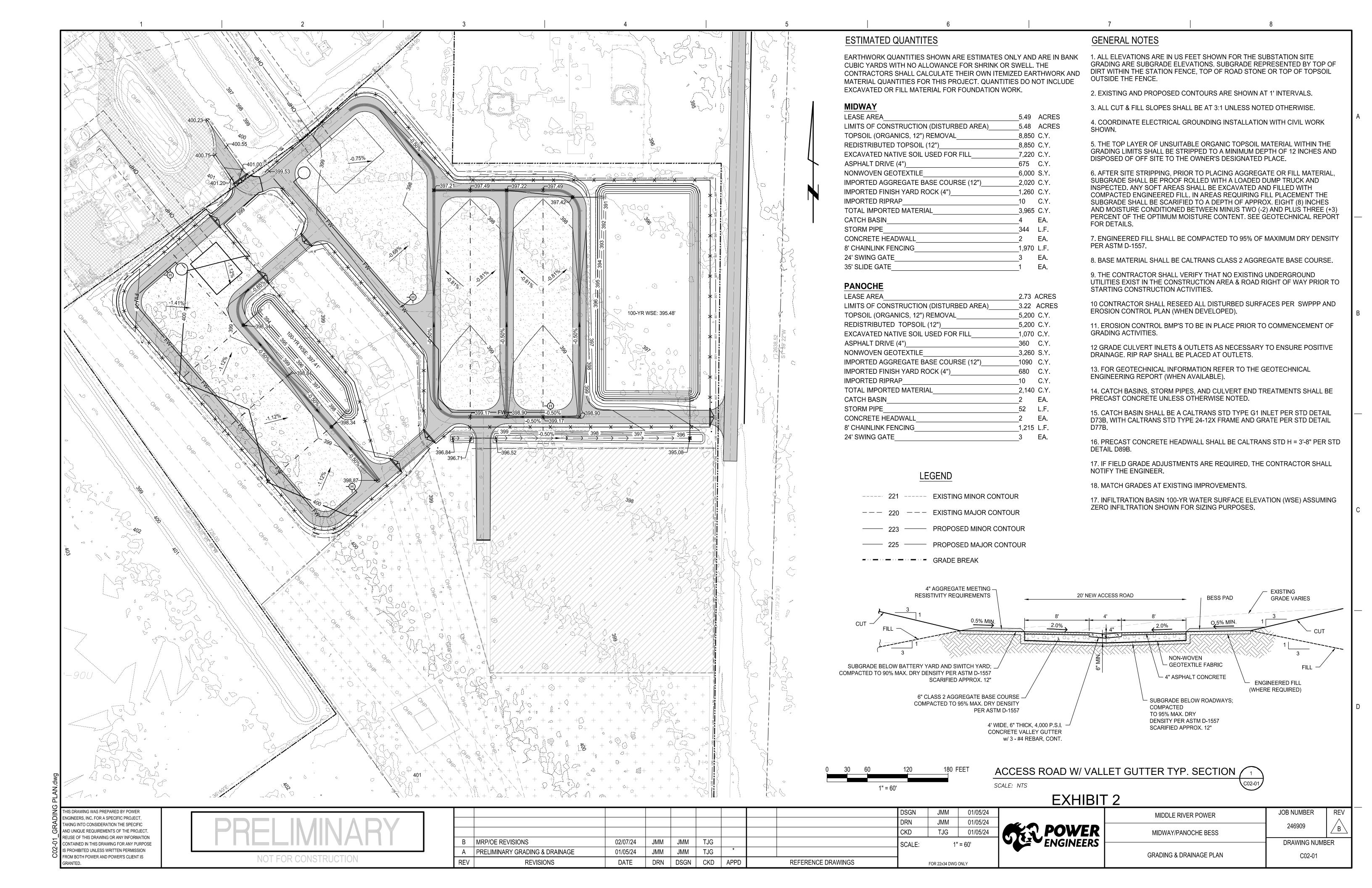
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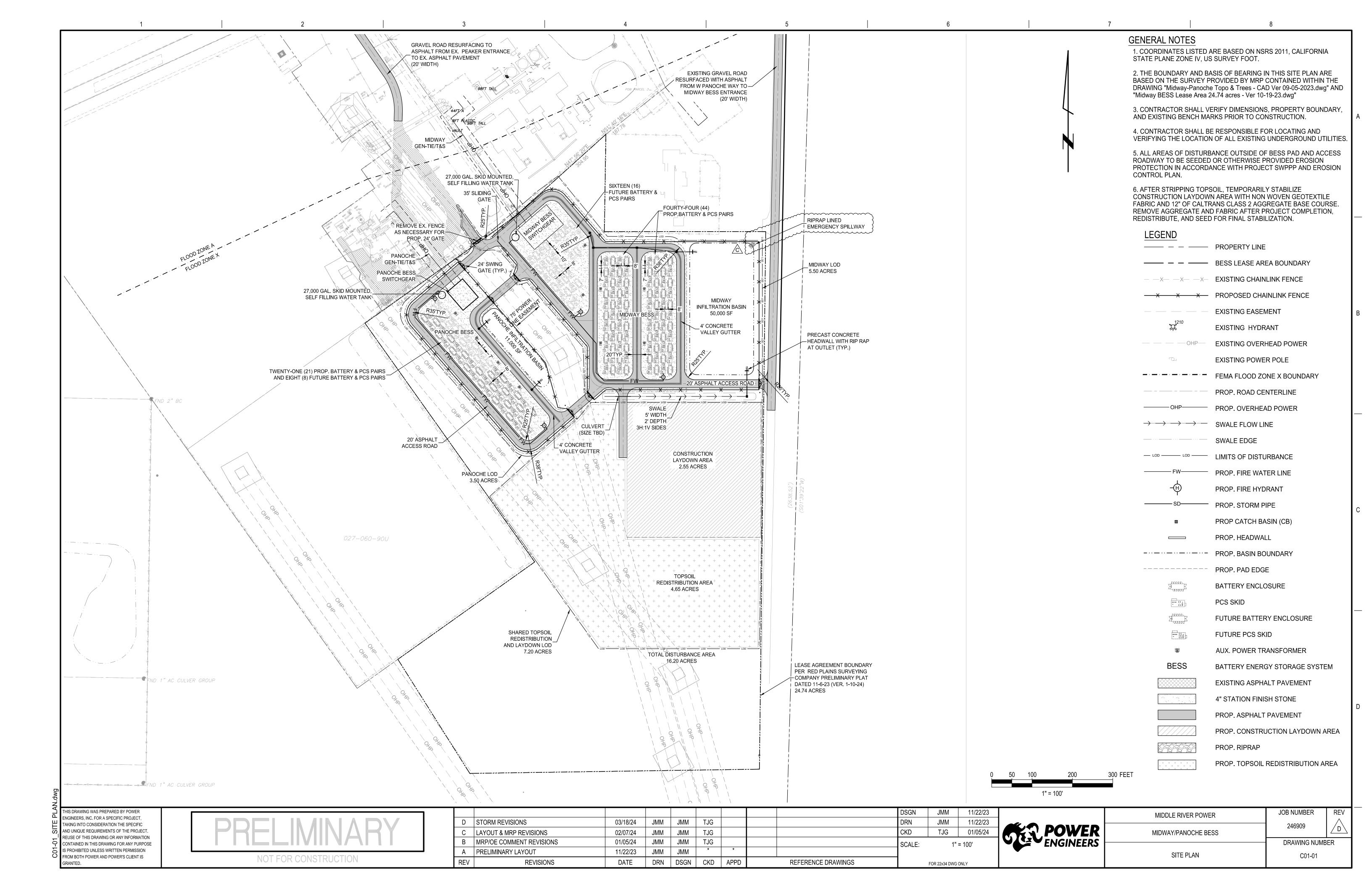
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