



APPENDIX F
NOTICE OF PREPARATION AND
SCOPING SUMMARY REPORT



NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

Date: November 19, 2021

To: Agencies and Interested Parties

Lead Agency: Sacramento Municipal Utility District
Environmental Services Department
6201 S Street, MS B209
Sacramento, CA 95817
Contact: Amy Spitzer

Subject: Notice of Preparation of a Draft Environmental Impact Report for the Proposed Country Acres Solar Project

Review Period: November 19, 2021 to December 21, 2021

Sacramento Municipal Utility District (SMUD) is proposing the Country Acres Solar Project which would include installation, operation, and maintenance of a photovoltaic (PV) solar power and battery storage renewable energy generation facility in southwestern Placer County. SMUD plans to prepare an environmental impact report (EIR) for the project to satisfy the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Section 21000 et seq.) and will serve as the lead agency for CEQA compliance. Throughout the CEQA process, SMUD will work closely with Placer County because the County will play a substantial role in the project as the issuer of project entitlements.

Purpose of Notice: In accordance with the State CEQA Guidelines (14 California Code of Regulations [CCR] Section 15082), SMUD has prepared this notice of preparation (NOP) to inform agencies and interested parties that an EIR will be prepared for the above-referenced project. The purpose of an NOP is to provide sufficient information about the project and its potential environmental impacts to allow agencies and interested parties the opportunity to provide a meaningful response related to the scope and content of the EIR, including mitigation measures that should be considered and alternatives that should be addressed (State CEQA Guidelines 14 CCR Section 15082[b]).

Project Location: The project would be located on up to approximately 1,300 acres of land in southwestern Placer County just west of the City of Roseville, north of Baseline Road and east of South Brewer Road (Figure 1 and Figure 2). Primary access to the project site would be provided by an entry road from Baseline Road to the south and Phillip Road to the north.

The project site is relatively flat and open and includes grassland, agricultural rice fields and almond orchards with scattered seasonal wetlands, including vernal pools. It also includes several drainages, including segments of upper Curry Creek. Agricultural uses and grassland surround the project site with some residential development to the east in the City of Roseville.

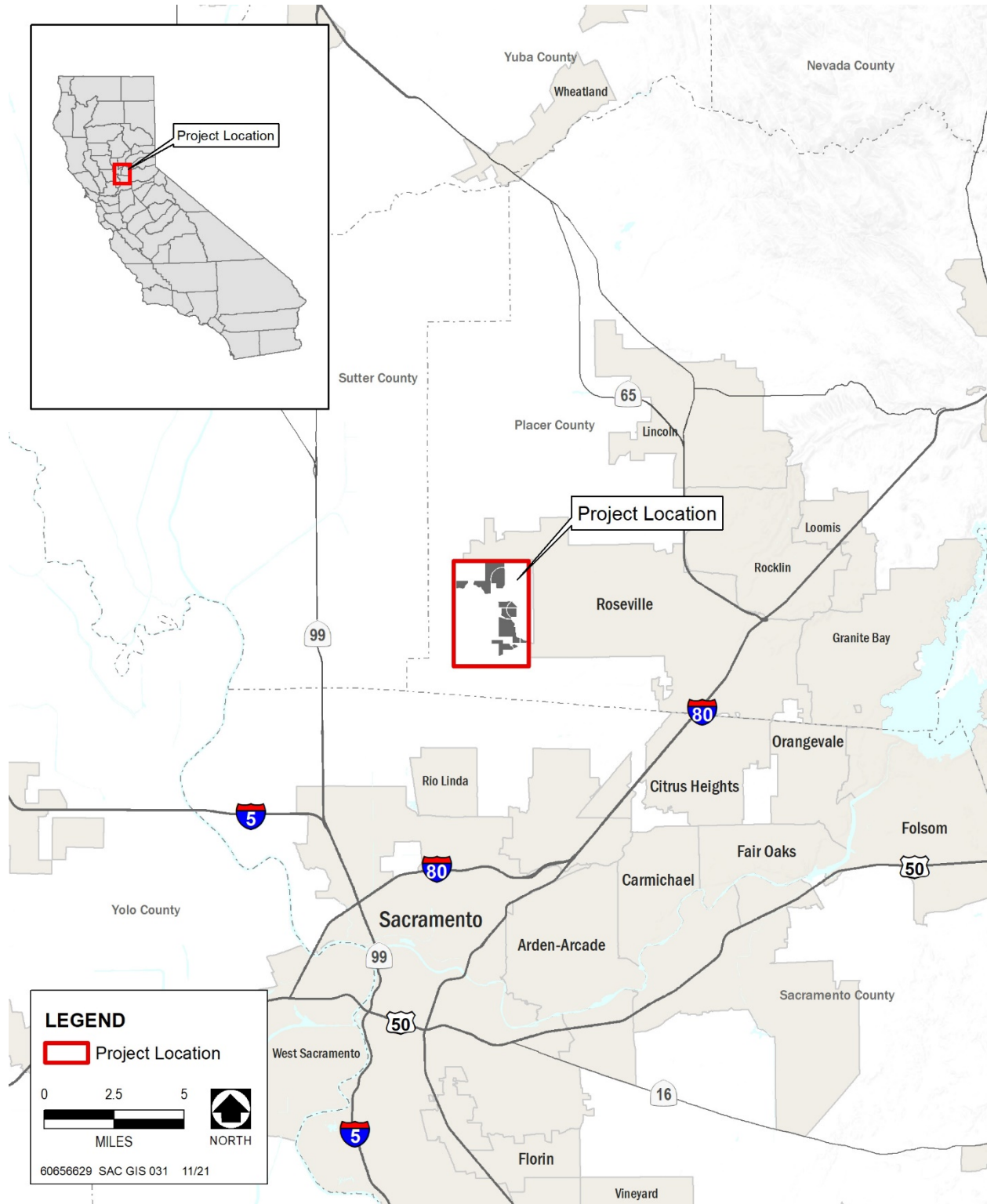


Figure 1. Regional Location Map

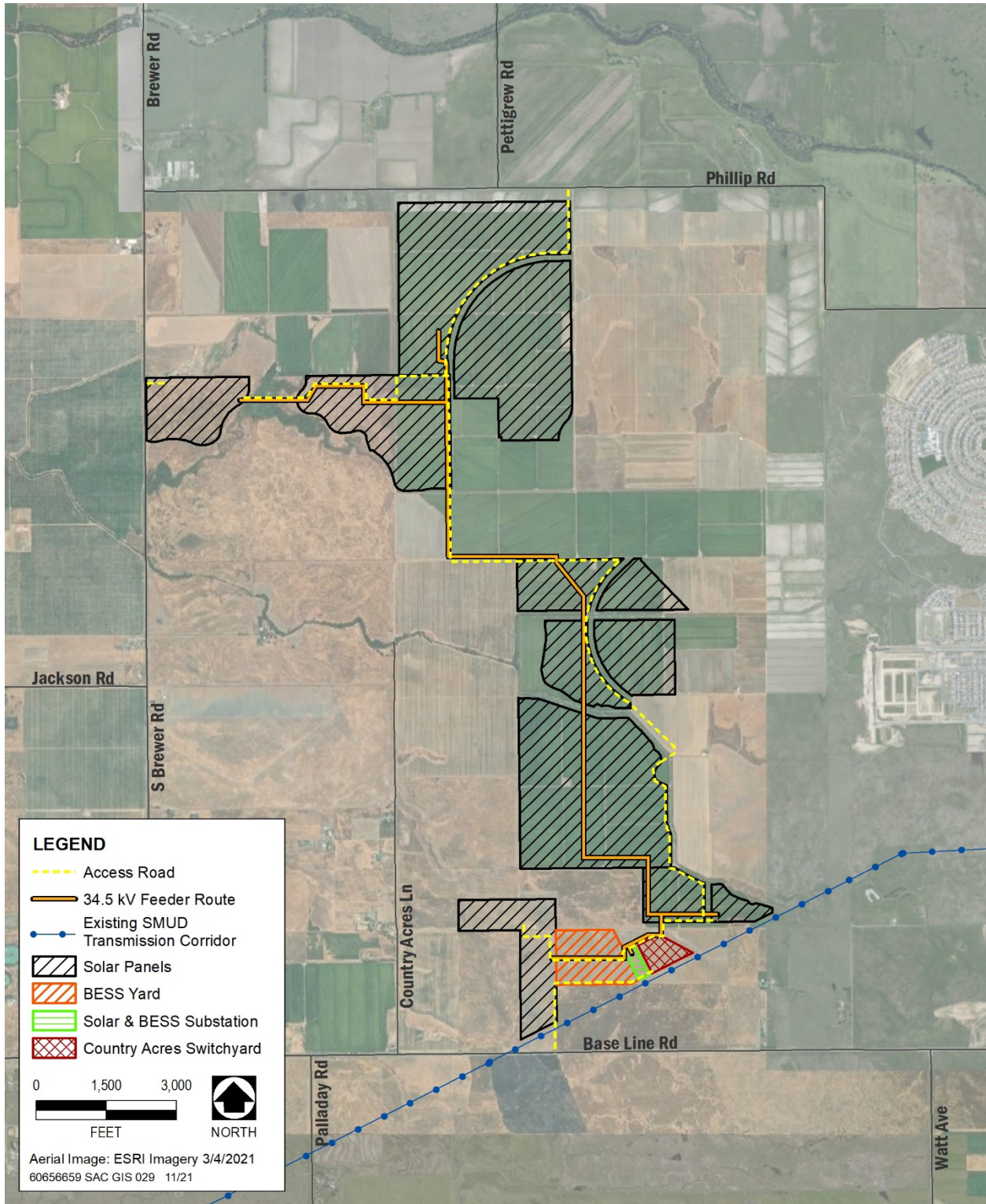


Figure 2. Site Location Map with Proposed Project Elements

Project Objectives: SMUD's objectives for the project include the following:

- Contribute to a diversified energy portfolio that will aid in the continued improvement of air quality in the Sacramento Valley Air Basin by decreasing reliance on fossil fuel combustion for the generation of electricity and reduce SMUD's exposure to price volatility associated with electricity and natural gas.
- Provide a renewable power resource to support SMUD's 2030 Zero Carbon Plan, a plan approved by the Board of Directors in 2021, which establishes a flexible Pathway for SMUD to eliminate carbon emissions from its power supply by 2030 by developing and procuring dependable renewable resources.
- Develop a project that will deliver a reliable, long-term supply of economically feasible solar and battery storage for up to 344 megawatts (MW) of electrical capacity at the point of interconnection with the grid managed by SMUD.
- Site the project to avoid wetlands and other sensitive habitat areas as feasible within the available property.
- Integrate compatible agricultural activities such as grazing and/or pollinator habitat into solar operations.
- Optimize the delivery of solar-produced and stored energy and minimize the geographic extent of impacts by locating the facility near existing electrical infrastructure with available capacity.
- Design a flexible PV solar energy and battery storage facility that is capable of utilizing the best available, efficient, cost-effective, and proven PV solar and storage technology.
- Construct the facility in a location that is readily accessible from existing roads and that would not require the construction of major new roadway improvements.

