



Northern California Power Agency
651 Commerce Drive
Roseville, California 95678-6420

Consultation Summary

Initial Study and Mitigated Negative Declaration

NCPA Solar Project 1 – Lodi Sites

SCH No. 2019069082



Photo Courtesy of SunPower Corporation

Prepared by:

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Temecula, California 92590-4314
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Consultation Summary

Overview of the Proposed Project

The objective of the NCPA Solar Project 1 is to develop a fleet of Photovoltaic (PV) Solar Power Plants throughout participating member service territories with construction to start by the end of 2019. The plants will be managed by the Northern California Power Agency (NCPA) as a single project to be owned and operated by a third-party provider through a power purchase agreement (PPA). After the initial 5 – 7 years of operation, NCPA plans to purchase the plants.

The project will be executed in three phases:

- ❖ Phase 1 – Determine member interest and requirements and identify potential sites.
- ❖ Phase 2 – Site selection and screening, plan development and selection of a third-party provider to fulfill design, construction and operation through a PPA.
- ❖ Phase 3 – Construction and operation per the PPA.

NCPA has now completed Phase 1 and the site selection and screening portion of Phase 2. Burns & McDonnell was retained by NCPA to complete Phase 2 Site Screening, Plan Development, and Procurement services for each site selected by the member agencies. The City of Lodi selected three sites for development: Century Park East/West, Pixley Basin and Parking Garage sites. Those three sites are the subject of this Initial Study and Mitigated Negative Declaration (IS&MND).

The Century Park East site is located on a City easement bordered by an industrial park to the north, recreational fields to the south, residences to the east and the Union Pacific railroad to the west. The Century Park West site is directly across the railroad tracks from the Century Park East site. It is bordered on the north, south and west by residential development. This site is under the control of the City's Department of Parks and Recreation. However, a portion of the west site is used for material storage by the City's Public Works Department. The combined size of these two sites is 2.5 acres which would accommodate a Project size of 0.63 megawatts-direct current (MW_{dc}).

The Pixley Basin site contains approximately 27 acres and is located in an undeveloped park that serves as a stormwater detention and flood control basin. Therefore, both the Departments of Parks and Recreation and Public Works have an interests in this property. The site is surrounded by industrial and commercial uses. Residential areas do exist approximately 0.25 miles west of the site; however, Highway 99 separates the commercial areas from the residential areas and the project site is out of the viewshed of the residences. In its October 5, 2018 report, Burns & McDonnell estimated the developable portion of the site to be approximately 15 acres which would accommodate a Project size of 3.51 MW_{dc}.

The parking garage is located at the northeast corner of the intersection of E. Pine and N. Sacramento Streets in a mixed commercial and industrial area. The parking garage is a federally funded transit station garage [U.S. Department of Transportation's Federal Transit Administration (FTA)] which is administered by the City's Public Works Department's Transit Division. Consequently, the City requested a concurrence of incidental use from the FTA which would allow the development of the solar facility at this site. In his March 29, 2019 letter to Stephen Schwabauer, City Manager, Ray Tellis, Regional Administrator stated, in part:

FTA has reviewed your request letter and the supporting documents, and we concur with the incident use request. Our concurrence is based on the following guidance in FTA Circular 5010.1E, Chapter IV i. Property Management:

Page IV-14, (6) (a) Incidental Use. Incidental use must be compatible with the approved purposes of the Award and may not interfere with the intended use of the property or the recipient's ability to maintain satisfactory continuing control. ... An incidental use may not affect a property's transit capacity or use. Alterations to accommodate an incidental use should have no negative impact on the transit service or activities.

This site contains a developable area of 0.9 acres which would accommodate a Project size of 0.18 MW_{dc}.

Location of the Proposed Project

All three proposed sites are within the City of Lodi, San Joaquin County, California. Exact locations are shown below as well as on Figure 1. Individual sites are shown on Figures 2, 3 and 4.