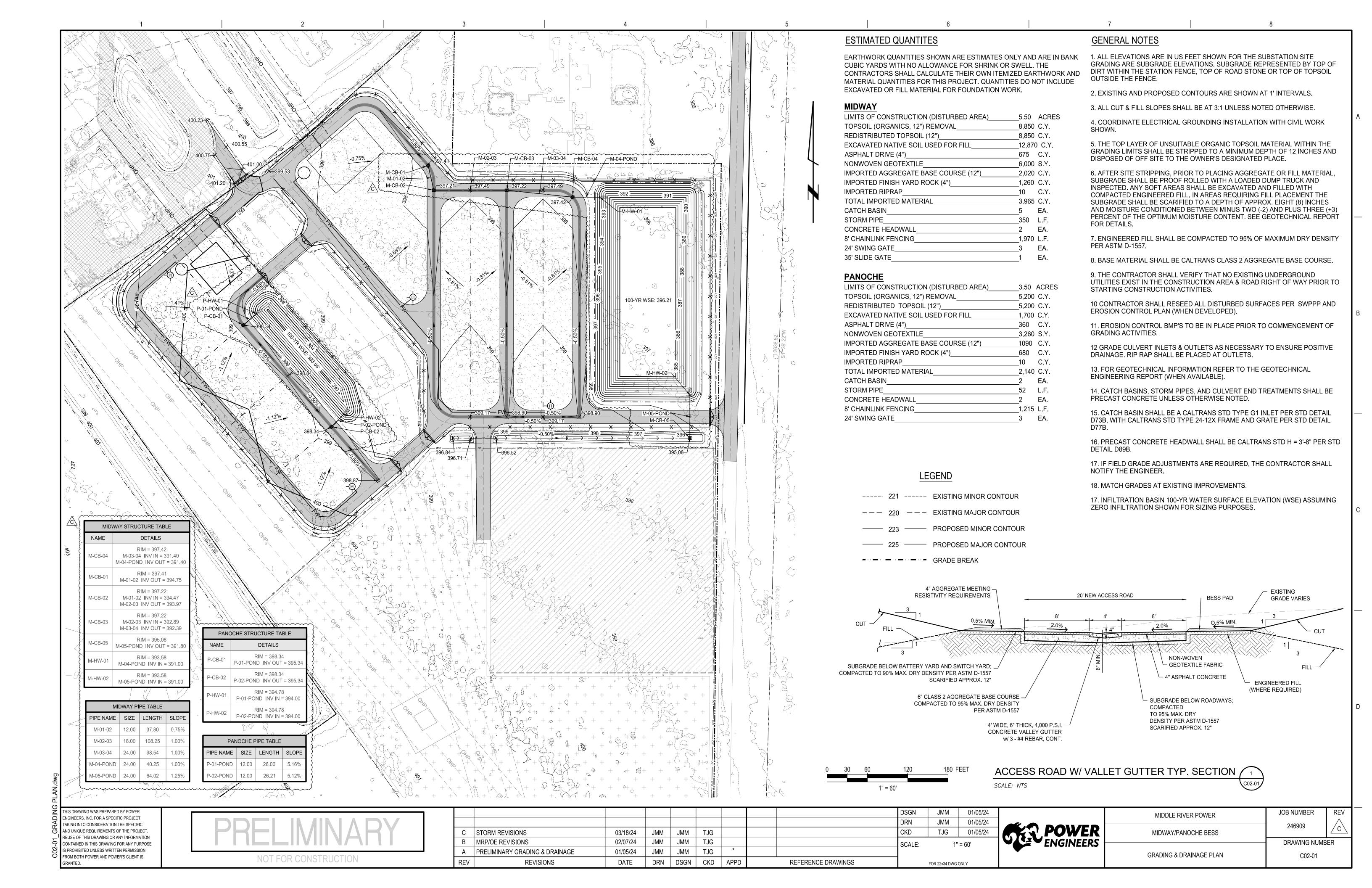
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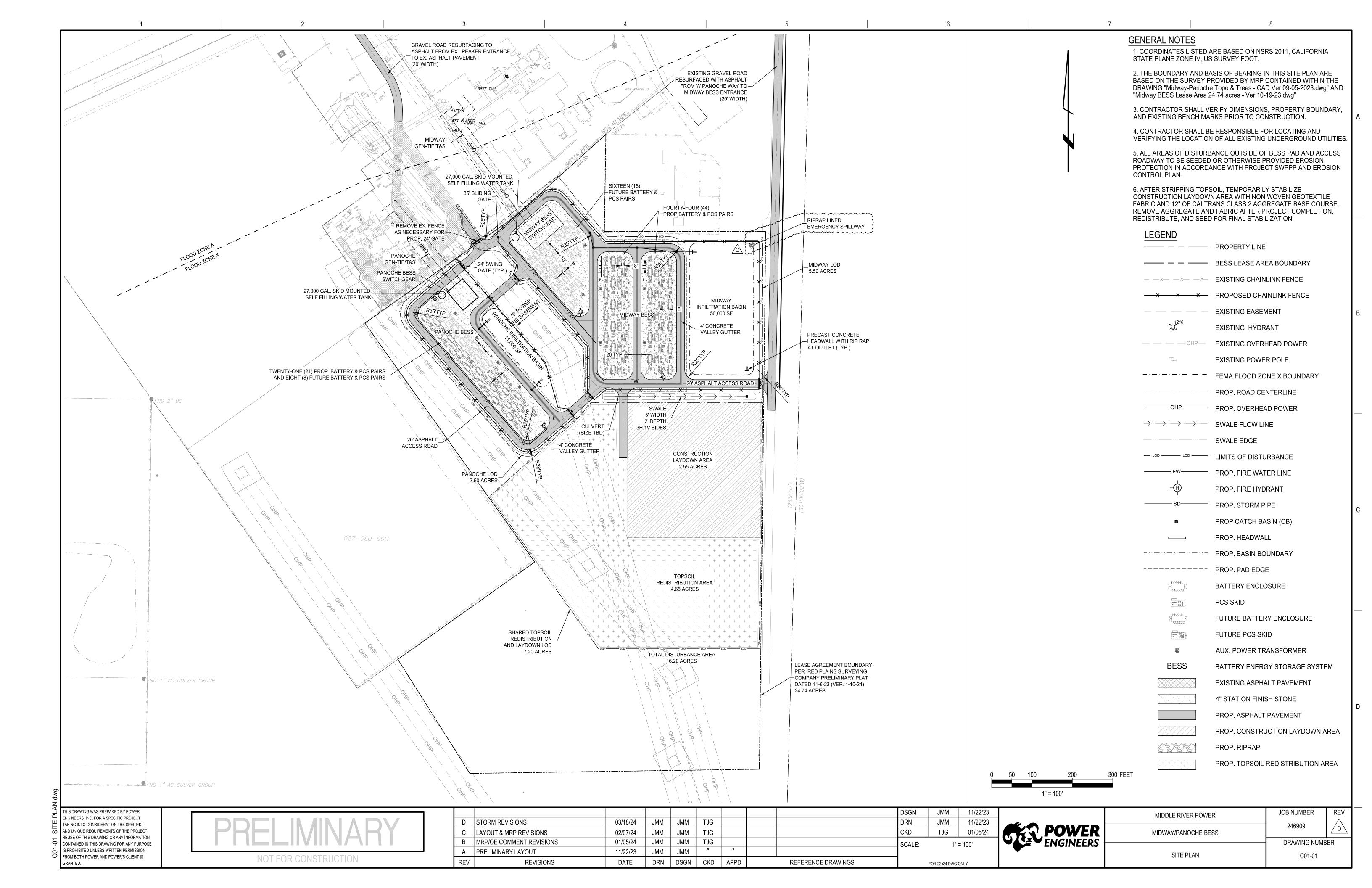
Please see the attached Cover Letter and signed application form.