Project Description: The Country Acres Solar Project includes construction and operation of a PV solar power and battery storage facility and interconnection facilities, including a generation substation, switch station, and interconnection lines, that would provide new power production capacity of up to 344 MW delivered at the point of interconnection with the grid managed by SMUD. The total project site would generally comprise PV solar modules, foundation piles, racking, direct current (DC) collection, alternative current (AC) collection, fencing, roads, inverters, medium voltage transformers, an interconnection line between the generation substation and switch station, battery storage equipment, and interconnection lines to the existing SMUD transmission system. During construction, a temporary construction trailer/office complex and staging areas would be established. During operation, the proposed project would likely include an operations facility. At the end of the project's life (anticipated to be 30 to 35 years or more), the site would be decommissioned. Additional project details are provided below:

Solar Modules, Collection Systems, and Inverters

The project would involve the installation of solar PV module arrays that would convert solar energy directly to electrical power to supply the electrical grid. The solar PV modules would convert the sunlight striking the modules directly into DC power, which would be transformed to AC power via an inverter. The project would include PV modules mounted on a single-axis

horizontal tracking system or a fixed tilt system, or a combination of both. The infrastructure described herein would be similar for either a single-axis tracking system or a fixed-tilt system.

The project would have an underground network of AC power cables that would connect the array transformers to a medium voltage combining switchgear. This switchgear would connect, via an overhead or underground collection system, to the proposed generation substation. Where an overhead line is used it would be supported by wooden or steel poles approximately 30 to 40 feet tall. These lines would follow existing infrastructure easements or access roads when feasible. The onsite substation would then transform the final voltage to connect the project power to the existing SMUD transmission system.

Battery Energy Storage System

A battery energy storage system (BESS) is proposed to be constructed within the project footprint. Two main types of BESSs are being considered for the project: a DC-coupled or an AC-coupled system. A DC-coupled system would consist of multiple small battery units located on concrete skids or metal posts adjacent to the solar arrays. An AC-coupled system would consist of one or more metal containers similar in size to a shipping container likely located on a concrete pad in the battery storage area. The BESS would be connected to the proposed generation substation via an overhead or underground collection system similar to the solar component of the project.

The BESS storage system would follow the latest national fire protection safety codes. The codes include fire prevention, mitigation, and suppression system requirements.

Substation and Switch Station

The proposed onsite substation would be a minimum of 600 feet by 300 feet and include one or more generation step-up transformers, breakers, buswork, protective relaying, meters, Site Control Center building, backup power, associated substation equipment, and a dedicated perimeter fence. The substation would be constructed and operated to step up the voltage of the electricity generated from the PV arrays or stored in the BESS. The substation site would be improved with compacted materials and foundations to support electrical equipment and supporting infrastructure. The substation structures would range in height from approximately 20 to 60 feet. Station service is likely to be provided via one of the adjacent electrical distribution lines or emergency generators may be installed for operations.

The proposed 230 kilovolt (kV) switching station would be a minimum of 800 feet by 600 feet in size and may include a storm water detention basin. The switch station would be designed and built to meet SMUD's specification, guidelines, and standards. The major equipment and associated support structure would include 230kV bus, circuit breakers, disconnect and ground switches, metering, other ancillary equipment and a control building. Station service would be provided to the switch station via a local distribution circuit.

Interconnection Lines

The interconnection of the project to SMUD's grid would be accomplished through removal of a section of the existing SMUD transmission lines, as shown on Figure 2, and installation of new overhead double circuit lines on galvanized steel mono structure poles or lattice structures to interconnect the new switch station. The new poles would be up to approximately 130 feet tall and extend from the switch station to the existing lines.

From the proposed onsite substation to the proposed 230-kV switch station SMUD proposes to install new overhead generation interconnection lines on galvanized steel mono structure poles. The new poles would be up to approximately 130 feet tall.

The overhead lines (including the overhead transmission lines and the line from the substation to the switch station) would be designed to reduce raptor and other bird collisions and electrocutions in compliance with SMUD's current Avian Protection Plan (APP) standards (SMUD 2016¹). Avian protection design standards and mortality reduction measures in the SMUD APP include installing flight diverters to increase overhead wire visibility in high-risk collision areas and using 60-inch clearance (minimum vertical separation of 36 inches from phase to ground on single-phase structures or 43 inches between energized conductors and ground on three-phase structures) pole design in eagle/raptor use areas. In addition, the APP requires that avian injuries and mortalities be reported to the SMUD APP Coordinator and that corrective actions be implemented if high mortality rates or avian caused power outages are recorded. Observations of injured or deceased birds during routine inspections are reported to SMUD's APP Coordinator.

Access and Internal Road Improvements

Primary access to the project site during both construction and operation would be provided by existing, or newly constructed, paved, graveled, or dirt roads extending to the project site from Baseline Road, Country Acres Lane, and Phillip Road. Improved (earthen or graveled) roads, approximately 12 to 20 feet wide, would be constructed throughout the site and between arrays to provide access to the solar and BESS equipment and accommodate on-going maintenance of the solar and battery facilities and emergency vehicles. Existing earthen farm roads would be used for construction and maintenance and would be improved with a gravel overlay to minimize impacts to air quality during construction and reduce dust accumulation on nearby almond trees and future solar panels. An existing crossing over Curry Creek could require minor surface improvements, such as mats or steel plates, to accommodate construction traffic. These improvements would not require in-channel work.

Utilities

Existing overhead distribution lines adjacent to and within the project site may be used to provide energy to project infrastructure and personnel during both construction and operation of the project. Additional poles and lines may be required to extend service to proposed project components such as the project generation substation or 230 kV switch station. Some existing distribution lines may need to be removed and/or placed underground.

Fencing and Lighting

The entire project site would be fenced to restrict access to authorized personnel only, improve safety, isolate electrical equipment, protect onsite improvements from theft and vandalism, and minimize potential conflicts with surrounding land use. Six-foot high chain link security fencing topped with three-strand barbed wire supported on inclined steel post extensions would be placed around the perimeter of the new substation. A small gap at the bottom would allow small wildlife species (e.g., small mammals, reptiles, and amphibians) passage under the fence. The final location and design of the fencing would depend on the final design of the project site.

¹ SMUD. 2016 (Updated November 2018) Sacramento Municipal Utility District Avian Protection Plan

The project would include external safety lighting and permanent lighting on the switch station, substation, entrances to the arrays, and certain array or BESS-related equipment such as medium voltage combining switchgear. All lighting shall be light-emitting diode (LED) and comply with dark sky standards. Temporary construction lighting also may be necessary. Construction lighting would be shielded and angled downward. Mobile lighting would be used for nighttime construction and decommissioning activities and would also be shielded and angled downward. Bright white light, such as metal halide, halogen, fluorescent, mercury vapor, and incandescent lighting would not be used during construction or for long-term operations. Lighting at the inverters medium voltage combining switchgear, substation, and switch station would generally be switched off and only switched on if maintenance is required outside of daylight hours. Lighting at entrances would be on motion sensors or on from dusk until dawn and some motion sensor lights would be installed along perimeters for security. These lights would be similar to flood lighting on the front of a home.

Meteorological Station and Telecommunications

Meteorological stations, approximately 10 to 15 feet in height, would be installed within the solar field. Telecommunications would be provided from a local provider or a microwave/satellite communications tower. Underground and/or overhead fiber optic cables would be installed onsite and along the interconnection and collection between the solar plant, BESS yard, the generation substation and the switch station.

Setbacks

Setbacks would be established from the project boundary (footprint) to any wetlands.

Construction Activities

Construction of the project would take approximately eighteen months to two years and is proposed to begin as early as winter of 2023 and conclude in 2024 or 2025. Preconstruction activities would include permitting, any required biological and cultural clearance surveys, geotechnical and other surveying, and installation of fencing. Additionally, the contractor would begin to mobilize for construction. Construction mobilization would include preparing and constructing site access road improvements, removal of existing agricultural operations, establishing temporary construction trailers and sanitary facilities, preparing initial construction staging areas, and preparing water access areas near existing onsite wells.

A construction staging and the temporary construction office would be located within the project site. Temporary lighting may be installed to facilitate deliveries and construction management. Construction staging areas would be used to store construction materials, worker parking, and provide a designated area for receiving construction deliveries, including temporary parking for delivery trucks waiting to unload. Other temporary staging/laydown areas would also be established within the main project site during construction. After establishment of the staging area(s), project construction would begin with the initial site preparation work. Within the solar field and interconnection facility areas and following environmental clearance, limited grading may be used to prepare the site for post and PV modules installation. Grading would be minimized to the extent feasible within the solar array. Grading would likely be required for the proposed BESS yard, generation substation, and switch station.

Following site preparation, vertical support posts would be driven into the ground. These posts would hold the support structures, or tables, on which PV modules would be mounted. Trenches for the underground AC and DC cabling and collection, and the foundations for the inverter

enclosures and transformers, would be prepared. Trenching would occur within each array to place the AC and DC electrical cables underground. Upon placing the cables in the trenches, the trenches would be backfilled. Concrete foundations would be prepared for the BESS, generation substation and switch station components as well as for the interconnection poles.

Once the foundations are complete, BESS, generation substation and switch station equipment would be delivered, placed, and mounted on foundations. The BESS, generation substation and switch station components would be connected and prepared for commissioning and energization. Interconnection poles would be set at their foundation sites and conductor would be strung between the different facilities prior to commissioning and energization.

Typical construction equipment such as scrapers, dozers, dump trucks, watering trucks, motor graders, vibratory compactors, sheepsfoot, trenching and cable installation equipment, and backhoes would be used during construction. Other construction equipment that may be used would include generators, all-terrain vehicles (ATVs), pickup trucks, loaders, excavators, skid loaders, directional and other drilling equipment, road reclaimers, post drivers, forklifts, a mobile crane, and a boom lift.

Fuel may be stored onsite during peak construction activities and would be stored consistent with standard construction best management practices.

Construction Workforce

The construction workforce (with an expected average of 177 and a peak of 650 construction workers) is expected to arrive at the project site between approximately 6:00 a.m. and 7:00 a.m. and leave the site between approximately 4:00 p.m. and 5:00 p.m., Monday through Friday for most of project construction. During hotter weather, construction crews may arrive earlier and leave later in the evening. Some earlier or later hours and weekend work may also be required to maintain the project construction schedule, complete critical activities, and accommodate deliveries. The number of personnel onsite during nighttime construction would depend upon the nature of the construction activity or materials being delivered to the site. As needed, mobile lighting units would be used to accommodate temporary construction activities.

Access and Traffic

Most of the traffic generated during project construction would be for employees commuting and the delivery of components and equipment. Primary access to the project site during both construction and operation would be provided by an existing road from Baseline Road, as shown in Figure 2.

In addition to construction workforce trips, project construction would require the following types of vehicle trips (all heavy vehicles):

- Equipment and materials deliveries.
- Excavation, debris, and material hauling.
- Visitors, inspectors, management.