Site	Location		Developable Area (acres)	Estimated Capacity (MW _{dc})
	Latitude, Longitude	Section, Township, Range		
Lodi – Pixley Basin	38°07'18.06"N, 121°15'12.14"W	Sec 7, T 3 N, R 7 E, MDB&M	15.0	3.51
Lodi – Century Park East/West	38°06'26.66"N, 121°16'21.63"W	Sec 13, T 3 N, R 6 E, MDB&M	2.5	0.63
Lodi – Parking Structure	38°08'05.25"N, 121°16'18.58"W	Sec 1, T 3 N, R 6 E, MDB&M	0.9	0.18



Figure 1 NCPA Solar Project 1 – Proposed Sites in the City of Lodi



Figure 2 Century Park East/West Site



Figure 3 Pixley Basin Site



Figure 4 Parking Garage Site

In order to take advantage of the federal and California tax credits for solar installations, the Project developer must enter into a Power Purchase Agreement with NCPA and a land lease agreement with the City of Lodi.

IS&MND Circulation

On June 19, 2019, K.S. Dunbar & Associates, Inc., the Northern California Power Agency’s environmental consultant, mailed copies of the Notice of Intent to Adopt a Mitigated Negative Declaration with a link to the Northern California Power Agency’s website where the Initial Study and Mitigated Negative Declaration could be electronically downloaded to the following;

Federal Agencies

Jennifer Norris, Field Supervisor
 Sacramento Fish & Wildlife Office
 U.S. Fish & Wildlife Service
 2800 Cottage Way, Room W-2605
 Sacramento, California 95825-1888

Michael S. Jewell, Chief
 Regulatory Division
 U.S. Army Corps of Engineers – Sacramento District
 1325 J Street, Room 1350
 Sacramento, California 95814-2922

Amy Dutschke, Regional Director
Pacific Region Regional Office
Bureau of Indian Affairs
U.S. Department of the Interior
2800 Cottage Way, Room W-2820
Sacramento, California 94825-1885

State Agencies

Scott Morgan, Director
State Clearinghouse
Governor's Office of Planning and Research
Post Office Box 3044
Sacramento, California 95812-3044

Tina Bartlett, Regional Manager
North Central Region (Region 2)
California Department of Fish and Wildlife
1701 Nimbus Road
Rancho Cordova, California 95670

Patrick Palupa, Executive Officer
California Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, California 95670-6114

Julianne Polanco
State Historic Preservation Officer
Office of Historic Preservation
California Department of Parks and Recreation
1725 23rd Street, Suite 100
Sacramento, California 95816-7100

Wade Crowfoot, Secretary
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, California 95814

Christina Snider, Executive Secretary
California Native American Heritage Commission
1550 Harbor Boulevard, Suite 100
West Sacramento, California 95691-3830

County Agencies

Kris Balaji, Director
Department of Public Works
San Joaquin County
1810 East Hazelton Avenue
Stockton, California 95205

John Cadrett, Manager, Compliance
Northern Region
San Joaquin Valley Air Pollution Control District
4800 Enterprise Way
Modesto, California 95356

City Agencies

Melissa Price, Interim Utility Director
Lodi Electric Utility
1331 S Ham Lane
Lodi, California 95242

Craig Hoffman, Director
Community Development Department
City of Lodi
221 W Pine Street
Lodi, California 95240

Charles E. Swimley, Jr.
Director of Public Works
City of Lodi
221 W Pine Street
Lodi, California 95240

Interested Entities

Rhonda Morningstar Pipe, Chairperson
Buena Vista Rancheria of Me-Wuk Indians
1418 20th Street
Sacramento, California 95871

Silvia Burley, Chairperson
California Valley Miwok Tribe
4620 Shippee Lane
Stockton, California 95212

California Valley Miwok Tribe
AKA Sheep Rancheria of Me-Wuk Indians of CA
2140 Shattuck Avenue, #602
Berkeley, California 94704

Sara Dutschke Setshwaelo, Chairperson
Ione Band of Mi-Wok Indians
Post Office Box 699
Plymouth, California 95699

Katherine Erolinda Perez, Chairperson
North Valley Yokuts Tribe
Post Office Box 717
Linden, California 95236

