



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

## Consultation Summary

### Initial Study and Mitigated Negative Declaration NCPA Solar Project 1 – Plumas-Sierra Chilcoot Site SCH NO. 2019079014



Photo Courtesy of SunPower Corporation

*Prepared by:*

**K.S. Dunbar & Associates, Inc.**  
Environmental Engineering  
45375 Vista Del Mar  
Temecula, California 92590-4314  
951-699-2082  
Email: [ksdpe67@gmail.com](mailto:ksdpe67@gmail.com)

September 2019



# 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 on which construction is to be started 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. Plumas-Sierra Rural Electric Cooperative (PSREC) selected a site near Chilcoot for further analysis as shown below:

Site	Location		Developable Area (acres)	Estimated Capacity (MW <sub>dc</sub> )
	Latitude, Longitude	Section, Township, Range		
Plumas-Sierra Chilcoot	39° 47' 56.66" N, -120° 09' 49.99" W	Sec 35, T 23 N, R 16 E, MDB&M	28.2	5.64

The Project site is located within a 36-acre vacant parcel that is located just south of Highway 70 east of its intersection with Highway 49. The site is bordered by Highway 70 to the north, an industrial facility to the east, Union Pacific Railroad to the south, and scattered residences to the east (Figure 1). This site would accommodate a 5.64 MW<sub>dc</sub> facility with a one-year output of 9,720 megawatt-hours.



**Figure 1 Proposed Project Site**

## IS&MND Circulation

On July 1, 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

Clint Snider, Assistant Executive Officer  
California Regional Water Quality Control Board, Central Valley Region  
364 Knollcrest Drive, Suite 205  
Redding, California 96002

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

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

t

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

## County Agencies

Gretchen Bennitt  
Air Pollution Control Officer  
Northern Sierra Air Quality Management District  
200 Lytton Drive, Suite 320  
Grass Valley, California 95945

Randy Wilson, Planning Director  
Plumas County  
555 Main Street  
Quincy, California 95971

## City Agencies

Tom Cooley, Mayor  
City of Portola  
35 Third Avenue  
Portola, California 96122

## Interested Entities

Jason Harston, Manager  
Engineering and Operations  
Plumas Sierra Rural Electric Cooperative  
73233 State Route 70  
Portola, California 96122-7069

Glenda Nelson, Chairperson  
Enterprise Rancheria of Maidu Indians  
2133 Monte Vista Avenue  
Oroville, California 95966  
[info@enterpriserancheria.us](mailto:info@enterpriserancheria.us)

Kyle Self, Chairman  
Greenville Rancheria of Maidu Indians  
Post Office Box 279  
Greenville, California 95947-0279  
[kself@greenvillerancheria.com](mailto:kself@greenvillerancheria.com)

Benjamin Clarke, Chairperson  
Mooretown Rancheria of Maidu Indians  
#1 Alverde Drive  
Oroville, California 95966  
[frontdesk@mooretown.org](mailto:frontdesk@mooretown.org)

Melany Johnson  
Tribal Historic Preservation Officer  
Susanville Indian Rancheria  
745 Joaquin Street  
Susanville, California 96130  
[mjohnson@sir-nsn.gov](mailto:mjohnson@sir-nsn.gov)

Grayson Coney, Cultural Director  
T'SI-akim Maidu  
Post Office Box 510  
Browns Valley, California 95918-0510  
[tsi-akim-maidu@att.net](mailto:tsi-akim-maidu@att.net)

Darrel Cruz, Cultural Resources Department  
Washoe Tribe of Nevada and California  
919 Highway 395 South  
Gardnerville, Nevada 89410  
[darrel.cruz@washoetribe.us](mailto:darrel.cruz@washoetribe.us)

Also, on July 3, 2019, the State Clearinghouse submitted copies of the Notice of Intent to Adopt a Mitigated Negative Declaration as well as the IS&MND to the following State agencies for review and comments:

- ❖ Air Resources Board, Major Industrial Projects
- ❖ California Department of Parks and Recreation
- ❖ California Energy Commission
- ❖ California Highway Patrol
- ❖ California Public Utilities Commission
- ❖ Caltrans, District 2
- ❖ Central Valley Flood Protection Board
- ❖ Department of Conservation
- ❖ Department of Toxic Substances Control
- ❖ Native American Heritage Commission
- ❖ Office of Historic Preservation
- ❖ Regional Water Quality Control Board, Region 5 (Redding)
- ❖ Resources Agency
- ❖ State Water Resources Control Board, Division of Drinking Water

## Responders to the IS&MND

During the 30-day comment period which ended on August 1, 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

Scott A. Zairtz, R.E.H.S.  
Environmental Scientist  
Storm Water & Water Quality Certification Unit  
Central Valley Regional Water Quality Control Board  
384 Knollcrest Drive, Suite 200  
Redding, California 96002

Marcelino "Marci" Gonzalez  
Land Development Review & Regional Transportation Planner  
Caltrans, District 2  
1657 Riverside Drive  
Redding, California 96001-0536

## NCPA's Responses to Comments

Written comments received on the IS&MND are summarized below followed by NCPA's responses. Copies of the actual comment letters are contained in the Appendix in this document.