Most of the construction traffic would likely originate from Baseline Road via Highway 99. Materials would be delivered generally outside of the peak morning and afternoon traffic hours to the extent feasible and would be delivered to the designated receiving area. The materials would then be distributed within the site as needed. It is estimated that an average of 42 truck

trips per day would be needed during construction. The estimated average truck trips per day associated with excavation, debris, and material hauling is six (6).

Grading and Vegetation Removal

Limited grading and vegetation removal is proposed along the access roads, at the location of the inverters and transformers, at the BESS yard, the generation substation, and switch station. Aside from these areas, vegetation removal would generally not occur where solar panels would be installed in areas currently in grassland. Vegetation removal would, however, occur in areas currently planted in almonds.

Other Site Improvements

To help prepare the project site for development of the project, a few other activities would need to be completed:

- Temporary 12 kV line to provide power at staging yards.
- Removal of current agricultural operations such as irrigation for orchards.
- Existing 12 kV lines providing power to wells would be removed or relocated underground.

Construction Waste Management and Recycling

Construction activities would generate waste that in some cases may require off-site disposal. The California Green Building Code requires that at least 65 percent of construction and demolition waste be diverted from landfills.

Construction and demolition waste generated from this project would consist of the following:

- Scrap metal – copper wire, transformers, iron, steel, and aluminum.
- Solid waste – trash, cardboard, wood products, inert organics, non-hazardous solar panels, and concrete.
- Universal waste – Inverters, DC disconnect, battery pack, and power meters.
- Hazardous waste – Lubricants and oils, spill clean-up debris, and solar panels that meet the characterization of a hazardous waste.
- Organic agriculture biomass, such as any removed orchard trees, would be chipped on site and used as mulch.

All waste shipped offsite would be transported in accordance with the Department of Transportation, Code of Federal Regulations (CFR) Title 49, Subtitle B, Chapter I and CCR, Title 13, Division 2.

Hazardous waste generated would be properly stored and disposed of in accordance with federal, state, and local regulations. No hazardous waste is expected to be generated during construction; however, construction equipment uses various hazardous materials (diesel fuel, oil, solvents, etc.). If disposal of these materials would be needed, it would be done off site in accordance with all applicable laws pertaining to the handling and disposal of hazardous waste.

Operation and Maintenance Activities

The project would operate seven days per week. One regular onsite employee may be required, and some personnel may visit the site to monitor, maintain, and if needed, repair, the system. PV panels may be periodically washed during project operation as needed. To conservatively estimate potential panel washing operational water use, it is estimated that solar panels would be washed once per year in case of excessive soiling. The project may also require occasional repair or replacement of project components. Inverters may require replacement every 10 years, while PV panels generally last 30 to 40 years. Thus, infrastructure replacement is expected to be rare. Other operational activities would include BESS equipment maintenance interconnection equipment maintenance, production reporting, equipment inspecting and testing, and similar activities. General site maintenance would include vegetation management, road maintenance, and general upkeep of the facility.

Pickup trucks and flatbeds, forklifts, and loaders may be used for normal maintenance. Large, heavy-haul, transport equipment would be occasionally used to repair or replace equipment. Non-hazardous waste would be collected in designated locations and picked up/disposed of by a local waste disposal or recycling company. Oil, electronic equipment, and other potentially hazardous waste would be collected, stored, and disposed of in accordance with applicable laws and regulations. Sanitary facilities are likely to consist of a regularly maintained portable toilet.

Preventive maintenance kits and certain critical spare equipment would be stored onsite, while all other components would be readily available from a remote warehouse facility.

Safety Controls

Health and safety plans would be developed for both the construction and operational phases of the project. While project-specific plans have not yet been prepared, the plans would call for implementation of various measures including safety signage in accordance with applicable regulatory requirements.

Decommissioning and Site Restoration

At the end of the project's useful life (anticipated to be 30 to 35 years or more), it would be decommissioned. Based on current decommissioning practices, as a reasonable-worst case scenario, this document assumes that environmental impacts generated during future decommissioning would be similar to those generated during project construction.

Currently, standard decommissioning practices include dismantling and repurposing, salvaging/recycling, or disposing of the solar energy improvements, and site stabilization. Actual decommissioning and site restoration activities for the project would be conducted in accordance with all applicable requirements in effect at the time of project termination, and a final decommissioning plan, based on then-current technology, site conditions, and regulations, would be prepared prior to actual decommissioning.

Under current standard decommissioning practices, solar modules are removed, collected, and recycled or disposed of at a properly licensed landfill. Some or all components (i.e., aluminum and steel components) are salvaged and/or recycled, as feasible. Components that cannot be salvaged are removed and disposed of in accordance with applicable laws and regulations.

Generally, only those portions of the underground collection system that would conflict with future land uses would be removed. Components of an underground system that would not

conflict with other land uses typically would be kept in place to minimize disturbances to existing vegetation. Similarly, access roads that would conflict with other land uses would be removed and the aggregate recycled, and roads that are compatible with other land uses would be left in place. Overhead electrical collection lines, poles, and associated components would be disassembled and removed, and reprocessed, sold, salvaged, or otherwise disposed of in an appropriate manner.

Substation components including steel, conductors, switches, transformers, fencing, control houses, and other materials, typically would be removed from a site and would be repurposed, salvaged, or recycled, or disposed of in an appropriate manner.

Some grading may be required to re-contour access road areas or address erosion. Future site restoration activities are assumed to be similar to the procedures used during construction to restore temporarily disturbed areas.

Potential Environmental Effects: The EIR will describe the significant direct and indirect environmental impacts of the project. The EIR also will evaluate the cumulative impacts of the project, defined as impacts that could be exacerbated when considered in conjunction with other related past, present, and reasonably foreseeable future projects. SMUD anticipates that the project could result in potentially significant environmental impacts in the following resource areas, which will be further evaluated in the EIR:

- **Aesthetics:** Temporary and long-term changes in scenic views or visual character of the project site as viewed by motorists on Baseline Road and Philip Road and recreationalists, along with the potential for glare.
- **Agriculture:** Temporary or long-term changes to existing environment and conversion of farmland to non-agricultural use.
- **Air Quality:** Temporary increases in air pollutant emissions associated with construction and operation associated with mobile-source emissions from maintenance worker trips and operation of the emergency backup generator.
- **Biological Resources:** Temporary disturbances or permanent losses of habitats and wildlife corridors; temporary disturbances or permanent losses of state or federally protected wetlands; temporary disturbances or permanent losses of special-status plant species; and construction disturbances or take of special-status terrestrial and aquatic species.
- **Cultural Resources:** Temporary or permanent disturbances of known or unknown historical or archaeological resources.
- **Geology and Soils:** Potential soil erosion or loss of topsoil during construction; and potential impacts related to unstable soils, earthquakes, unique geological features, and expansive soils at the project site.
- **Greenhouse Gas Emissions:** Temporary increases in greenhouse gas emissions associated with mobile-source exhaust from construction worker commute trips, truck haul trips, and equipment (e.g., excavators, graders), with much greater long-term decreases in greenhouse gas emissions due to replacement of electrical generation by fossil fuel power plants.

- **Hazards and Hazardous Materials:** Potential spills of hazardous materials during construction; potential exposure of workers to hazardous materials during construction; and increased exposure to wildland fire risk during construction.
- **Hydrology and Water Quality:** Potential temporary and permanent alterations of local drainage patterns and increases in stormwater peak flow and volumes and potential downstream runoff effects; temporary effects on water quality during construction, including spills of fuel or other hazardous materials; and potential impacts to Federal Emergency Management Agency (FEMA) and local 100-year floodplains and floodways and drainage facilities throughout the site.
- **Land Use and Planning:** Compliance with local and regional adopted plans.
- **Noise:** Temporary increases in noise (including off-site, truck traffic noise) and vibration levels during construction.
- **Public Services:** Potential impacts to fire and emergency services and maintenance of public roads.
- **Transportation and Traffic:** Temporary increases in traffic and traffic hazards on local roadways (including Philip Road and Baseline Road) during construction.
- **Tribal Cultural Resources:** Potential substantial adverse changes to tribal cultural resources.
- **Wildfire:** Potential increased exposure to wildland fire risk during construction.

These potential impacts will be assessed and discussed in detail in the EIR, and feasible and practicable mitigation measures will be recommended to reduce any identified significant or potentially significant impacts. The discussion in the EIR will also include an alternatives analysis.

SMUD anticipates that the project will not result in significant environmental impacts in the following resource areas, which will not be further evaluated in the EIR: energy, mineral resources, population and housing, recreation, and utilities.

Potential Approvals and Permits Required: Elements of the project could be subject to permitting and/or approval authority of other agencies. As the lead agency pursuant to CEQA, SMUD is responsible for considering the adequacy of the EIR. Other potential permits required from other agencies could include:

Federal

- **U.S. Army Corps of Engineers:** Compliance with Section 404 of the Clean Water Act (CWA) for discharge of fill to Waters of the U.S.
- **U.S. Fish and Wildlife Service:** Section 7 of the Endangered Species Act (ESA) Consultation. Letter of Concurrence for a Not Likely to Adversely Affect (NLAA) determination.
- **State Historic Preservation Office (SHPO):** Compliance with Section 106 of the National Historic Preservation Act (required in support of CWA Section 404 permit, if needed)

- **Federal Emergency Management Agency (FEMA):** Conditional Letter/Letter of Map Revision (CLOMR/LOMR) for floodplain boundary.

State

- **State Water Resources Control Board:** Clean Water Act Section 402, construction general permit.
- **Central Valley Regional Water Quality Control Board:** Clean Water Act Section 401, water quality certification; and/or waste discharge permit for waters of the state, if applicable.
- **California Department of Fish and Wildlife:** Compliance with California Endangered Species Act (CESA), potential permits under Section 2081 of the Fish and Game Code if take of listed species is likely to occur; and Section 1602 streambed alteration agreement for construction activities that occur within the bed, bank or channel of waterways.
- **California Department of Transportation:** Encroachment permit and/or transportation management plan for any oversized equipment, such as transformers.

Local

- **Placer County:** Conditional Use Permit (CUP); Improvement Plans/Grading Permit, Encroachment Permits.
- **Placer County Air Pollution Control District (PCAPCD):** Submittal of a Dust Control Plan, pursuant to PCAPCD Rule 228, for ground disturbance of an area greater than one acre.

Document Availability: the NOP is available for public review on SMUD's website: www.smud.org/ceqa. Printed copies of the NOP are also available for public review at the following locations:

Sacramento Municipal Utility District
Customer Service Center
6301 S Street
Sacramento, CA 95817

Sacramento Municipal Utility District
East Campus Operations Center
4401 Bradshaw Road
Sacramento, CA 95827

Public Scoping Meeting: A public scoping meeting will be conducted by SMUD to inform interested parties about the project, and to provide agencies and the public with an opportunity to provide comments on the scope and content of the EIR. The meeting time and location are as follows:

December 8, 2021
Time: 4:00 – 5:00 p.m.
Location: Virtual
Link to Zoom meeting can be found at www.smud.org/countryacres

Comment Period: Agencies and interested parties may provide SMUD with written comments on topics to be addressed in the EIR for the project. Comments can be provided anytime during the NOP review period, but must be received by 5:00 p.m. on December 21, 2021. Please send all comments, with appropriate contact information, to the following address via hard copy or email:

Amy Spitzer
Sacramento Municipal Utility District
Environmental Services Department
6201 S Street, MS B209
Sacramento, CA 95817
CountryAcres@smud.org

All comments on environmental issues received during the public comment period will be considered and addressed in the Draft EIR, which is anticipated to be available for public review in spring 2022.