Gene Whitehouse, Chairman
United Auburn Indian Community
10720 Indian Hill Road
Auburn, California 95603

Antonio Ruiz, Cultural Resources Officer
Wilton Rancheria
9728 Kent Street
Elk Grove, California 95684

Also, on June 20, 2019, the Governor's Office of Planning and Research's State Clearinghouse circulated the Notice of Intent to Adopt a Mitigated Negative Declaration as well as the Initial Study and Mitigated Negative Declaration to the following State agencies:

- ❖ Air Resources Board, Major Industrial Projects
- ❖ California Department of Parks and Recreation
- ❖ California Energy Commission
- ❖ California Public Utilities Commission
- ❖ Central Valley Flood Protection Board
- ❖ Caltrans, District 10
- ❖ Department of Fish and Wildlife, Region 2
- ❖ Department of Fish and Wildlife, Region 3
- ❖ Department of Conservation
- ❖ Department of Toxic Substances Control
- ❖ Native American Heritage Commission
- ❖ Office of Historic Preservation
- ❖ Regional Water Quality Control Board, Region 5
- ❖ Resources Agency
- ❖ State Lands Commission

Responders to IS&MND

During the 30-day comment period, which ended on July 19, 2019, written comments were received from the following:

Scott Morgan, Director
State Clearinghouse
Governor's Office of Planning and Research
Post Office Box 3044
Sacramento, California 95812-3044

Tom Dumas, Chief
California Department of Transportation
Post Office Box 2048
Stockton, California 95201

Jordan Hensley, Environmental Scientist
California Regional Water Quality Control Board,
Central Valley Region
11020 Sun Center Drive, Suite 200
Rancho Cordova, California 95670

Arnaud Marjollet
Director of Permit Services
San Joaquin Valley Air Pollution Control District
1990 Gettysburg Avenue
Fresno, California 93726-0244

Laurel Sears, Associate Planner
San Joaquin County Department of Public Works
1810 East Hazelton Avenue
Stockton, California 95205

Katherine Erolinda Perez, Chairwoman
North Valley Yokuts Tribe
Post Office Box 717
Linden, California 95236

NCPA's Responses to Comments

NCPA's responses to comments received on the Initial Study and Mitigated Negative Declaration are provided below. Copies of the actual comment letters are provided in the Appendix to this document.

State Clearinghouse

In his July 19, 2019 letter to Keith S. Dunbar, Scott Morgan, Director, State Clearinghouse stated:

The State Clearinghouse submitted the above named MND to selected state agencies for review. The review period closed on 7/19/2019, and the comments from the responding agency (ies) is (are) available on the CEQA database for your retrieval and use. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

Check the CEQA database for submitted comments for use in preparing your final environmental document: <https://ceqa.net.opr.ca.gov/2019069082>. Should you need more information or clarification of the comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review

Response:

The CEQA database contained comments from Caltrans and the California Regional Water Quality Control Board, Central Valley Region. Responses to those comments follow.

Caltrans

In his June 25, 2019 letter to Keith S. Dunbar, Tom Dumas, Chief, Office of Metropolitan Planning stated:

The Department has the following comments:

- Please provide the type of trucks that will be used during construction, the volume of trucks, and the delivery routes they will take to Caltrans for review and comment prior to project approval.

Response:

The contractor will provide the requested information to Caltrans at the appropriate time.

- An Encroachment Permit will be required for any work done within the Department's right of way, including distribution lines crossing the State Route. This work is subject to the California Environmental Quality Act. Therefore, environmental studies may be required as part of the encroachment permits application. A qualified professional must conduct any such studies undertaken to satisfy the Department's environmental review responsibilities. Ground disturbing activities to the site prior to completion and/or approval of required environmental documents may affect the Department's ability to issue a permit for the project. Furthermore, if engineering plans or drawings will be part of your permit application, they should be prepared in standard units.

Response:

No work is planned within Caltrans' rights-of-way.