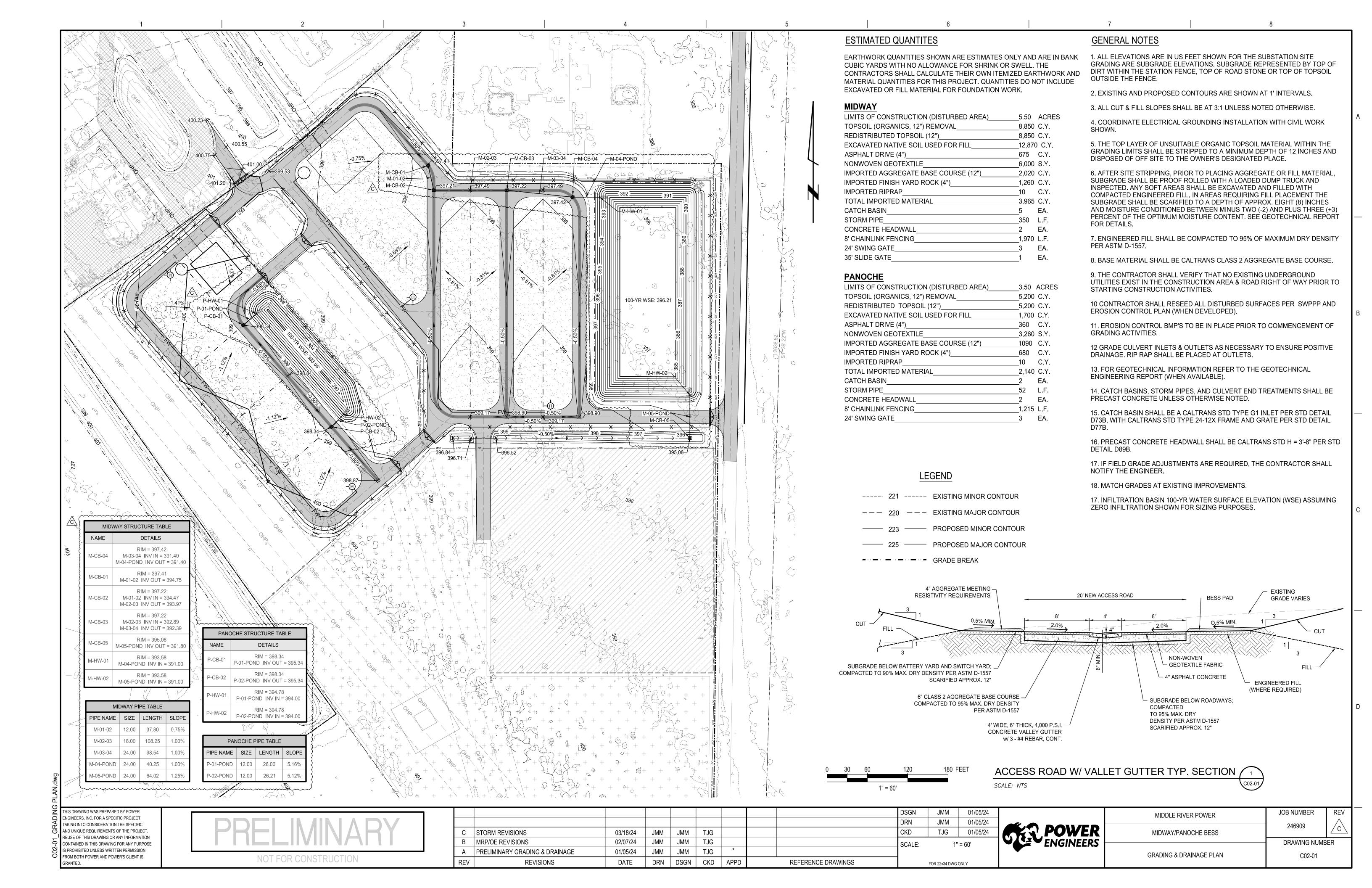














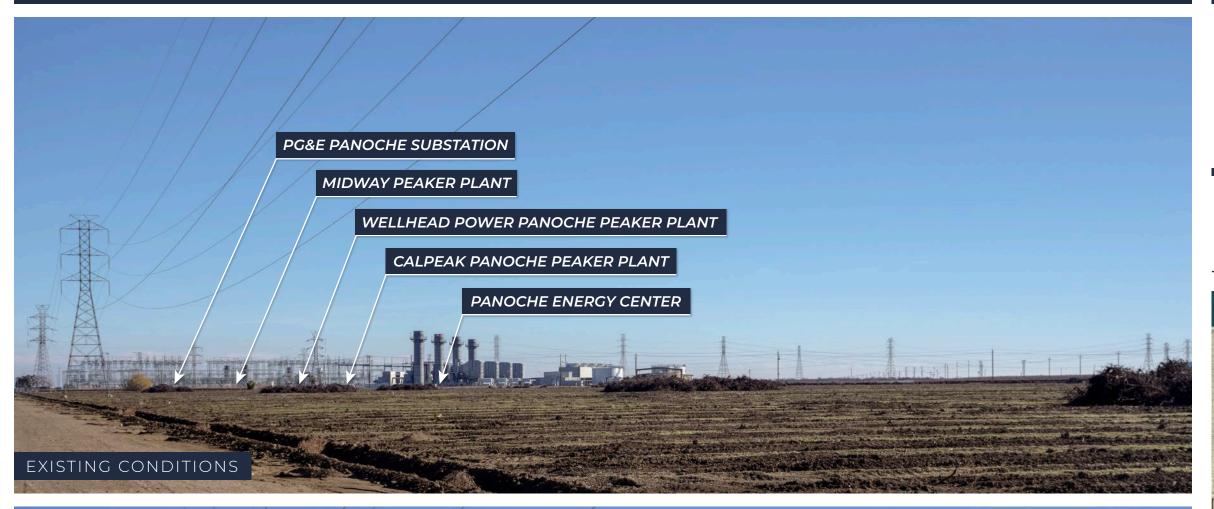
Viewpoint Location

Project Site

Photo simulations are for discussion purposes only.

Final design is subject to change pending public,
engineering, and regulatory review.







VIEWPOINT 1

 $1/8/2024 \cdot 11:43 \text{ am} \cdot \text{Looking East}$





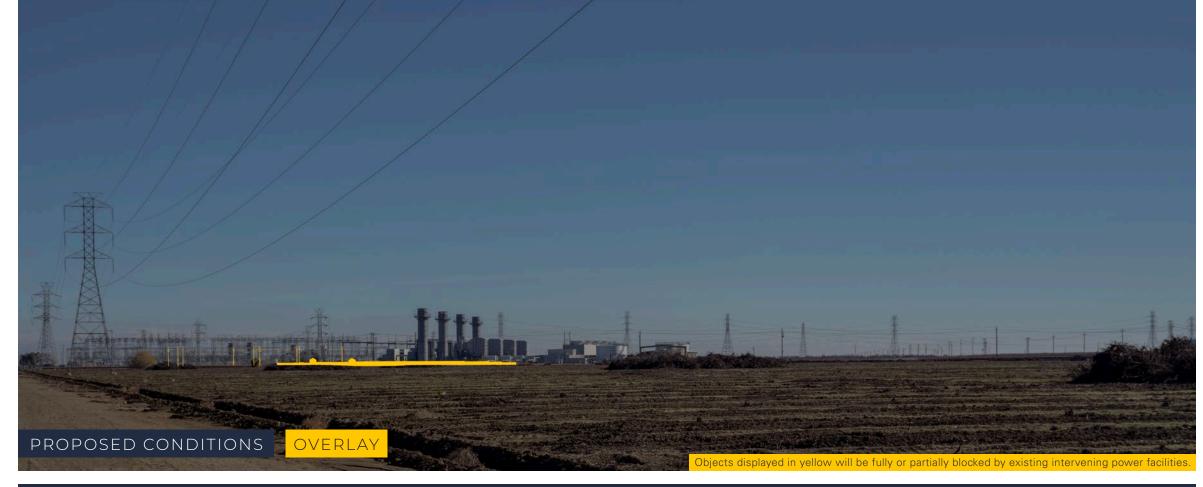
Viewpoint Location



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VIEWPOINT 1

1/8/2024 · 11:43 am · Looking East



1 Viewpoint Location



Project Site

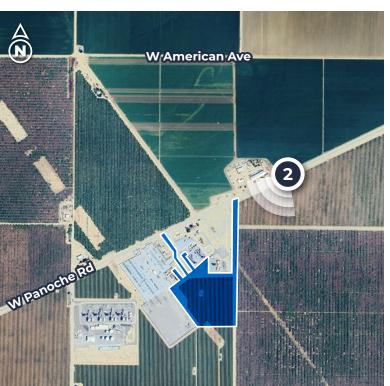
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VIEWPOINT 2