Country Acres Solar Project

Scoping Summary

Sacramento Municipal Utility District

January 2022

Prepared for:

Sacramento Municipal Utility District

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Acronyms and Abbreviations

AB	Assembly Bill
BMPs	best management practices
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CNDDB	California Natural Diversity Database
CPUC	California Public Utility Commission
EIR	environmental impact report
HCP	habitat conservation plan
MS4	Municipal Separate Storm Sewer System
MW	megawatt
NCCP	natural community conservation plan
NOP	notice of preparation
NPDES	National Pollutant Discharge Elimination System
PG&E	Pacific Gas and Electric Company
project	Country Acres Solar Project
PV	photovoltaic
SB	Senate Bill
SMUD	Sacramento Municipal Utility District
TCR(s)	Tribal Cultural Resource(s)
UAIC	United Auburn Indian Community

1. Introduction

Sacramento Municipal Utility District (SMUD) is proposing the Country Acres Solar Project (Project) which would include installation, operation, and maintenance of a photovoltaic (PV) solar power and battery storage renewable energy generation facility in southwestern Placer County. The Project includes construction and operation of a PV solar power and battery storage facility and interconnection facilities, including a generation substation, switch station, and interconnection lines, that would provide new power production capacity of up to 344 megawatt (MW) delivered at the point of interconnection with the grid managed by SMUD. As the Lead Agency, SMUD is preparing a draft environmental impact report (EIR) for the project to satisfy the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.).

SMUD issued a notice of preparation (NOP) of a draft EIR for the project on November 19, 2021 (Appendix A) and held one virtual public scoping meeting via Zoom on December 8, 2021. The NOP was distributed to the State Clearinghouse, and to multiple stakeholders and Responsible Agencies. The NOP was also noticed in the Sacramento Bee newspaper. The State CEQA Guidelines provide a 30-day period for responsible and trustee agencies to respond to an NOP and must provide specific detail about the scope and content of the environmental information to be included in the EIR (Section 15082[b]). CEQA also requires lead agencies to hold at least one scoping meeting if a project is of statewide, regional, or areawide significance (Section 21083.9[a] [2]).

SMUD received comments from multiple sources in response to the NOP in the form of letters submitted via letter/email to SMUD or via CEQAnet through the State Clearinghouse. The purpose of this report is to document the comments received and identify topics or issues of concern raised by responsible agencies, trustee agencies, and the public during the 30-day scoping period (November 19 – December 21, 2021). SMUD will consider all comments received during the scoping process and address those pertaining to environmental issues when preparing the Draft EIR.

2. Scoping Meeting

SMUD held one scoping meeting to inform interested parties about the proposed project and receive comments on the scope and content of the draft EIR. This meeting was scheduled from 4–5 pm, on Wednesday, December 8, 2021, on Zoom. The link to the Zoom meeting was available at www.smud.org/countryacres, as indicated by the NOP.

Attending this virtual meeting included three members of the public, representatives from industry including Innergex Renewable Energy, Q Cells, and D.E. Shaw & Co., a representative from labor including NorCal Carpenters Union, as well as government agencies including Placer County, City of Roseville, and California Department of Education. SMUD representatives gave a power point presentation of the proposed project that was approximately 20 minutes long (Appendix B). There were no questions or comments from the attendees; therefore, SMUD representatives ended the meeting approximately 15 minutes early.

2.1 Public Comments

No questions or comments were received during the public scoping meeting.

3. Written Comments

This section provides a synopsis of the written comments received during the 30-day NOP public comment period. A total of eleven comment letters were received. Table 1 provides a list of persons who submitted comments on the NOP.

In addition to comments received via letter/email to SMUD or via CEQAnet through the State Clearinghouse, SMUD has been coordinating with Placer County in preparation for the Conditional Use Permit Application with regards to aesthetics, agriculture, biological resources, cultural resources, tribal cultural resources, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, traffic and transportation, utilities and service systems, and project phasing. These topics will be addressed in the EIR.

Table 1. List of Written Comments

Commenter	Affiliation	Date
Plan Review Team	Pacific Gas and Electric Company	November 20, 2021
Katy Sanchez	Native American Heritage Commission	November 22, 2021
Anna Starkey	United Auburn Indian Community	November 23, 2021
Elia Bassin	63 rd Street, Sacramento	December 6, 2021
Steve Schweigerdt	2 nd Avenue, Sacramento	December 7, 2021
Kelley Barker	California Department of Fish and Wildlife	December 17, 2021
Greg Hendricks	Central Valley Regional Water Quality Control Board	December 17, 2021
Mohan Ganapathy	Placer County	December 17, 2021
Gregg McKenzie	Placer Conservation Authority	December 21, 2021
Ann Hobbs	Placer County Air Pollution District	December 21, 2021
Sharon Webb	Sentar Road, Woodland Hills	December 21, 2021

Table 2 provides a summary of the written comments and the sections of the draft EIR in which SMUD will include relevant information. The comments have been paraphrased for brevity. Some comments provided information that is not directly related to CEQA and the scope of the draft EIR. This information was not included. Furthermore, the comments included in the table may not be directly addressed in the draft EIR. For example, a few comments provided project suggestions that may not be addressed until project design. Appendix C presents copies of the comment letters.

Table 2. Synopsis of Written Comments

Comment Synopsis	EIR Section(s) that will Address the Comment
AGENCY COMMENTS	
Plan Review Team, Pacific Gas and Electric Company	
The commenter includes attachments providing information and describing requirements pertaining to Gas facilities and Electric facilities. The commenter indicates that any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing, however, PG&E will advise whether this filing is required.	Utilities and Service Systems
Katy Sanchez, Native American Heritage Commission	
The commenter describes additional requirements added to CEQA associated with Assembly Bill (AB) 52 and provisions imposed by Senate Bill (SB) 18. The commenter further describes related tribal consultation and environmental analysis requirements. The commenter also describes the Native American Heritage Commission's recommendations for cultural resources assessments.	Cultural Resources, Tribal Cultural Resources
Anna Starkey, United Auburn Indian Community	
The commenter requests that the Cultural Resources and Tribal Cultural Resources (TCR) chapters (including mitigation measures) are separate and distinct, and that the TCR chapter does not repeat the same background information found in the Cultural Resources chapter, rather, it should focus on the contemporary tribal communities that stewards and cares for their ancestors sites. The commenter requests that tribal values be separate and distinct from archaeological values. Further, the commenter requests that the identification, evaluation, and treatment of TCRs be taken into consideration with the same level of analysis and professionalism that archaeologists are given. The commenter identifies some resources that United Auburn Indian Community (UAIC) identifies as TCRs and reiterates that archaeologists should only identify, evaluate, or make recommendations for cultural items that are considered TCRs if it is in direct coordination with consulting Tribes. The commenter requests that the TCR chapter does not refer to tribes and their ancestors as "prehistoric," and instead show that tribes are living communities. Finally, the commenter requests that aesthetic, natural, scenic, and historic environmental qualities are analyzed for TCRs.	Cultural Resources, Tribal Cultural Resources, Aesthetic
Elia Bassin	
The commenter requests that SMUD build out all infill and rooftop solar opportunities before building this Project located on agricultural land. The commenter notes that the conversion of agricultural land will contribute to an increase in the region's urban heat island effect. The commenter adds that SMUD should implement a system to reimburse those residents that donate energy from these infill solar installations. Further, the commenter lists out six alternative ideas to be discussed in the EIR: <ul style="list-style-type: none"> • SMUD offers to lease the rooftop and installed SMUD owned solar whenever a new roof is installed in the SMUD jurisdiction • SMUD reimburses solar installation at the cost of the Country Acres project • SMUD allows Net Metering projects to over produce if they agree to a lower reimbursement rate • SMUD offers to lease parking lots not planned for development • floating system on Folsom Dam • double the size of Country Acres and allow it to be used as active farm land The commenter notes their support of SMUD controlling energy storage.	Agriculture, Land Use and Planning, Utilities and Service Systems, Alternatives
Steve Schweigerdt	
The commenter requests that the Project be constructed within SMUD's service area so that the economic benefits of the Project flow to SMUD customers. The commenter requests that SMUD analyze and address the indirect economic benefits to SMUD customers that would come from relocating this Project to a vacant industrial site within the SMUD service area. The commenter requests that contractors and employees for the Project be drawn from the SMUD service territory. Additionally, the commenter notes that the Project fragments existing agricultural land and is located outside of the planned development footprint established in the Placer County General Plan. The commenter also notes the importance of promoting food production near population centers and suggests that the Project be built on land that would not disturb productive agricultural land. The commenter requests that, if the Project is approved, best management practices (BMPs) be added for sheep grazing and native wildlife habitat that can at least partly offset the loss of quality land.	Agriculture, Biological Resources, Land Use, Alternatives
Kelley Barker, California Department of Fish and Wildlife	
The commenter describes California Department of Fish and Wildlife's (CDFW's) role as a Trustee Agency and Responsible Agency under CEQA. The commenter offers comments and recommendations to assist SMUD in adequately identifying and/or mitigating the Project's significant, or potentially significant, impacts on biological resources; and enable CDFW to adequately review and comment of the proposed Project with respect to impacts on biological resources. CDFW recommends that the EIR specifically include: 1) An assessment of all habitat types located with the Project footprint, and a map that identifies the location of each habitat type; 2) A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the Project; 3) A complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern and California Fully Protected Species; 4) A thorough, recent (within the last two years), floristic-based assessment of special-status plants and natural communities, following CDFW's <i>Protocols for Surveying and Evaluating Impacts to Special Status Native</i>	Biological Resources, Hydrology and Water Quality, Land Use and Planning, Alternatives

Comment Synopsis

Plant Populations and Natural Communities; and 5) Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region.

The commenter states that the EIR should provide thorough discussion of the Project's potential direct, indirect, and cumulative impacts on biological resources and provides information that should be included in the EIR.

The commenter states that the EIR should include appropriate and adequate avoidance, minimization, and/or mitigation measures for all direct, indirect, and cumulative impacts that are expected to occur as a result of the construction and long-term operation and maintenance of the Project and that the following should be considered: 1) Fully Protected Species; 2) Sensitive Plant Communities; 3) Mitigation; 4) Habitat Revegetation/Restoration Plans; 5) Nesting Birds; 6) Moving out of Harm's Way; and 7) Translocation of Species.

The commenter describes the California Endangered Species Act, the Western Placer County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP), Native Plant Protection Act, and Lake and Streambed Alteration Program in relation to CEQA and the proposed Project.