California Regional Water Quality Control Board, Central Valley Region

In his July 5, 2019 certified letter to Keith Dunbar, Jordan Hensley, Environmental Scientist stated:

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website: http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Response:

The informational material is appreciated.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsir_201_805.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

Response:

The project is not subject to either the National Pollutant Discharge Elimination System permitting process or the land discharge Waste Discharge Requirements permitting process. However, it is subject to the provisions of the National Pollutant Discharge Elimination System (NPDES) Construction Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities [NPDES No. CAS000002 (State Water Resources Control Board Order No. 2009-0009-DWQ)].

Therefore, the as shown on page 45 of the IS&MND, the Mitigation Monitoring and Reporting Program for this Project will contain the following:

- ❖ All site grading and excavation activities associated with the construction of the Project facilities would be subject to the provisions of the National Pollutant Discharge Elimination System (NPDES) Construction Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities [NPDES No. CAS000002 (State Water Resources Control Board Order No. 2009-0009-DWQ)]. Compliance with the provisions of that Order would require NCPA to obtain coverage before the onset of construction activities. Construction activities would comply with the conditions of these permits that include preparation of storm water pollution prevention plans (SWPPP), implementation of best management practices (BMPs), and monitoring to ensure impacts to water quality are minimized. As part of this process, multiple BMPs should be implemented to provide effective erosion and sediment control. These BMPs should be selected to achieve maximum sediment removal and represent the best available technology that is economically achievable. BMPs to be implemented may include, but not be limited to, the following:
 - ✓ Temporary erosion control measures such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other groundcover shall be employed for disturbed areas.
 - ✓ Storm drain inlets on the site and in downstream offsite areas shall be protected from sediment with the use of BMP's acceptable to NCPA, local jurisdictions and the California Regional Water Quality Control Board, Central Valley Region.
 - ✓ Dirt and debris shall be swept from paved streets in the construction zone on a regular basis, particularly before predicted rainfall events.
 - ✓ No disturbed surfaces shall be left without erosion control measures in place. NCPA, or its Construction Contractor, shall file a Notice of Intent with the Regional Board and require the preparation of a pollution prevention plan prior to commencement of construction. NCPA shall routinely inspect the construction site to verify that the BMP's specified in the pollution prevention plan are properly installed and maintained. NCPA shall immediately notify the contractor if there were a noncompliance issue and require immediate compliance.
- ❖ The SWPPP will also identify the method of final stabilization of the site to ensure no post-construction erosion and impacts to water quality will occur. The Notice of Termination (NOT) and release of the Project from the provisions of the Construction General Permit coverage will be granted by the California Regional Water Quality Control Board, Central Valley Region once it is satisfied that no impacts to water quality will occur.

I. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009- DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Response:

See previous response regarding this subject.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post- construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at: http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml "

Response:

The informational material is appreciated.

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014- 0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Response:

Although the Project is not subject to an Industrial Storm Water General Permit, the informational material is appreciated.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Response:

Although the Project is not subject to a Section 404 Permit, the informational material is appreciated.

Clean Water Act Section 401 Permit - Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Response:

Although the Project is not subject to a Section 401 Water Quality Certification, the informational material is appreciated.

Waste Discharge Requirements - Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water

Response:

The informational material is appreciated.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/waqo/waqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/rS-2013-0145/res.pdf

Response:

Although the Project is not subject to a dewatering permit, the informational material is appreciated.

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

There are two options to comply:

1. ***Obtain Coverage Under a Coalition Group.*** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: https://www.waterboards.ca.gov/centralvalley/water/issues/irrigated_lands/regulatory_information/for_growers/coalition_groups/ or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. ***Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General individually.*** Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 11-100 acres are currently \$1,277 + \$8.53/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Response:

The Project includes the installation of solar facilities and does not include commercial irrigated agriculture. However, the informational material is appreciated.

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for Limited Threat Discharges to Surface Water (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order.

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/rS-2016-0076-01.pdf

Response:

Although the Project does not include dewatering, the informational material is appreciated.

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

<https://www.waterboards.ca.gov/centralvalley/help/permit/>

Response:

Although the Project is not subject to the provisions of a NPDES Permit, the informational material is appreciated.