### State Clearinghouse

In his August 2, 2019 letter to Keith Dunbar, Scott Morgan, Director stated:

*The State Clearinghouse submitted the above named MND to selected state agencies for review. The review period closed on 8/01/2019, and the comments from the responding agency (ies) is (are) available on the CEQA database for your retrieval and use.*

**Check the CEQA database for submitted comments for use in preparing your final environmental document:** <https://ceqanet.opr.ca.gov/2019079014/2>. 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,

**Response:**

Response to those comments follow.

## Caltrans, District 2

In her July 29, 2019 email to Keith S. Dunbar, Marcelino “Marci” Gonzalez, Local Development Review and Regional Transportation Planner stated:

*Caltrans has reviewed the Mitigated Negative Declaration prepared for the Vinton-Chilcoot Solar Project site. The site is adjacent to SR 70 east of the SR 49 intersection. Access appears to be from an existing road connection leading to the site but is not specified in the project description. We are unable to determine if this project will require that work will need to be done in the state highway right-of-way. Please add to the project's construction requirements that any work done in the state highway right-of-way must meet state highway standards and will require an encroachment permit. For more information regarding encroachment permit fees or the encroachment permit process, the applicant may contact the District 2 Permits Office located at 1657 Riverside Drive in Redding. The telephone number is (530) 225-3400. Encroachment permit applications are also available from the Caltrans website at [www.dot.ca.gov](http://www.dot.ca.gov).*

**Response:**

As shown on Figure 2.3-3 in the Initial Study, the potential access to the site would be from State Route 70 near the northeast corner of the property. The Project developer will be required to submit an application to Caltrans for an encroachment permit prior to construction of the access road.

## Central Valley Regional Water Quality Control Board

In his July 18, 2019 letter to Keith S. Dunbar, Scott A. Zaitz, R.E.H.S, Environmental Scientist, Storm Water & Water Quality Certification Unit stated:

*Based on our review of the information submitted for the proposed project, we have the following comments:*

**General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (CGP)**

*Construction activity, including demolition, resulting in a land disturbance of one acre or more must obtain coverage under the CGP. NCPA Solar Project 1 - Plumas-Sierra Chilcoot Site Project must be conditioned to implement storm water pollution controls during construction and post-construction as required by the CGP. To apply for coverage under the CGP the property owner must submit Permit Registration Documents electronically prior to construction. Detailed information on the CGP can be found on the State Water Board website: [Water Boards Stormwater Construction Permits](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)*

*([https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](https://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml))*

**Response:**

NCPA is aware of its responsibilities with respect to the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities as shown by the following discussion which was included on page 3-40 of the Initial Study:

Implementation of the following mitigation measures would ensure that all impacts to water quality were less than significant.

- ❖ 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 BMP's, and monitoring to ensure impacts to water quality are minimized. As part of this process, multiple BMP's should be implemented to provide effective erosion and sediment control. These BMP's should be selected to achieve maximum sediment removal and represent the best available technology that is economically achievable. BMP's 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.

*Isolated wetlands and other waters not covered by the Federal Clean Water Act Some wetlands and other waters are considered "geographically isolated" from navigable waters and are not within the jurisdiction of the Clean Water Act. (e.g., isolated wetlands, vernal pools, or stream banks above the ordinary high-water mark). Discharge of dredged or fill material to these waters may require either individual or general waste discharge requirements from the Central Valley Water Board. If the U.S. Army Corps of Engineers determine that isolated wetlands or other waters **exist** at the project site, and the project impacts or has potential to impact these non-jurisdictional waters, a Report of Waste Discharge and filing fee must be submitted to the Central Valley Water Board. The Central Valley Water Board will consider the information provided and either issue or waive Waste Discharge Requirements. Failure to obtain waste discharge requirements or a waiver may result in enforcement action.*

*Any person discharging dredge or fill materials to waters of the State must file a report of waste discharge pursuant to Sections 13376 and 13260 of the CWC. Both the requirements to submit a report of waste discharge and apply for a Water Quality Certification may be met using the same application form, found at: [Water Boards Adopted Orders for Water Quality](#)*

*([http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf))*

**Response:**

There are no isolated waters at the Project site that would be impacted by Project implementation.