The commenter discussed general avian, bat, and other wildlife impacts that should be evaluated in the EIR. The commenter also recommends the EIR discuss and analyze impacts to wildlife associated with permanent fencing, which may be installed around the solar facility.

The commenter described CEQA requirements for environmental data and reporting to the California Natural Diversity Database (CNDDDB).

The commenter provides information about filing fees.

The commenter requests written notification of proposed actions and pending decisions regarding the Project pursuant to Public Resources Code 21092 and 21092.2 and provides an address.

The commenter recommends that SMUD address CDFW's comment and concerns in the forthcoming EIR and that CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts.

Greg Henricks, Central Valley Regional Water Quality Control Board

The commenter states that the Central Valley Regional Water Quality Control Board (RWQCB) is delegated with the responsibility of protecting the quality of surface and groundwaters of the state and their comments address concerns surrounding those issues.

Hydrology and
Water Quality

The commenter describes the following: I) Regulatory setting, including the Basin Plan and antidegradation considerations; II) Permitting requirements, including Construction Storm Water General Permit, Phase I and II Municipal Separate Storm Sewer System (MS4) Permits, Industrial Storm Water General Permit, Clean Water Act Section 404 Permit, Clean Water Act Section 401 Permit – Water Quality Certification, Waste Discharge Requirements – Discharges to Waters of the State, Dewatering Permit, Limited Threat General National Pollutant Discharge Elimination System (NPDES) Permit, and NPDES Permit.

Mohan Ganapathy, Placer County

The commenter states that portable restrooms are allowable during the construction phase; however, Placer County will require permanent restrooms (connected to an onsite septic system and be serviced by potable water) to service the Project during the operational phase. Additionally, a Phase 1 Environmental Site Assessment will be required as part of the EIR. A Phase 2 Soils Investigation will need to be performed if past activities on the parcels involved show a potential for the existence of recognized environmental conditions. Finally, the commenter requests that the Placer Mosquito and Vector Control District be included in the CEQA process to address mosquito/vector control issues.

Hazards and
Hazardous
Materials,
Geology and
Soils, Utilities
and Service
Systems

Gregg McKenzie, Placer Conservation Authority

The commenter indicates that SMUD is not a Permittee under the HCP/NCCP, and thus, SMUD's activities are not covered by the HCP/NCCP. The commenter identifies the Project as being located within the designated Planned Future Growth Area of the HCP/NCCP Plan Area. The commenter requests that the EIR addresses the Project's potential to result in the loss of habitat and waters/wetlands covered by the HCP/NCCP, including impacts and mitigation for the HCP/NCCP's fourteen Covered Species. Additionally, the EIR is required to address the Project's overall consistency with the HCP/NCCP. Finally, the commenter specifies that the EIR must address impacts and mitigation associated with Special Status Species with known occurrences or potential to occur within the Project area, in addition to the fourteen species addressed in the HCP/NCCP.

Agriculture,
Biological
Resources, Land
Use and
Planning,
Hydrology and
Water Quality

Ann Hobbs, Placer County Air Pollution District

The commenter states that permit(s) may be required for the construction and operational phases of the Project if the activities will include the use of equipment capable of releasing emissions to the atmosphere. The commenter provides information on District Rule 228: Fugitive Dust and District Rule 304: Land Development Smoke Management. The commenter states that the soil beneath the solar panels will become drier during the operational phase of the Project, potentially changing the vegetation type. The commenter requests that the EIR evaluate this with a control strategy/mitigation measure to assure that the Project areas comply with District Rule 228. Additionally, the commenter states that any air district burn permit would only be issued if in compliance with Rule 304. Finally, the commenter requests more information be provided on how vegetation will be managed after Project construction.

Air Quality,
Biological
Resources,
Greenhouse
Gas

Sharon Webb

The commenter indicates that they own property on Country Acres Lane and would be interested in leasing some of this land to SMUD for various Project activities.

Land Use and
Planning

4. Scope of the Environmental Impact Report

SMUD has determined that a draft EIR should be prepared to evaluate the potential environmental impacts of the Country Acres Solar Project. As required by CEQA, the draft EIR will describe existing conditions and evaluate the potential direct, indirect, and cumulative environmental effects of the proposed project and a reasonable range of alternatives, including the no-project alternative. The draft EIR will also identify feasible mitigation measures, if available, to reduce potentially significant impacts. Topics to be evaluated in the draft EIR include:

- Aesthetics
- Agriculture
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Environmental Justice
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Tribal Cultural Resources
- Utilities and Services Systems
- Wildfire

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Appendix A Notice of Preparation



NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

Date: November 19, 2021

To: Agencies and Interested Parties

Lead Agency: Sacramento Municipal Utility District
Environmental Services Department
6201 S Street, MS B209
Sacramento, CA 95817
Contact: Amy Spitzer

Subject: Notice of Preparation of a Draft Environmental Impact Report for the Proposed Country Acres Solar Project

Review Period: November 19, 2021 to December 21, 2021

Sacramento Municipal Utility District (SMUD) is proposing the Country Acres Solar Project which would include installation, operation, and maintenance of a photovoltaic (PV) solar power and battery storage renewable energy generation facility in southwestern Placer County. SMUD plans to prepare an environmental impact report (EIR) for the project to satisfy the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Section 21000 et seq.) and will serve as the lead agency for CEQA compliance. Throughout the CEQA process, SMUD will work closely with Placer County because the County will play a substantial role in the project as the issuer of project entitlements.

Purpose of Notice: In accordance with the State CEQA Guidelines (14 California Code of Regulations [CCR] Section 15082), SMUD has prepared this notice of preparation (NOP) to inform agencies and interested parties that an EIR will be prepared for the above-referenced project. The purpose of an NOP is to provide sufficient information about the project and its potential environmental impacts to allow agencies and interested parties the opportunity to provide a meaningful response related to the scope and content of the EIR, including mitigation measures that should be considered and alternatives that should be addressed (State CEQA Guidelines 14 CCR Section 15082[b]).

Project Location: The project would be located on up to approximately 1,300 acres of land in southwestern Placer County just west of the City of Roseville, north of Baseline Road and east of South Brewer Road (Figure 1 and Figure 2). Primary access to the project site would be provided by an entry road from Baseline Road to the south and Phillip Road to the north.

The project site is relatively flat and open and includes grassland, agricultural rice fields and almond orchards with scattered seasonal wetlands, including vernal pools. It also includes several drainages, including segments of upper Curry Creek. Agricultural uses and grassland surround the project site with some residential development to the east in the City of Roseville.