1/8/2024 · 12:56 pm · Looking Southwest



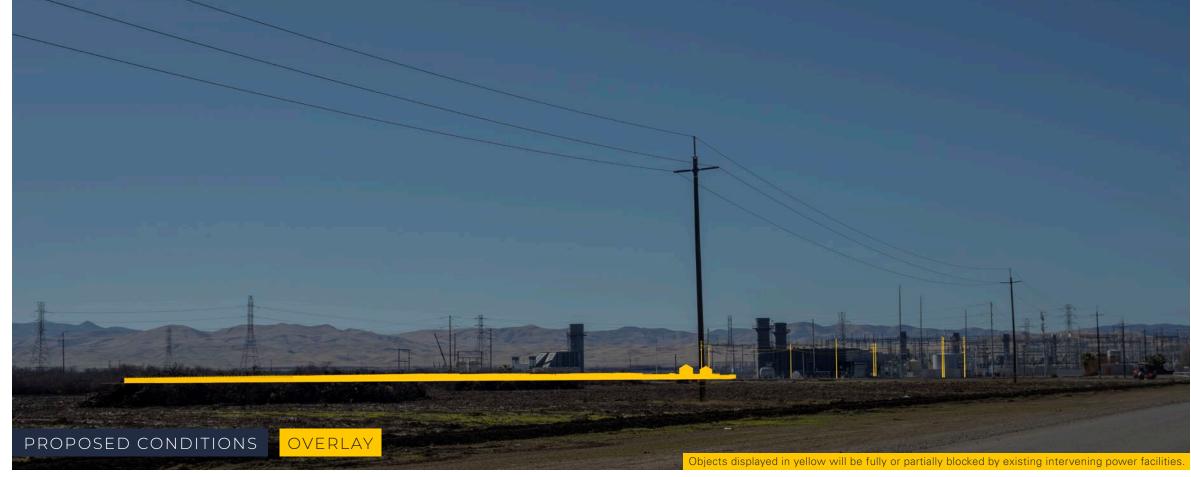
2 Viewpoint Location



Project Site

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VIEWPOINT 2

1/8/2024 · 12:56 pm · Looking Southwest

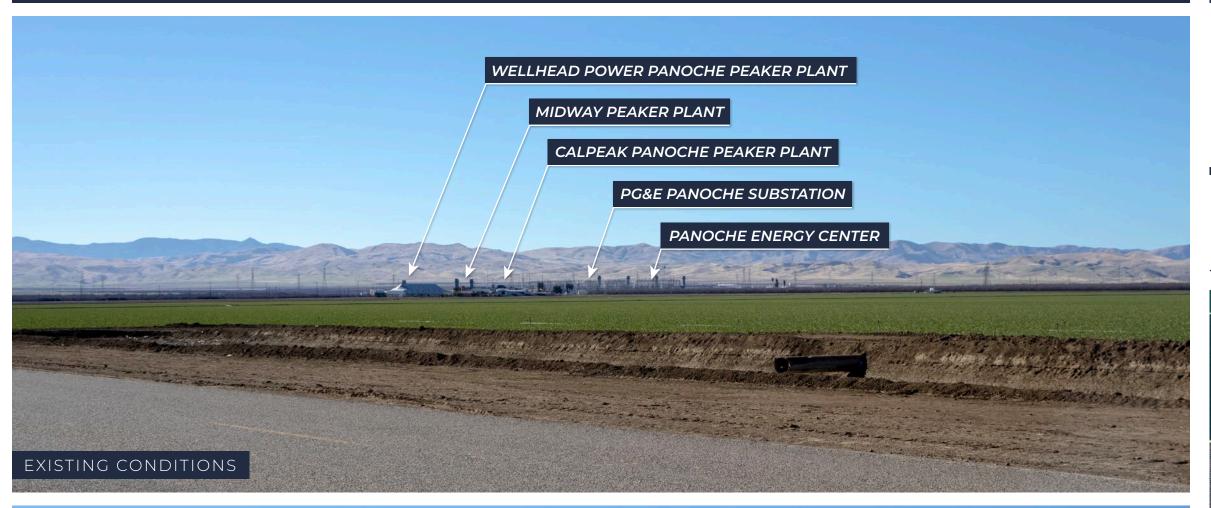


2 Viewpoint Location

Project Site

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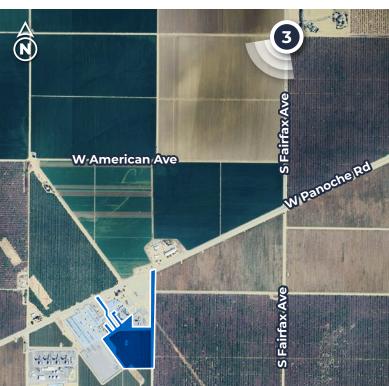
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VIEWPOINT 3

1/8/2024 · 11:57 am · Looking Southwest





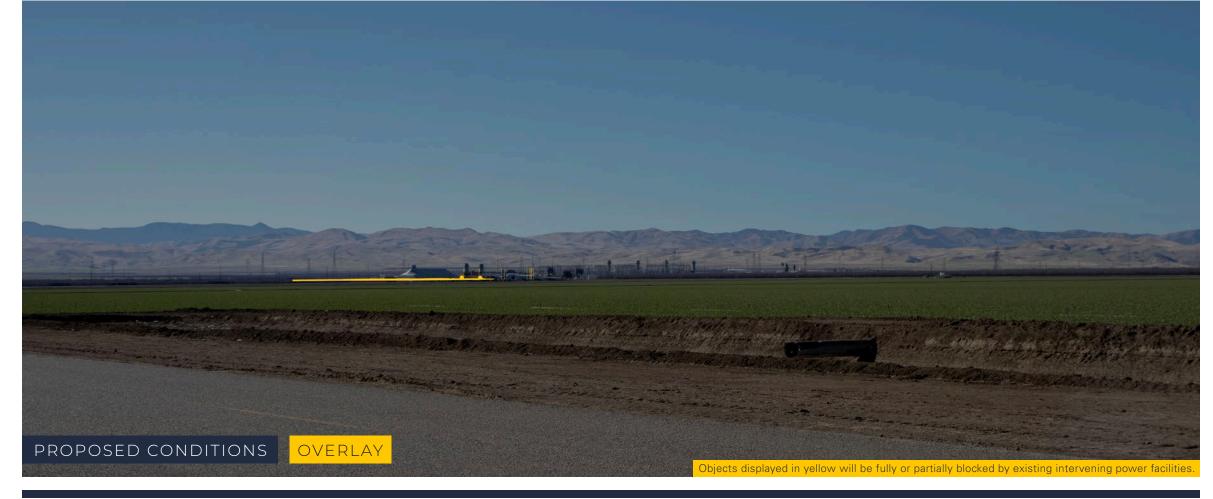
3 Viewpoint Location



Project Site

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VIEWPOINT 3

1/8/2024 · 11:57 am · Looking Southwest



3 Viewpoint Location

Project Site

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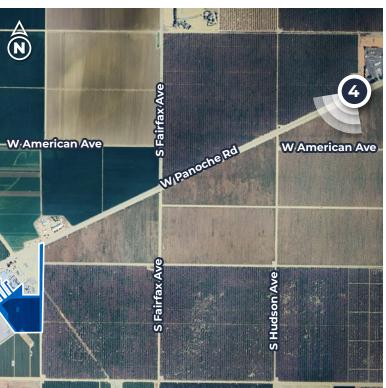
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VIEWPOINT 4