San Joaquin Valley Air Pollution Control District

In his July 15, 2019 letter to Keith S. Dunbar, Arnaud Marjollet, Director of Permit Services stated:

The District offers the following comments:

1. *Based on information provided to the District, Project specific annual emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM₁₀), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM_{2.5}). Therefore, the District concludes that the Project would have a less than significant impact on air quality when compared to the above-listed annual criteria pollutant emissions significance thresholds.*
2. *District Rule 9510 (Indirect Source Review) is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site fees. The proposed Project is subject to District Rule 9510 (Indirect Source Review) if*
 1. *It has or will receive a project-level discretionary approval from a public agency and will equal or exceed 9,000 square feet of other space, or*
 2. *square feet of other space. If subject to the rule, an Air Impact Assessment (AIA) application is required prior to applying for project-level approval from a public agency. In this case, if not already done, please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510.*

In the case the Project is subject to District Rule 9510 an AIA application is required and the District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of Project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>. The AIA application form can be found online at: <http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>.

Response:

It would appear that District Rule 9510 applies to development projects and not to projects similar to the NCPA Solar Project 1 – Lodi Sites.

3. *The proposed Project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM₁₀ Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.*

Response:

The Project will be subject to District Regulation VIII (Fugitive PM₁₀ Prohibitions). However, implementation of the dust control mitigation measures contained in the air quality mitigation measures will ensure compliance with the provisions of Regulation VIII. Those are:

- ❖ Spread soil binders on site, where appropriate, unpaved roads and staging areas.
- ❖ Water site and equipment as necessary to control dust.
- ❖ Sweep all streets at least once per day in accordance with SJVAPCD Rule 8041.
- ❖ Conduct operations in accordance with SJVAPCD Rule 8021 requirements.
- ❖ If necessary, wash off trucks leaving the site.
- ❖ Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114.

In addition, the contractor will be required to submit a Dust Control Plan to the SFVAPCD for approval prior to the start of construction.

4. *The District recommends that a copy of the District's comments be provided to the Project proponent.*

Response:

The District's comments are included in the Consultation Summary (this document) which will be included as part of the agenda package presented to the NCPA Commission when it considers adoption of the Mitigated Negative Declaration and approval of the Project.

San Joaquin County Department of Public Works

In her July 16, 2019 letter to Keith Dunbar, Laurel Sears, Associate Planner, stated:

The San Joaquin County Department of Public Works has reviewed the Notice of Intent to adopt a Mitigated Negative Declaration for the above project. We have no comment, as we do not believe the County of San Joaquin has a nexus on this project within the City of Lodi.

The County does request to be included on the circulation list for any additional project documents.

Thank you for the opportunity to review and comment. Should you have questions please contact jlevers@sigov.org or (209) 953-7631.

Response:

No response is required to this informational comment.

Northern Valley Yokuts Tribe

In her July 3, 2019 email to Keith S. Dunbar, P.E., BCEE, Hon.D.WRE., F. ASCE, Katherine Erolinda Perez, Chairwoman stated:

Thank you for your letter dated, June 21, 2019. I am contacting you in order to request:

- Formal consultation for this project. Provide lead agency contact information;*

Response:

On March 12, 2019, K.S. Dunbar & Associates, Inc., sent a formal AB 52 Notification to Chairwoman Perez which contained the following statement:

“...the tribes request to consult on the above-named project must be received no later than 30 days from the date of this notification.”

Subsequently, Chairwoman Perez, sent an email to Keith S. Dunbar in response to the March 12, 2019 Notification in which she stated:

The tribe has reviewed the information. The tribe is requesting that the NCPA request a record search from the Native American Heritage Commission and the information center as the area of the proposed project is in an area of sensitivity.

As noted, Chairwoman Perez did not request consultation under the provisions of AB52 within the 30 days and, therefore, the formal consultation process did not commence.

- *PDF and hard copies of MND, existing cultural resource assessments, and CHRIS records searches results that may have been completed;*

Response:

The Notice of Intent included a link to NCPA's website where the IS&MND could be downloaded. Appendix D of that document contained Anza Resources Consultants reports which included the results of the record searches.