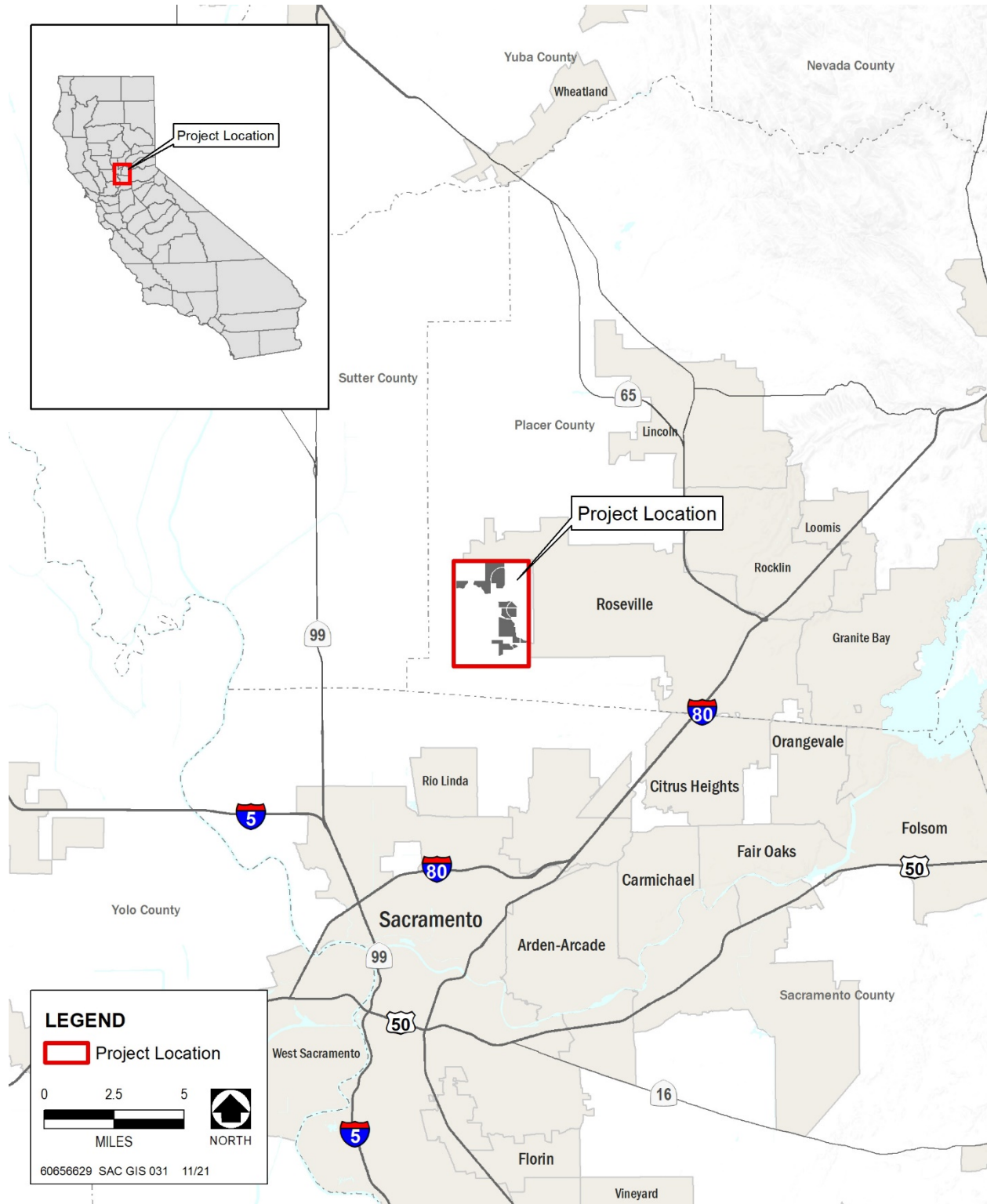


Figure 1. Regional Location Map

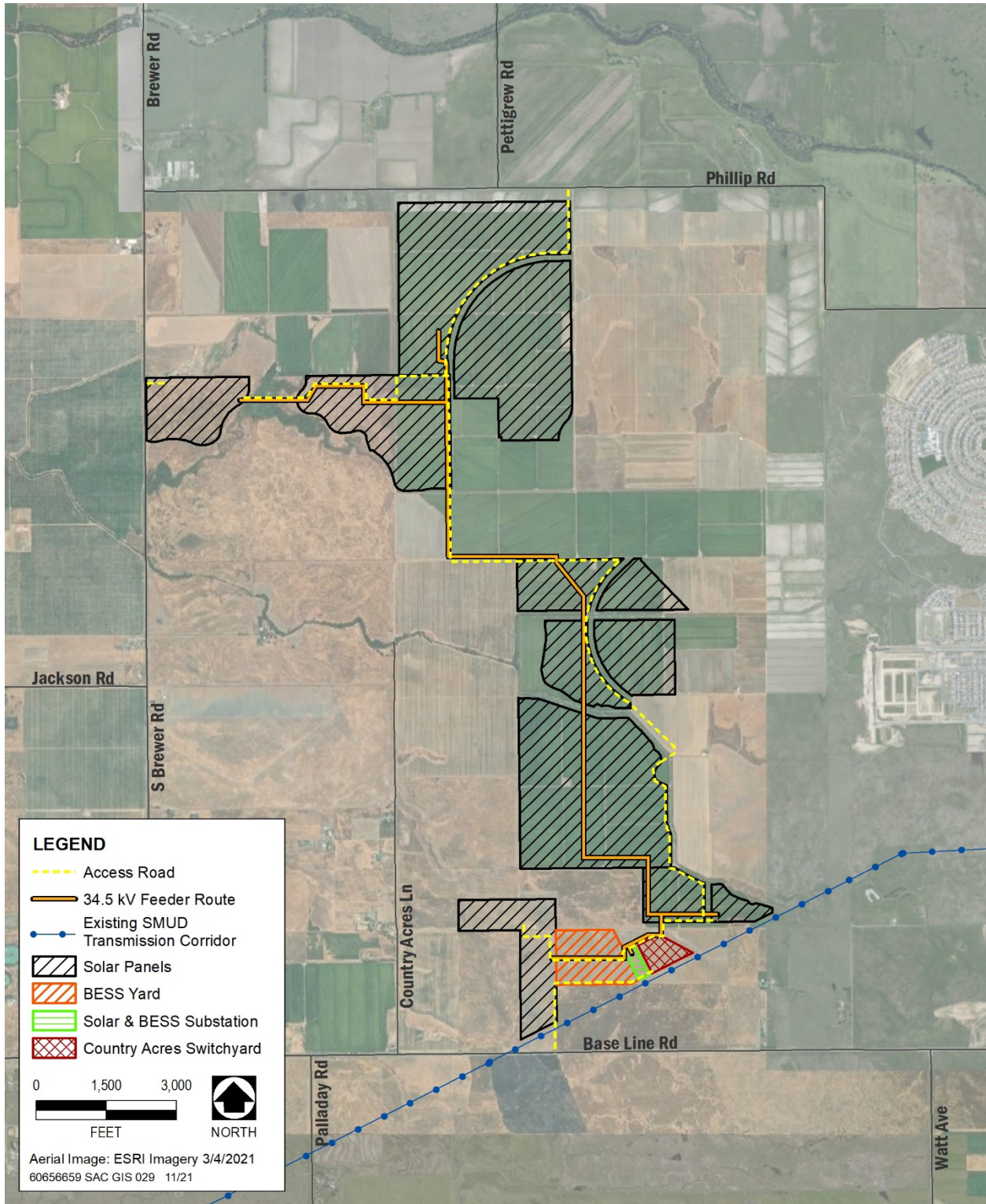


Figure 2. Site Location Map with Proposed Project Elements

Project Objectives: SMUD's objectives for the project include the following:

- Contribute to a diversified energy portfolio that will aid in the continued improvement of air quality in the Sacramento Valley Air Basin by decreasing reliance on fossil fuel combustion for the generation of electricity and reduce SMUD's exposure to price volatility associated with electricity and natural gas.
- Provide a renewable power resource to support SMUD's 2030 Zero Carbon Plan, a plan approved by the Board of Directors in 2021, which establishes a flexible Pathway for SMUD to eliminate carbon emissions from its power supply by 2030 by developing and procuring dependable renewable resources.
- Develop a project that will deliver a reliable, long-term supply of economically feasible solar and battery storage for up to 344 megawatts (MW) of electrical capacity at the point of interconnection with the grid managed by SMUD.
- Site the project to avoid wetlands and other sensitive habitat areas as feasible within the available property.
- Integrate compatible agricultural activities such as grazing and/or pollinator habitat into solar operations.
- Optimize the delivery of solar-produced and stored energy and minimize the geographic extent of impacts by locating the facility near existing electrical infrastructure with available capacity.
- Design a flexible PV solar energy and battery storage facility that is capable of utilizing the best available, efficient, cost-effective, and proven PV solar and storage technology.
- Construct the facility in a location that is readily accessible from existing roads and that would not require the construction of major new roadway improvements.

Project Description: The Country Acres Solar Project includes construction and operation of a PV solar power and battery storage facility and interconnection facilities, including a generation substation, switch station, and interconnection lines, that would provide new power production capacity of up to 344 MW delivered at the point of interconnection with the grid managed by SMUD. The total project site would generally comprise PV solar modules, foundation piles, racking, direct current (DC) collection, alternative current (AC) collection, fencing, roads, inverters, medium voltage transformers, an interconnection line between the generation substation and switch station, battery storage equipment, and interconnection lines to the existing SMUD transmission system. During construction, a temporary construction trailer/office complex and staging areas would be established. During operation, the proposed project would likely include an operations facility. At the end of the project's life (anticipated to be 30 to 35 years or more), the site would be decommissioned. Additional project details are provided below:

Solar Modules, Collection Systems, and Inverters

The project would involve the installation of solar PV module arrays that would convert solar energy directly to electrical power to supply the electrical grid. The solar PV modules would convert the sunlight striking the modules directly into DC power, which would be transformed to AC power via an inverter. The project would include PV modules mounted on a single-axis

horizontal tracking system or a fixed tilt system, or a combination of both. The infrastructure described herein would be similar for either a single-axis tracking system or a fixed-tilt system.

The project would have an underground network of AC power cables that would connect the array transformers to a medium voltage combining switchgear. This switchgear would connect, via an overhead or underground collection system, to the proposed generation substation. Where an overhead line is used it would be supported by wooden or steel poles approximately 30 to 40 feet tall. These lines would follow existing infrastructure easements or access roads when feasible. The onsite substation would then transform the final voltage to connect the project power to the existing SMUD transmission system.

Battery Energy Storage System

A battery energy storage system (BESS) is proposed to be constructed within the project footprint. Two main types of BESSs are being considered for the project: a DC-coupled or an AC-coupled system. A DC-coupled system would consist of multiple small battery units located on concrete skids or metal posts adjacent to the solar arrays. An AC-coupled system would consist of one or more metal containers similar in size to a shipping container likely located on a concrete pad in the battery storage area. The BESS would be connected to the proposed generation substation via an overhead or underground collection system similar to the solar component of the project.

The BESS storage system would follow the latest national fire protection safety codes. The codes include fire prevention, mitigation, and suppression system requirements.

Substation and Switch Station

The proposed onsite substation would be a minimum of 600 feet by 300 feet and include one or more generation step-up transformers, breakers, buswork, protective relaying, meters, Site Control Center building, backup power, associated substation equipment, and a dedicated perimeter fence. The substation would be constructed and operated to step up the voltage of the electricity generated from the PV arrays or stored in the BESS. The substation site would be improved with compacted materials and foundations to support electrical equipment and supporting infrastructure. The substation structures would range in height from approximately 20 to 60 feet. Station service is likely to be provided via one of the adjacent electrical distribution lines or emergency generators may be installed for operations.

The proposed 230 kilovolt (kV) switching station would be a minimum of 800 feet by 600 feet in size and may include a storm water detention basin. The switch station would be designed and built to meet SMUD's specification, guidelines, and standards. The major equipment and associated support structure would include 230kV bus, circuit breakers, disconnect and ground switches, metering, other ancillary equipment and a control building. Station service would be provided to the switch station via a local distribution circuit.

Interconnection Lines

The interconnection of the project to SMUD's grid would be accomplished through removal of a section of the existing SMUD transmission lines, as shown on Figure 2, and installation of new overhead double circuit lines on galvanized steel mono structure poles or lattice structures to interconnect the new switch station. The new poles would be up to approximately 130 feet tall and extend from the switch station to the existing lines.

From the proposed onsite substation to the proposed 230-kV switch station SMUD proposes to install new overhead generation interconnection lines on galvanized steel mono structure poles. The new poles would be up to approximately 130 feet tall.

The overhead lines (including the overhead transmission lines and the line from the substation to the switch station) would be designed to reduce raptor and other bird collisions and electrocutions in compliance with SMUD's current Avian Protection Plan (APP) standards (SMUD 2016¹). Avian protection design standards and mortality reduction measures in the SMUD APP include installing flight diverters to increase overhead wire visibility in high-risk collision areas and using 60-inch clearance (minimum vertical separation of 36 inches from phase to ground on single-phase structures or 43 inches between energized conductors and ground on three-phase structures) pole design in eagle/raptor use areas. In addition, the APP requires that avian injuries and mortalities be reported to the SMUD APP Coordinator and that corrective actions be implemented if high mortality rates or avian caused power outages are recorded. Observations of injured or deceased birds during routine inspections are reported to SMUD's APP Coordinator.

Access and Internal Road Improvements

Primary access to the project site during both construction and operation would be provided by existing, or newly constructed, paved, graveled, or dirt roads extending to the project site from Baseline Road, Country Acres Lane, and Phillip Road. Improved (earthen or graveled) roads, approximately 12 to 20 feet wide, would be constructed throughout the site and between arrays to provide access to the solar and BESS equipment and accommodate on-going maintenance of the solar and battery facilities and emergency vehicles. Existing earthen farm roads would be used for construction and maintenance and would be improved with a gravel overlay to minimize impacts to air quality during construction and reduce dust accumulation on nearby almond trees and future solar panels. An existing crossing over Curry Creek could require minor surface improvements, such as mats or steel plates, to accommodate construction traffic. These improvements would not require in-channel work.

Utilities

Existing overhead distribution lines adjacent to and within the project site may be used to provide energy to project infrastructure and personnel during both construction and operation of the project. Additional poles and lines may be required to extend service to proposed project components such as the project generation substation or 230 kV switch station. Some existing distribution lines may need to be removed and/or placed underground.

Fencing and Lighting

The entire project site would be fenced to restrict access to authorized personnel only, improve safety, isolate electrical equipment, protect onsite improvements from theft and vandalism, and minimize potential conflicts with surrounding land use. Six-foot high chain link security fencing topped with three-strand barbed wire supported on inclined steel post extensions would be placed around the perimeter of the new substation. A small gap at the bottom would allow small wildlife species (e.g., small mammals, reptiles, and amphibians) passage under the fence. The final location and design of the fencing would depend on the final design of the project site.