1/8/2024 · 12:46 pm · Looking Southwest

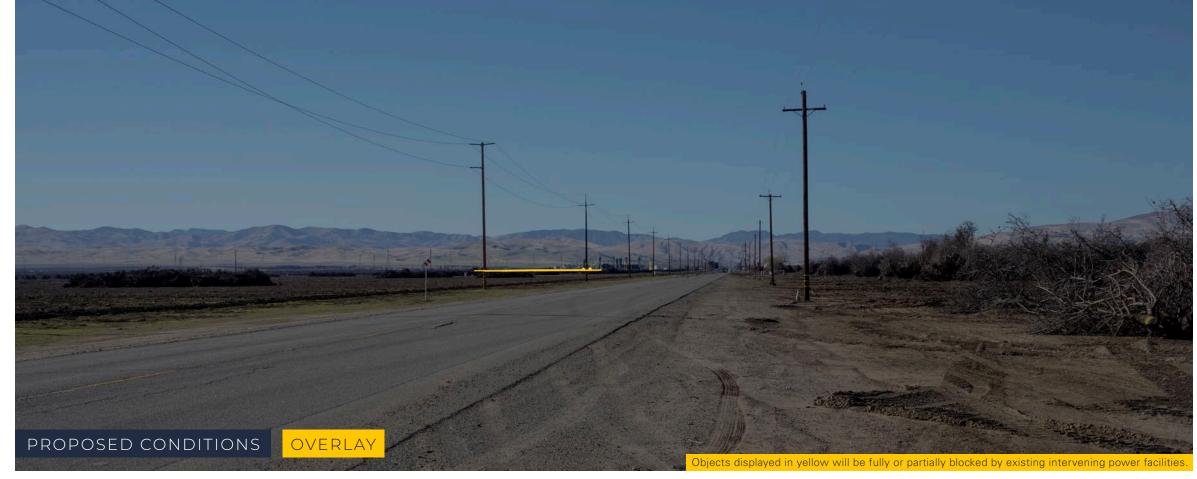


4 Viewpoint Location

Project Site

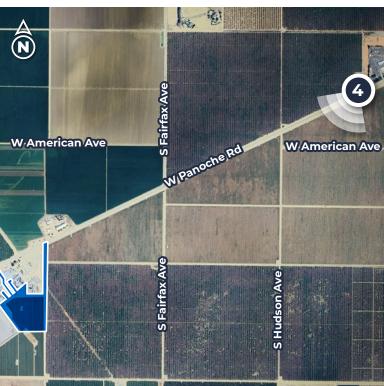
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VIEWPOINT 4