- *GIS SHP files for the project;*

Response:

GIS SHP files were not created for this Project.

- *A Tribal Monitor for this project for three proposed sites are within the City of Lodi, San Joaquin County, California: Pixley Basin, Century Park East/West, and Parking Structure.*

Response:

Based on its record searches and field inspections, Anza recommended a finding of ***no impact to historical resources*** under CEQA. In addition, no further cultural resources work was recommended. Standard mitigation measures for the unanticipated discovery of cultural resources during excavation are included in the Mitigation Monitoring and Reporting Program for this Project. Based on this, NCPA does not agree that Tribal Monitors are justified for this Project.

Tribal Cultural Resources, also considered historical and unique archaeological resources, are in the project area, and we recommend the following mitigation measures, which should be incorporated into the environmental report and MMRP that are developed for the project:

- *Tribal monitors shall be invited to observe and participate in all cultural resource work, including all pedestrian surveys and archaeological testing for the project.*

Response:

As stated in the previous response, NCPA does not agree that Tribal Monitors are justified for this Project.

- *If tribal cultural resources are identified within the project area, it is Northern Valley Yokuts Tribe and Nototomne Cultural Preservation policy that tribal monitors must be present for all ground disturbing activities.*

Response:

The MMRP for this Project includes measures for protecting any inadvertent discoveries of cultural resources or human remains.

- Subsurface archaeological testing and data recovery must not occur without first consulting with and receiving written consent from Northern Valley Yokuts Tribe and Nototomne Cultural Preservation.

Response:

There is no subsurface testing or data recovery planned for this Project. However, as stated above, the MMRP for this Project includes measures for protecting any inadvertent discoveries of cultural resources or human remains.

- *Additional substantial information including maps, archives, and records of the Tribal Cultural Resources can be obtained via a consulting services request of the Tribes archives and GIS database. A cost estimate can be provided upon request. If interested in these services, request a copy of the program description.*

Response:

NCPA and its consultants are satisfied with the completeness of its cultural resources studies.

- *Finally, please be advised that the Tribe's strong preference is to preserve tribal cultural resources in place and avoid them whenever possible. And, no lab testing and analysis or curation.*

Response:

The MMRP for this Project is based on that ideal.

Thank you for involving the Tribe early in the environmental review and planning process. We ask that you make this communication a part of the final report and will work with you to preserve and protect tribal cultural resources and remains of our ancestors.

Response:

The Tribe's correspondence is included in this document and will be forwarded to NCPA's Commission when it considers the MND for adoption.

Appendix
Comment Letters Received on IS&MND



Gavin Newsom
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Kate Gordon
Director

July 19, 2019

Keith S. Dunbar
Northern California Power Agency
45375 Vista Del Mar
Temecula, CA 92590-4314

Subject: NCPA Solar Project 1 - Lodi Sites
SCH#: 2019069082

Dear Keith S. Dunbar:

The State Clearinghouse submitted the above named MND to selected state agencies for review. The review period closed on 7/19/2019, and the comments from the responding agency (ies) is (are) available on the CEQA database for your retrieval and use. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

“A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation.”

Check the CEQA database for submitted comments for use in preparing your final environmental document: <https://ceqanet.opr.ca.gov/2019069082/2>. Should you need more information or clarification of the comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

cc: Resources Agency

DEPARTMENT OF TRANSPORTATION

P.O. BOX 2048 STOCKTON, CA 95201
(1976 E. CHARTER WAY/1976 E. DR. MARTIN
LUTHER KING JR. BLVD. 95205)
TTY: California Relay Service (800) 735-2929
PHONE (209) 941-1921
FAX (209) 948-7194



*Making Conservation
a California Way of Life.*

June 25, 2019

10-SJ-99-PM 029.843
Northern CA Power Agency
Solar Project 1 – Lodi Sites
SCH#2019069082

Keith S. Dunbar
Northern California Power Agency
45375 Vista Del Mar
Temecula, CA 92590-4314

Dear Mr. Dunbar:

The California Department of Transportation appreciates the opportunity to review the NCPA's Solar Project 1 in Lodi. The project proposes a fleet of photovoltaic solar power plants at three sites. The first is Century Park East site located between East and West Century Boulevard and north of Salas Park. The second is Pixley Basin on the north side of Auto Center Road and approximately 400 feet east of Beckman Road. The third is a parking garage at the northeast corner of the intersection of East Pine Street and North Sacramento Street. The Department has the following comments:

- Please provide the type of trucks that will be used during construction, the volume of trucks, and the delivery routes they will take to Caltrans for review and comment prior to project approval.
- An Encroachment Permit will be required for any work done within the Department's right of way, including distribution lines crossing the State Route. This work is subject to the California Environmental Quality Act. Therefore, environmental studies may be required as part of the encroachment permits application. A qualified professional must conduct any such studies undertaken to satisfy the Department's environmental review responsibilities. Ground disturbing activities to the site prior to completion and/or approval of required environmental documents may affect the Department's ability to issue a permit for the project. Furthermore, if engineering plans or drawings will be part of your permit application, they should be prepared in standard units.

If you have any questions or would like to discuss our comments in more detail, please contact Nicholas Fung at (209) 948-7190 or myself at (209) 941-1921.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Dumas".

TOM DUMAS, CHIEF
OFFICE OF METROPOLITAN PLANNING



Central Valley Regional Water Quality Control Board

5 July 2019

Governor's Office of Planning & Research

JUL 08 2019

Keith Dunbar
Northern California Power Agency
45375 Vista Del Mar
Temecula, CA 92590-4314

STATE CLEARINGHOUSE

CERTIFIED MAIL

7017 2620 0001 1359 1052

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, NCPA SOLAR PROJECT 1 - LODI SITES, SCH#2019069082, SAN JOAQUIN COUNTY

Pursuant to the State Clearinghouse's 20 June 2019 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Mitigated Negative Declaration for the NCPA Solar Project 1 - Lodi Sites, located in San Joaquin County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley

of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: https://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/regulatory_information/for_growers/coalition_groups/ or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 11-100 acres are currently \$1,277 + \$8.53/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete

Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order.

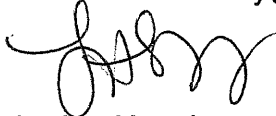
For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:
<https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4812 or Jordan.Hensley@waterboards.ca.gov.



Jordan Hensley
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento

JUL 15 2019

Keith S. Dunbar
K.S. Dunbar & Associates, Inc.
Environmental Engineering
45375 Vista Del Mar
Temecula, CA 92590-4314

**Project: Notice of Intent to Adopt a Mitigated Negative Declaration
Northern California Power Agency (NCPA) Solar Project – Lodi Sites**

District CEQA Reference No: 20190875

Dear Mr. Dunbar:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above consisting of the development of a fleet of photovoltaic (PV) solar power plants at three sites totaling 4.32 megawatts (MW) and 18.4 acres (Project) located in Lodi, CA. The District offers the following comments:

1. Based on information provided to the District, Project specific annual emissions of criteria pollutants are not expected to exceed any of the following District significance thresholds: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5). Therefore, the District concludes that the Project would have a less than significant impact on air quality when compared to the above-listed annual criteria pollutant emissions significance thresholds.
2. District Rule 9510 (Indirect Source Review) is intended to mitigate a project's impact on air quality through project design elements or by payment of applicable off-site fees. The proposed Project is subject to District Rule 9510 (Indirect Source Review) if (1) it has or will receive a project-level discretionary approval from a public agency and will equal or exceed 9,000 square feet of other space, or (2) if it has or will receive a project-level approval from a public agency and will equal or exceed 45,000 square feet of other space. If subject to the rule, an Air Impact Assessment (AIA) application is required prior to applying for project-level approval from a public agency. In this

Samir Sheikh

Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

case, if not already done, please inform the project proponent to immediately submit an AIA application to the District to comply with District Rule 9510.