¹ SMUD. 2016 (Updated November 2018) Sacramento Municipal Utility District Avian Protection Plan

The project would include external safety lighting and permanent lighting on the switch station, substation, entrances to the arrays, and certain array or BESS-related equipment such as medium voltage combining switchgear. All lighting shall be light-emitting diode (LED) and comply with dark sky standards. Temporary construction lighting also may be necessary. Construction lighting would be shielded and angled downward. Mobile lighting would be used for nighttime construction and decommissioning activities and would also be shielded and angled downward. Bright white light, such as metal halide, halogen, fluorescent, mercury vapor, and incandescent lighting would not be used during construction or for long-term operations. Lighting at the inverters medium voltage combining switchgear, substation, and switch station would generally be switched off and only switched on if maintenance is required outside of daylight hours. Lighting at entrances would be on motion sensors or on from dusk until dawn and some motion sensor lights would be installed along perimeters for security. These lights would be similar to flood lighting on the front of a home.

Meteorological Station and Telecommunications

Meteorological stations, approximately 10 to 15 feet in height, would be installed within the solar field. Telecommunications would be provided from a local provider or a microwave/satellite communications tower. Underground and/or overhead fiber optic cables would be installed onsite and along the interconnection and collection between the solar plant, BESS yard, the generation substation and the switch station.

Setbacks

Setbacks would be established from the project boundary (footprint) to any wetlands.

Construction Activities

Construction of the project would take approximately eighteen months to two years and is proposed to begin as early as winter of 2023 and conclude in 2024 or 2025. Preconstruction activities would include permitting, any required biological and cultural clearance surveys, geotechnical and other surveying, and installation of fencing. Additionally, the contractor would begin to mobilize for construction. Construction mobilization would include preparing and constructing site access road improvements, removal of existing agricultural operations, establishing temporary construction trailers and sanitary facilities, preparing initial construction staging areas, and preparing water access areas near existing onsite wells.

A construction staging and the temporary construction office would be located within the project site. Temporary lighting may be installed to facilitate deliveries and construction management. Construction staging areas would be used to store construction materials, worker parking, and provide a designated area for receiving construction deliveries, including temporary parking for delivery trucks waiting to unload. Other temporary staging/laydown areas would also be established within the main project site during construction. After establishment of the staging area(s), project construction would begin with the initial site preparation work. Within the solar field and interconnection facility areas and following environmental clearance, limited grading may be used to prepare the site for post and PV modules installation. Grading would be minimized to the extent feasible within the solar array. Grading would likely be required for the proposed BESS yard, generation substation, and switch station.

Following site preparation, vertical support posts would be driven into the ground. These posts would hold the support structures, or tables, on which PV modules would be mounted. Trenches for the underground AC and DC cabling and collection, and the foundations for the inverter

enclosures and transformers, would be prepared. Trenching would occur within each array to place the AC and DC electrical cables underground. Upon placing the cables in the trenches, the trenches would be backfilled. Concrete foundations would be prepared for the BESS, generation substation and switch station components as well as for the interconnection poles.

Once the foundations are complete, BESS, generation substation and switch station equipment would be delivered, placed, and mounted on foundations. The BESS, generation substation and switch station components would be connected and prepared for commissioning and energization. Interconnection poles would be set at their foundation sites and conductor would be strung between the different facilities prior to commissioning and energization.

Typical construction equipment such as scrapers, dozers, dump trucks, watering trucks, motor graders, vibratory compactors, sheepsfoot, trenching and cable installation equipment, and backhoes would be used during construction. Other construction equipment that may be used would include generators, all-terrain vehicles (ATVs), pickup trucks, loaders, excavators, skid loaders, directional and other drilling equipment, road reclaimers, post drivers, forklifts, a mobile crane, and a boom lift.

Fuel may be stored onsite during peak construction activities and would be stored consistent with standard construction best management practices.

Construction Workforce

The construction workforce (with an expected average of 177 and a peak of 650 construction workers) is expected to arrive at the project site between approximately 6:00 a.m. and 7:00 a.m. and leave the site between approximately 4:00 p.m. and 5:00 p.m., Monday through Friday for most of project construction. During hotter weather, construction crews may arrive earlier and leave later in the evening. Some earlier or later hours and weekend work may also be required to maintain the project construction schedule, complete critical activities, and accommodate deliveries. The number of personnel onsite during nighttime construction would depend upon the nature of the construction activity or materials being delivered to the site. As needed, mobile lighting units would be used to accommodate temporary construction activities.

Access and Traffic

Most of the traffic generated during project construction would be for employees commuting and the delivery of components and equipment. Primary access to the project site during both construction and operation would be provided by an existing road from Baseline Road, as shown in Figure 2.

In addition to construction workforce trips, project construction would require the following types of vehicle trips (all heavy vehicles):

- Equipment and materials deliveries.
- Excavation, debris, and material hauling.
- Visitors, inspectors, management.

Most of the construction traffic would likely originate from Baseline Road via Highway 99. Materials would be delivered generally outside of the peak morning and afternoon traffic hours to the extent feasible and would be delivered to the designated receiving area. The materials would then be distributed within the site as needed. It is estimated that an average of 42 truck

trips per day would be needed during construction. The estimated average truck trips per day associated with excavation, debris, and material hauling is six (6).

Grading and Vegetation Removal

Limited grading and vegetation removal is proposed along the access roads, at the location of the inverters and transformers, at the BESS yard, the generation substation, and switch station. Aside from these areas, vegetation removal would generally not occur where solar panels would be installed in areas currently in grassland. Vegetation removal would, however, occur in areas currently planted in almonds.

Other Site Improvements

To help prepare the project site for development of the project, a few other activities would need to be completed:

- Temporary 12 kV line to provide power at staging yards.
- Removal of current agricultural operations such as irrigation for orchards.
- Existing 12 kV lines providing power to wells would be removed or relocated underground.

Construction Waste Management and Recycling

Construction activities would generate waste that in some cases may require off-site disposal. The California Green Building Code requires that at least 65 percent of construction and demolition waste be diverted from landfills.

Construction and demolition waste generated from this project would consist of the following:

- Scrap metal – copper wire, transformers, iron, steel, and aluminum.
- Solid waste – trash, cardboard, wood products, inert organics, non-hazardous solar panels, and concrete.
- Universal waste – Inverters, DC disconnect, battery pack, and power meters.
- Hazardous waste – Lubricants and oils, spill clean-up debris, and solar panels that meet the characterization of a hazardous waste.
- Organic agriculture biomass, such as any removed orchard trees, would be chipped on site and used as mulch.

All waste shipped offsite would be transported in accordance with the Department of Transportation, Code of Federal Regulations (CFR) Title 49, Subtitle B, Chapter I and CCR, Title 13, Division 2.

Hazardous waste generated would be properly stored and disposed of in accordance with federal, state, and local regulations. No hazardous waste is expected to be generated during construction; however, construction equipment uses various hazardous materials (diesel fuel, oil, solvents, etc.). If disposal of these materials would be needed, it would be done off site in accordance with all applicable laws pertaining to the handling and disposal of hazardous waste.

Operation and Maintenance Activities

The project would operate seven days per week. One regular onsite employee may be required, and some personnel may visit the site to monitor, maintain, and if needed, repair, the system. PV panels may be periodically washed during project operation as needed. To conservatively estimate potential panel washing operational water use, it is estimated that solar panels would be washed once per year in case of excessive soiling. The project may also require occasional repair or replacement of project components. Inverters may require replacement every 10 years, while PV panels generally last 30 to 40 years. Thus, infrastructure replacement is expected to be rare. Other operational activities would include BESS equipment maintenance interconnection equipment maintenance, production reporting, equipment inspecting and testing, and similar activities. General site maintenance would include vegetation management, road maintenance, and general upkeep of the facility.

Pickup trucks and flatbeds, forklifts, and loaders may be used for normal maintenance. Large, heavy-haul, transport equipment would be occasionally used to repair or replace equipment. Non-hazardous waste would be collected in designated locations and picked up/disposed of by a local waste disposal or recycling company. Oil, electronic equipment, and other potentially hazardous waste would be collected, stored, and disposed of in accordance with applicable laws and regulations. Sanitary facilities are likely to consist of a regularly maintained portable toilet.

Preventive maintenance kits and certain critical spare equipment would be stored onsite, while all other components would be readily available from a remote warehouse facility.

Safety Controls

Health and safety plans would be developed for both the construction and operational phases of the project. While project-specific plans have not yet been prepared, the plans would call for implementation of various measures including safety signage in accordance with applicable regulatory requirements.

Decommissioning and Site Restoration

At the end of the project's useful life (anticipated to be 30 to 35 years or more), it would be decommissioned. Based on current decommissioning practices, as a reasonable-worst case scenario, this document assumes that environmental impacts generated during future decommissioning would be similar to those generated during project construction.

Currently, standard decommissioning practices include dismantling and repurposing, salvaging/recycling, or disposing of the solar energy improvements, and site stabilization. Actual decommissioning and site restoration activities for the project would be conducted in accordance with all applicable requirements in effect at the time of project termination, and a final decommissioning plan, based on then-current technology, site conditions, and regulations, would be prepared prior to actual decommissioning.

Under current standard decommissioning practices, solar modules are removed, collected, and recycled or disposed of at a properly licensed landfill. Some or all components (i.e., aluminum and steel components) are salvaged and/or recycled, as feasible. Components that cannot be salvaged are removed and disposed of in accordance with applicable laws and regulations.

Generally, only those portions of the underground collection system that would conflict with future land uses would be removed. Components of an underground system that would not

conflict with other land uses typically would be kept in place to minimize disturbances to existing vegetation. Similarly, access roads that would conflict with other land uses would be removed and the aggregate recycled, and roads that are compatible with other land uses would be left in place. Overhead electrical collection lines, poles, and associated components would be disassembled and removed, and reprocessed, sold, salvaged, or otherwise disposed of in an appropriate manner.

Substation components including steel, conductors, switches, transformers, fencing, control houses, and other materials, typically would be removed from a site and would be repurposed, salvaged, or recycled, or disposed of in an appropriate manner.

Some grading may be required to re-contour access road areas or address erosion. Future site restoration activities are assumed to be similar to the procedures used during construction to restore temporarily disturbed areas.

Potential Environmental Effects: The EIR will describe the significant direct and indirect environmental impacts of the project. The EIR also will evaluate the cumulative impacts of the project, defined as impacts that could be exacerbated when considered in conjunction with other related past, present, and reasonably foreseeable future projects. SMUD anticipates that the project could result in potentially significant environmental impacts in the following resource areas, which will be further evaluated in the EIR:

- **Aesthetics:** Temporary and long-term changes in scenic views or visual character of the project site as viewed by motorists on Baseline Road and Philip Road and recreationalists, along with the potential for glare.
- **Agriculture:** Temporary or long-term changes to existing environment and conversion of farmland to non-agricultural use.
- **Air Quality:** Temporary increases in air pollutant emissions associated with construction and operation associated with mobile-source emissions from maintenance worker trips and operation of the emergency backup generator.
- **Biological Resources:** Temporary disturbances or permanent losses of habitats and wildlife corridors; temporary disturbances or permanent losses of state or federally protected wetlands; temporary disturbances or permanent losses of special-status plant species; and construction disturbances or take of special-status terrestrial and aquatic species.
- **Cultural Resources:** Temporary or permanent disturbances of known or unknown historical or archaeological resources.
- **Geology and Soils:** Potential soil erosion or loss of topsoil during construction; and potential impacts related to unstable soils, earthquakes, unique geological features, and expansive soils at the project site.
- **Greenhouse Gas Emissions:** Temporary increases in greenhouse gas emissions associated with mobile-source exhaust from construction worker commute trips, truck haul trips, and equipment (e.g., excavators, graders), with much greater long-term decreases in greenhouse gas emissions due to replacement of electrical generation by fossil fuel power plants.