1/8/2024 · 12:46 pm · Looking Southwest





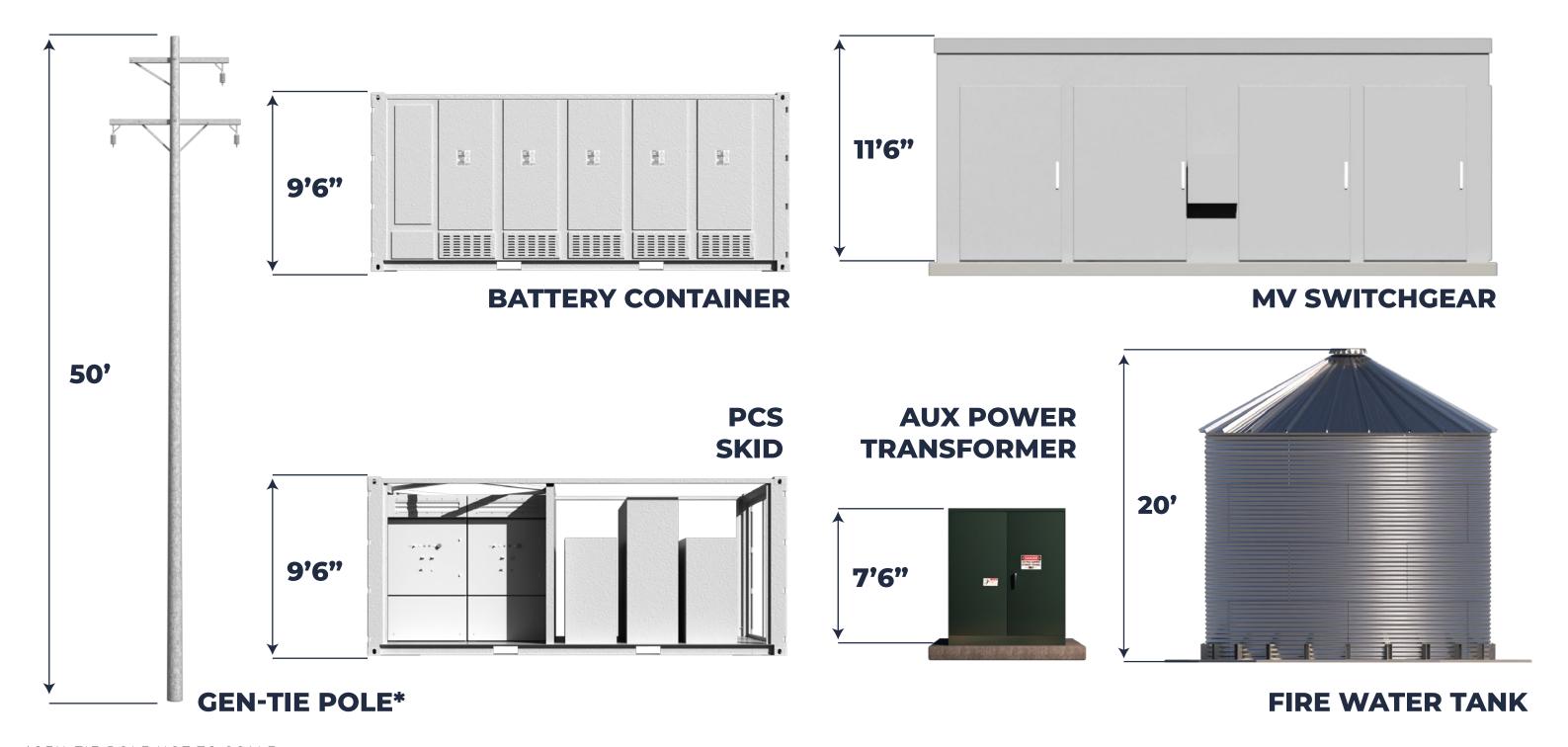


Project Site

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EQUIPMENT ELEVATIONS



PANOCHE BESS PROJECT

1 Viewpoint Location

Project Site

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PANOCHE BESS PROJECT

VIEWPOINT 1

 $1/8/2024 \cdot 11:43 \text{ am} \cdot \text{Looking East}$



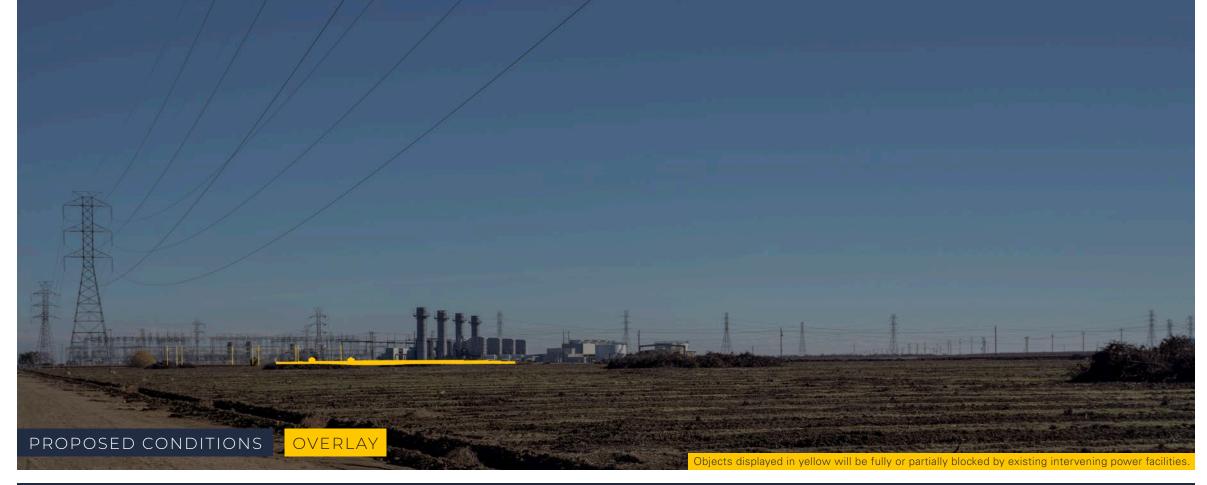
Viewpoint Location



Project Site

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BESS PROJECT

VIEWPOINT 1

1/8/2024 · 11:43 am · Looking East



1 Viewpoint Location

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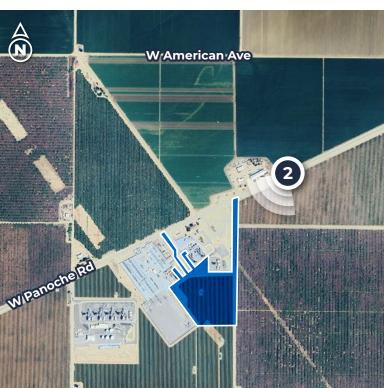