**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

August 2, 2019

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

Subject: NCPA Solar Project 1 - Plumas-Sierra Chilcoot Site  
SCH#: 2019079014

Dear Keith S. Dunbar:

The State Clearinghouse submitted the above named MND to selected state agencies for review. The review period closed on 8/1/2019, 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/2019079014/2>.** 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

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**Plu-70-92.59 NCPA Chilcoot Solar Project MND SCH#2019079014**

1 message

**Gonzalez, Marcelino@DOT** <marcelino.gonzalez@dot.ca.gov>

Mon, Jul 29, 2019 at 3:09 PM

To: "ksdpe67@gmail.com" &lt;ksdpe67@gmail.com&gt;, "state.clearinghouse@opr.ca.gov" &lt;state.clearinghouse@opr.ca.gov&gt;

Cc: "Chaffin, Fred N@DOT" &lt;fred.chaffin@dot.ca.gov&gt;, "Battles, Michael@DOT" &lt;Michael.Battles@dot.ca.gov&gt;, "Maxwell, John G@DOT" &lt;john.maxwell@dot.ca.gov&gt;, "Partlow, Karen A@DOT" &lt;karen.partlow@dot.ca.gov&gt;

Caltrans has reviewed the Mitigated Negative Declaration prepared for the Vinton-Chilcoot Solar Project site. The site is adjacent to SR 70 east of the SR 49 intersection. Access appears to be from an existing road connection leading to the site but is not specified in the project description. We are unable to determine if this project will require that work will need to be done in the state highway right-of-way. Please add to the project's construction requirements that any work done in the state highway right-of-way must meet state highway standards and will require an encroachment permit. For more information regarding encroachment permit fees or the encroachment permit process, the applicant may contact the District 2 Permits Office located at 1657 Riverside Drive in Redding. The telephone number is (530) 225-3400. Encroachment permit applications are also available from the Caltrans website at [www.dot.ca.gov](http://www.dot.ca.gov).

Marcelino "Marci" Gonzalez  
Local Development Review  
& Regional Transportation Planner  
(530)225-3369

## Central Valley Regional Water Quality Control Board

18 July 2019

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

### **COMMENTS ON THE MITIGATED NEGATIVE DECLARATION FOR THE NCPA SOLAR PROJECT 1 – PLUMAS-SIERRA CHILCOOT SITE PROJECT, STATE CLEARINGHOUSE NUMBER 2019079014, PORTOLA/CHILCOOT, PLUMAS COUNTY**

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA). On 8 July 2019, we received your request for comments on the Initial Study and Mitigated Negative Declaration for the NCPA Solar Project 1 – Plumas-Sierra Chilcoot Site Project (Project).

The proposed Project is to develop an approximately 28.2-acre Photovoltaic Solar Power Plant within the 36-acre privately owned parcel. The Project is located just south of Highway 70 east of its intersection with Highway 49. The site is bordered by Highway 70 to the north, an industrial facility to the east, Union Pacific Railroad to the south, and scattered residences to the east.

Based on our review of the information submitted for the proposed project, we have the following comments:

#### General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (CGP)

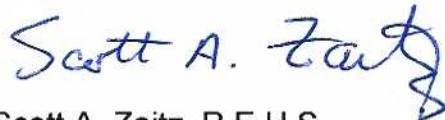
Construction activity, including demolition, resulting in a land disturbance of one acre or more must obtain coverage under the CGP. NCPA Solar Project 1 – Plumas-Sierra Chilcoot Site Project must be conditioned to implement storm water pollution controls during construction and post-construction as required by the CGP. To apply for coverage under the CGP the property owner must submit Permit Registration Documents electronically prior to construction. Detailed information on the CGP can be found on the State Water Board website: [Water Boards Stormwater Construction Permits](http://www.waterboards.ca.gov/centralvalley/Permits)

([https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](https://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml))

Isolated wetlands and other waters not covered by the Federal Clean Water Act  
Some wetlands and other waters are considered "geographically isolated" from navigable waters and are not within the jurisdiction of the Clean Water Act. (e.g., isolated wetlands, vernal pools, or stream banks above the ordinary high-water mark). Discharge of dredged or fill material to these waters may require either individual or general waste discharge requirements from the Central Valley Water Board. If the U.S. Army Corps of Engineers determine that isolated wetlands or other waters exist at the project site, and the project impacts or has potential to impact these non-jurisdictional waters, a Report of Waste Discharge and filing fee must be submitted to the Central Valley Water Board. The Central Valley Water Board will consider the information provided and either issue or waive Waste Discharge Requirements. Failure to obtain waste discharge requirements or a waiver may result in enforcement action.

Any person discharging dredge or fill materials to waters of the State must file a report of waste discharge pursuant to Sections 13376 and 13260 of the CWC. Both the requirements to submit a report of waste discharge and apply for a Water Quality Certification may be met using the same application form, found at: [Water Boards Adopted Orders for Water Quality](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)  
([http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf))

If you have any questions or comments regarding this matter, please contact me at (530) 224-4784 or by email at [Scott.Zaitz@waterboards.ca.gov](mailto:Scott.Zaitz@waterboards.ca.gov).



Scott A. Zaitz, R.E.H.S.  
Environmental Scientist  
Storm Water & Water Quality Certification Unit

SAZ: db

cc: Mrs. Nancy Haley, U.S. Army Corps of Engineers, Sacramento  
Department of Fish and Wildlife, Region 2, Rancho Cordova