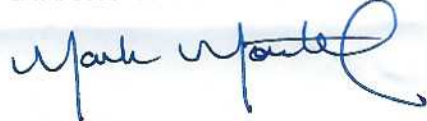
In the case the Project is subject to District Rule 9510 an AIA application is required and the District recommends that demonstration of compliance with District Rule 9510, before issuance of the first building permit, be made a condition of Project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>. The AIA application form can be found online at: <http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>.

3. The proposed Project may be subject to District Rules and Regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.
4. The District recommends that a copy of the District's comments be provided to the Project proponent.

If you have any questions or require further information, please call Sharla Yang at (559) 230-5934.

Sincerely,

Arnaud Marjollet
Director of Permit Services



for: Brian Clements
Program Manager

AM: sy



SAN JOAQUIN
— COUNTY —
Greatness grows here.



Department of Public Works

Kris Balaji, Director of Public Works

Fritz Buchman, Deputy Director/Development

Alex Chetley, Interim Deputy Director/Engineering

Jim Stone, Deputy Director/Operations

Kristi Rhea, Manager of Strategic Initiatives

July 17, 2019

K.S. Dunbar & Associates
45375 Vista Del Mar
Temecula, CA 92590

SUBJECT: NOI TO ADOPT A MITIGATION NEGATIVE DECLARATION NCPA- LODI SITES

Dear Keith Dunbar,

The San Joaquin County Department of Public Works has reviewed the Notice of Intent to adopt a Mitigated Negative Declaration for the above project. We have no comment, as we do not believe the County of San Joaquin has a nexus on this project within the City of Lodi.

The County does request to be included on the circulation list for any additional project documents.

Thank you for the opportunity to review and comment. Should you have questions please contact jlevers@sigov.org or (209) 953-7631.

Sincerely,

A handwritten signature in cursive script that reads "Laurel Sears".

Laurel Sears
Associate Planner

LS:jl

NCPA Solar Project Lodi

1 message

canutes@verizon.net <canutes@verizon.net>
To: ksdpe67@gmail.com

Wed, Jul 3, 2019 at 8:45 PM

Subject: Consultation for the Notice of Intent to Adopt a Mitigated Negative Declaration
NCPA Solar Project - Lodi Sites (Project)

Dear Keith S. Dunbar, P.E., BCEE, Hon.D.WRE., F. ASCE,

Thank you for your letter dated, June 21, 2019. I am contacting you in order to request:

- Formal consultation for this project. Provide lead agency contact information;
- PDF and hard copies of MND, existing cultural resource assessments, and CHRIS records searches results that may have been completed;
- GIS SHP files for the project;
- A Tribal Monitor for this project for three proposed sites are within the City of Lodi, San Joaquin County, California: Pixley Basin, Century Park East/West, and Parking Structure.

Tribal Cultural Resources, also considered historical and unique archaeological resources, are in to the project area, and we recommend the following mitigation measures, which should be incorporated into the environmental report and MMRP that are developed for the project:

- Tribal monitors shall be invited to observe and participate in all cultural resource work, including al pedestrian surveys and archaeological testing for the project.
- If tribal cultural resources are identified within the project area, it is Northern Valley Yokuts Tribe and Nototomne Cultural Preservation policy that triba l monitors must be present for all ground disturbing activities.
- Subsurface archaeological testing and data recovery must no t occur without first consulting with and receiving written consent from Northern Valley Yokuts Tribe and Nototomne Cultural Preservation.
- Additional substantial information including maps, archives, and records of the Tribal Cultural Resources can be obtained via a consulting services request of the Tribes archives and GIS database. A cost estimate can be provided upon request. If interested in these services, request a copy of the program description.
- Finally, please be advised that the Tribe's strong preference is t o preserve tribal cultural resources in place and avoid them whenever possible. And, no lab testing and analysis or curation.

Thank you for involving the Tribe early in the environmental review and planning process. We ask that you make this communication a part of the final report and will work with you to preserve and protect tribal cultural resources and remains of our ancestors.

Please contact me by phone 209.649.8972 or email at canutes@verizon.net to continue the consultation.

Sincerely,
Katherine Erolinda Perez, Chairwoman