BESS PROJECT

VIEWPOINT 2

1/8/2024 · 12:56 pm · Looking Southwest



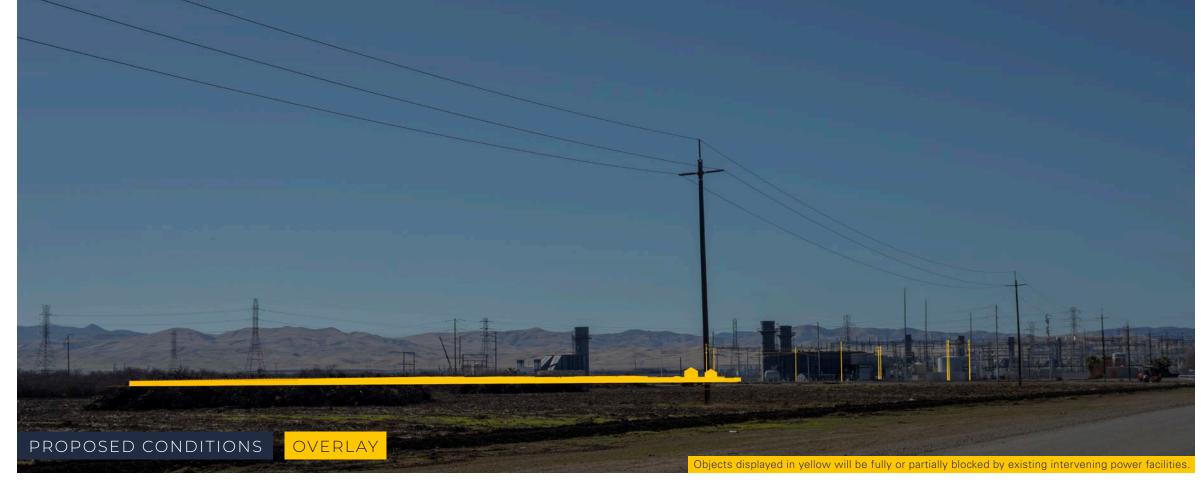
2 Viewpoint Location



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BESS PROJECT

VIEWPOINT 2

1/8/2024 · 12:56 pm · Looking Southwest

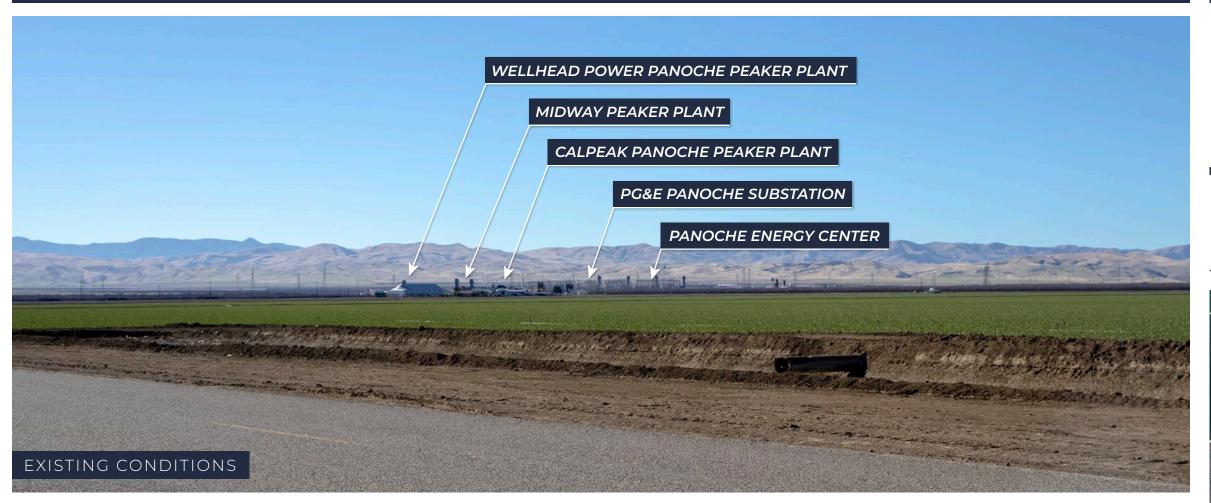


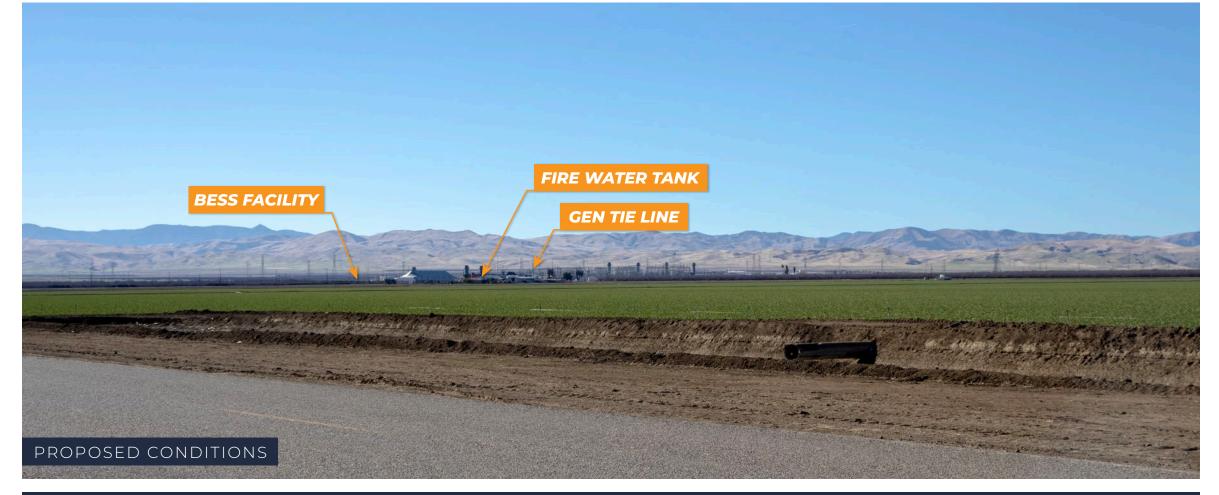
2 Viewpoint Location

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PANOCHE BESS PROJECT

VIEWPOINT 3

1/8/2024 · 11:57 am · Looking Southwest

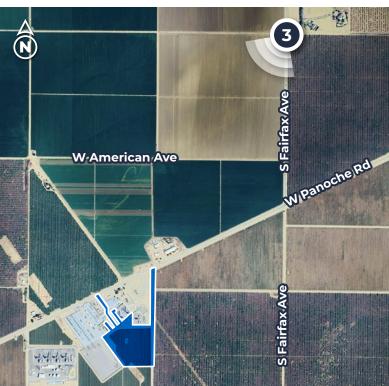
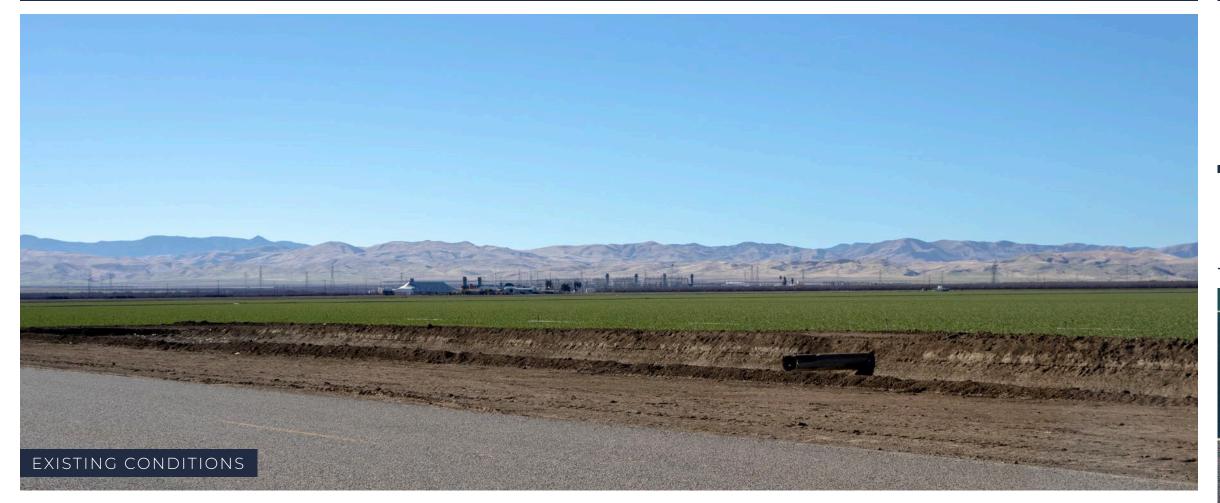


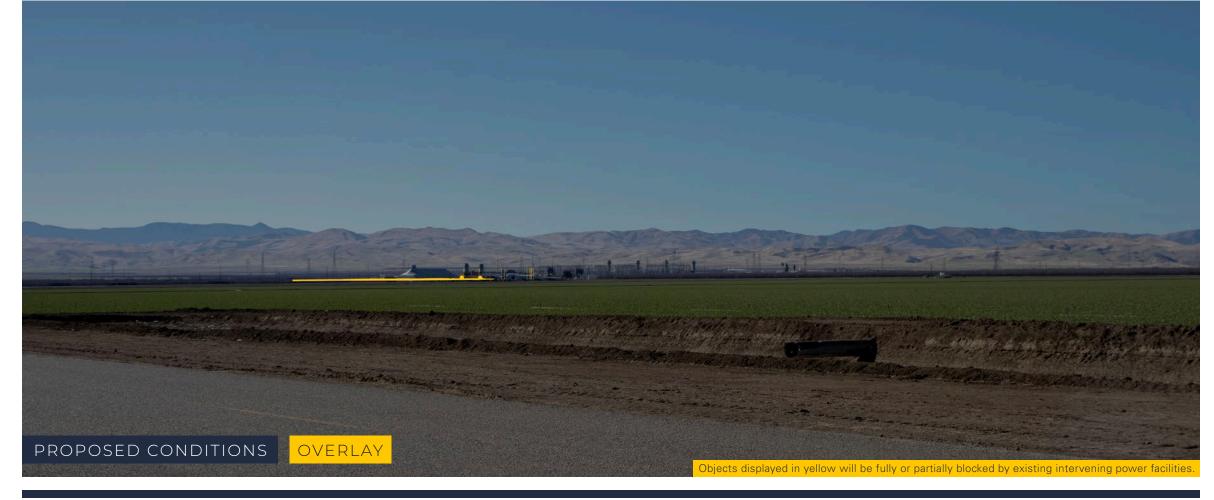




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BESS PROJECT

VIEWPOINT 3

1/8/2024 · 11:57 am · Looking Southwest



3 Viewpoint Location

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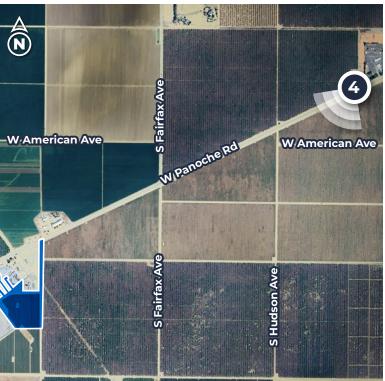




BESS PROJECT

VIEWPOINT 4

1/8/2024 · 12:46 pm · Looking Southwest



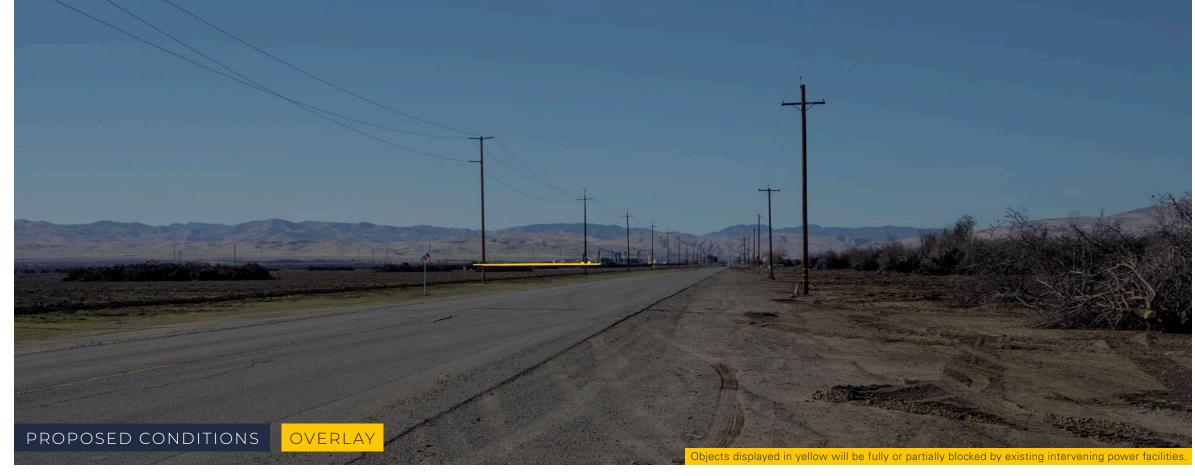
4 Viewpoint Location



Project Site

Photo simulations are for discussion purposes only. Final design is subject to change pending public, engineering, and regulatory review.

