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
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September 2019
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:

<table>
<thead>
<tr>
<th>Site</th>
<th>Latitude, Longitude</th>
<th>Location</th>
<th>Developable Area (acres)</th>
<th>Estimated Capacity (MW dc)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plumas-Sierra Chilcoot</td>
<td>39° 47' 56.66&quot; N, 120° 09' 49.99&quot; W</td>
<td>Sec 35, T 23 N, R 16 E, MDB&amp;M</td>
<td>28.2</td>
<td>5.64</td>
</tr>
</tbody>
</table>

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 MWdc facility with a one-year output of 9,720 megawatt-hours.
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 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

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

Kyle Self, Chairman
Greenville Rancheria of Maidu Indians
Post Office Box 279
Greenville, California 95947-0279
kself@greenvillerancheria.com

Benjamin Clarke, Chairperson
Mooretown Rancheria of Maidu Indians
#1 Alverde Drive
Oroville, California 95966
frontdesk@mooretown.org

Melany Johnson
Tribal Historic Preservation Officer
Susanville Indian Rancheria
745 Joaquin Street
Susanville, California 96130
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

Darrel Cruz, Cultural Resources Department
Washoe Tribe of Nevada and California
919 Highway 395 South
Gardnerville, Nevada 89410
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:
Responses 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](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)

Response:

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

Comment Letters Received on IS&MND
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
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) 225-3439. Encroachment permit applications are also available from the Caltrans website at www.dot.ca.gov.

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

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.

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