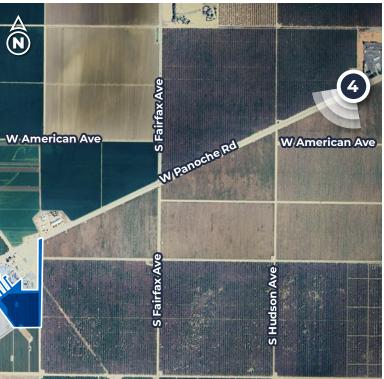




BESS PROJECT

VIEWPOINT 4

1/8/2024 · 12:46 pm · Looking Southwest





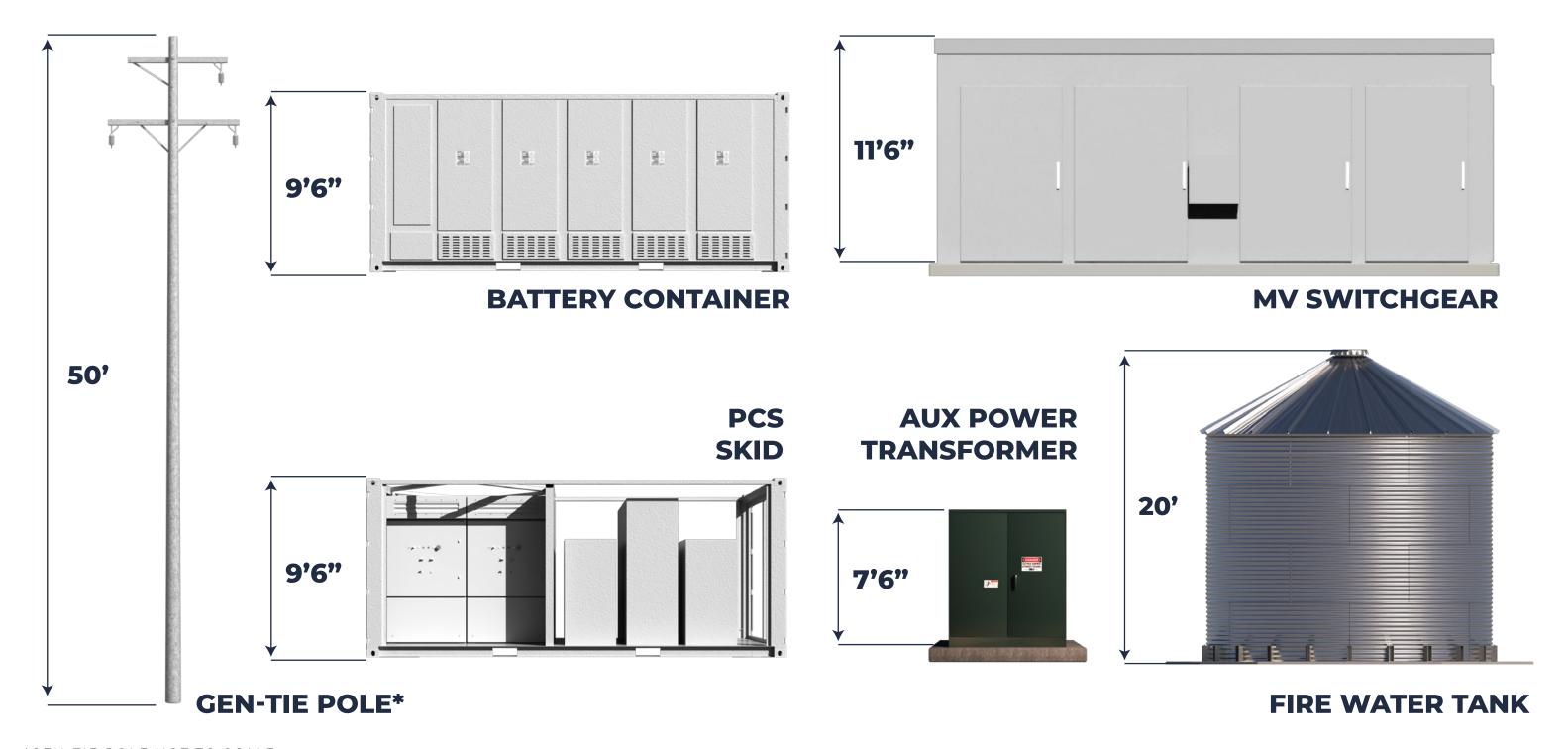
4 Viewpoint Location

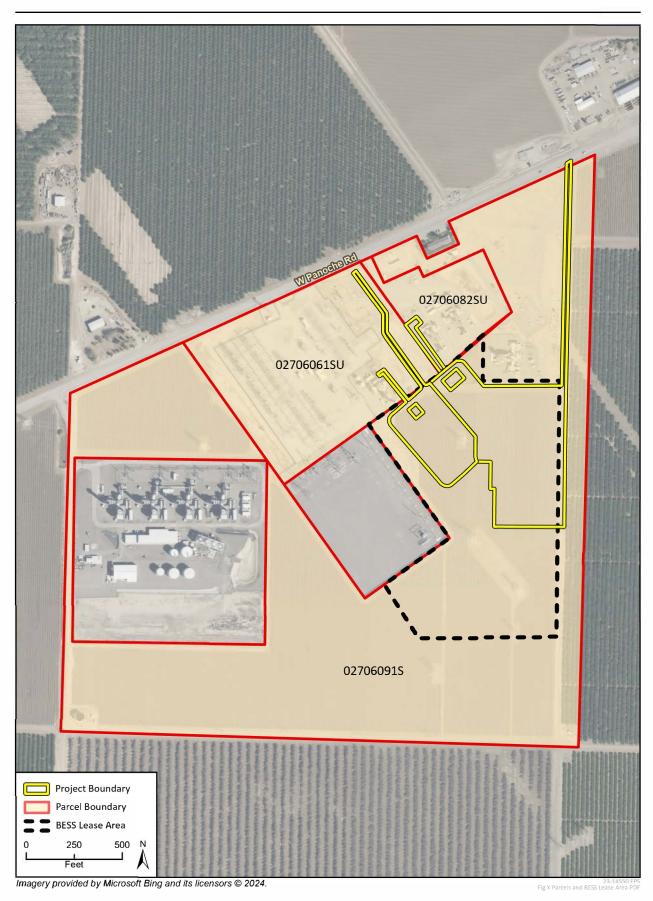


Project Site

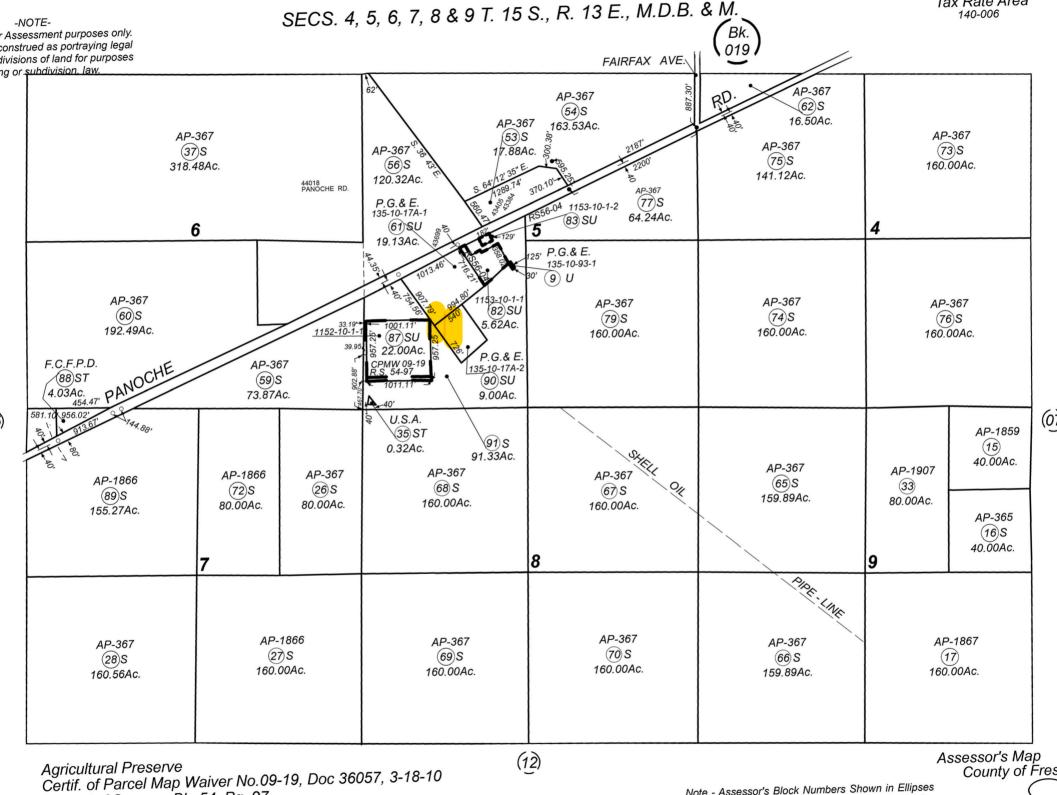
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EQUIPMENT ELEVATIONS





APN Map Midway-Panoche BESS Projects



Record of Survey - Bk. 54, Pg. 97 and of Curvey Bk 56 Pa 04

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