- **Hazards and Hazardous Materials:** Potential spills of hazardous materials during construction; potential exposure of workers to hazardous materials during construction; and increased exposure to wildland fire risk during construction.
- **Hydrology and Water Quality:** Potential temporary and permanent alterations of local drainage patterns and increases in stormwater peak flow and volumes and potential downstream runoff effects; temporary effects on water quality during construction, including spills of fuel or other hazardous materials; and potential impacts to Federal Emergency Management Agency (FEMA) and local 100-year floodplains and floodways and drainage facilities throughout the site.
- **Land Use and Planning:** Compliance with local and regional adopted plans.
- **Noise:** Temporary increases in noise (including off-site, truck traffic noise) and vibration levels during construction.
- **Public Services:** Potential impacts to fire and emergency services and maintenance of public roads.
- **Transportation and Traffic:** Temporary increases in traffic and traffic hazards on local roadways (including Philip Road and Baseline Road) during construction.
- **Tribal Cultural Resources:** Potential substantial adverse changes to tribal cultural resources.
- **Wildfire:** Potential increased exposure to wildland fire risk during construction.

These potential impacts will be assessed and discussed in detail in the EIR, and feasible and practicable mitigation measures will be recommended to reduce any identified significant or potentially significant impacts. The discussion in the EIR will also include an alternatives analysis.

SMUD anticipates that the project will not result in significant environmental impacts in the following resource areas, which will not be further evaluated in the EIR: energy, mineral resources, population and housing, recreation, and utilities.

Potential Approvals and Permits Required: Elements of the project could be subject to permitting and/or approval authority of other agencies. As the lead agency pursuant to CEQA, SMUD is responsible for considering the adequacy of the EIR. Other potential permits required from other agencies could include:

Federal

- **U.S. Army Corps of Engineers:** Compliance with Section 404 of the Clean Water Act (CWA) for discharge of fill to Waters of the U.S.
- **U.S. Fish and Wildlife Service:** Section 7 of the Endangered Species Act (ESA) Consultation. Letter of Concurrence for a Not Likely to Adversely Affect (NLAA) determination.
- **State Historic Preservation Office (SHPO):** Compliance with Section 106 of the National Historic Preservation Act (required in support of CWA Section 404 permit, if needed)

- **Federal Emergency Management Agency (FEMA):** Conditional Letter/Letter of Map Revision (CLOMR/LOMR) for floodplain boundary.

State

- **State Water Resources Control Board:** Clean Water Act Section 402, construction general permit.
- **Central Valley Regional Water Quality Control Board:** Clean Water Act Section 401, water quality certification; and/or waste discharge permit for waters of the state, if applicable.
- **California Department of Fish and Wildlife:** Compliance with California Endangered Species Act (CESA), potential permits under Section 2081 of the Fish and Game Code if take of listed species is likely to occur; and Section 1602 streambed alteration agreement for construction activities that occur within the bed, bank or channel of waterways.
- **California Department of Transportation:** Encroachment permit and/or transportation management plan for any oversized equipment, such as transformers.

Local

- **Placer County:** Conditional Use Permit (CUP); Improvement Plans/Grading Permit, Encroachment Permits.
- **Placer County Air Pollution Control District (PCAPCD):** Submittal of a Dust Control Plan, pursuant to PCAPCD Rule 228, for ground disturbance of an area greater than one acre.

Document Availability: the NOP is available for public review on SMUD's website: www.smud.org/ceqa. Printed copies of the NOP are also available for public review at the following locations:

Sacramento Municipal Utility District
Customer Service Center
6301 S Street
Sacramento, CA 95817

Sacramento Municipal Utility District
East Campus Operations Center
4401 Bradshaw Road
Sacramento, CA 95827

Public Scoping Meeting: A public scoping meeting will be conducted by SMUD to inform interested parties about the project, and to provide agencies and the public with an opportunity to provide comments on the scope and content of the EIR. The meeting time and location are as follows:

December 8, 2021
Time: 4:00 – 5:00 p.m.
Location: Virtual
Link to Zoom meeting can be found at www.smud.org/countryacres

Comment Period: Agencies and interested parties may provide SMUD with written comments on topics to be addressed in the EIR for the project. Comments can be provided anytime during the NOP review period, but must be received by 5:00 p.m. on December 21, 2021. Please send all comments, with appropriate contact information, to the following address via hard copy or email:

Amy Spitzer
Sacramento Municipal Utility District
Environmental Services Department
6201 S Street, MS B209
Sacramento, CA 95817
CountryAcres@smud.org

All comments on environmental issues received during the public comment period will be considered and addressed in the Draft EIR, which is anticipated to be available for public review in spring 2022.

Appendix B Scoping Meeting Power Point Presentation

Country Acres Solar Project

Project Team

Dec. 8, 2021

Powering forward. Together.

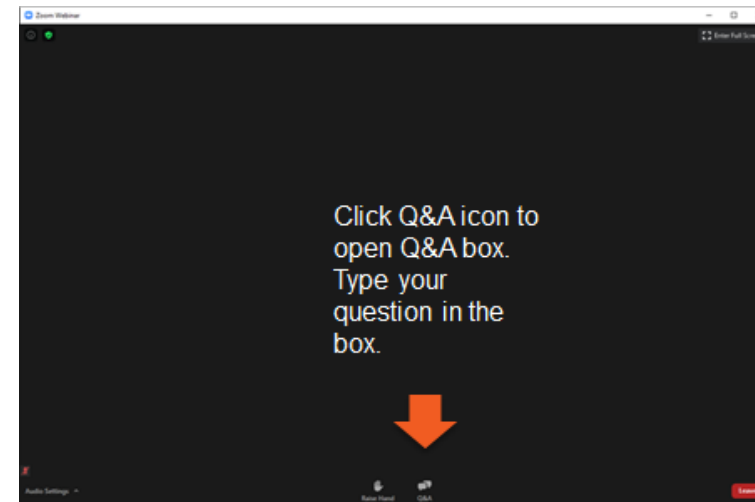


Agenda

- Meeting format & objectives
- Introduction to the project team
- Project background & overview
- Project update
- CEQA process overview
- Timeline & next steps
- Keeping you informed
- Q&A

Format for Q&A session

- Please type your question in the Q&A box at the bottom of the screen.
- A team member will read questions and answer them.
- Questions on other topics will be answered directly in the Q&A text window or referred to a team member to respond directly to the customer.



Introductions and project team



Amanda Beck
SMUD Senior Project
Development Manager



Amy Spitzer
SMUD Environmental
Specialist

Project background and overview

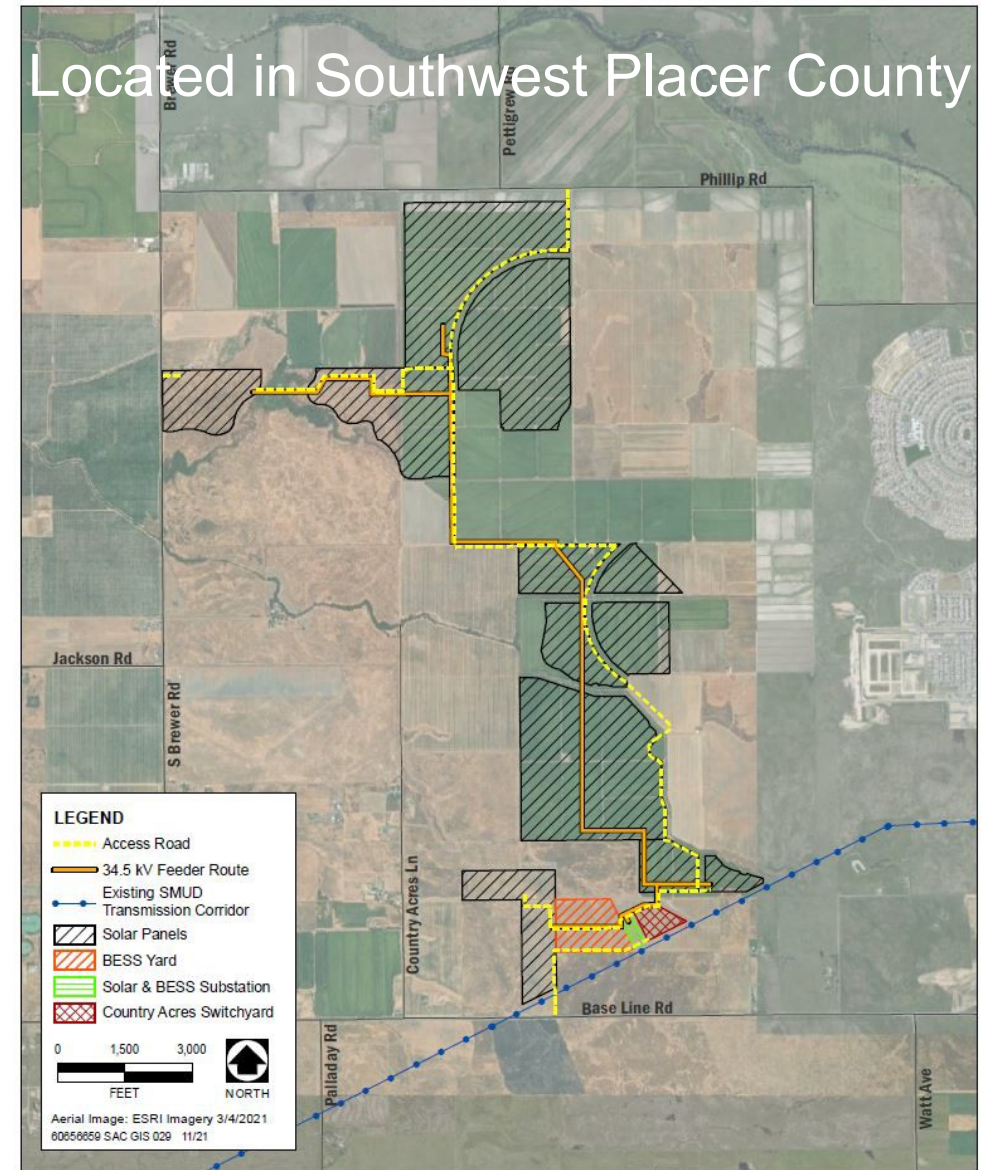
Up to 344MW of photovoltaic and battery energy storage on land to be owned and leased by SMUD

BESS, substation, and switchyard planned on land to be purchased by SMUD

Interconnecting to SMUD's existing 230kV grid with interconnection studies underway

Project construction planned to begin in 2023 and extend through 2024

Project planned to support 2030 Zero Carbon Plan goals, targeting operation for 30 years



Source: SMUD 2021

Project update

Staff determined an Environmental Impact Report (EIR) was appropriate

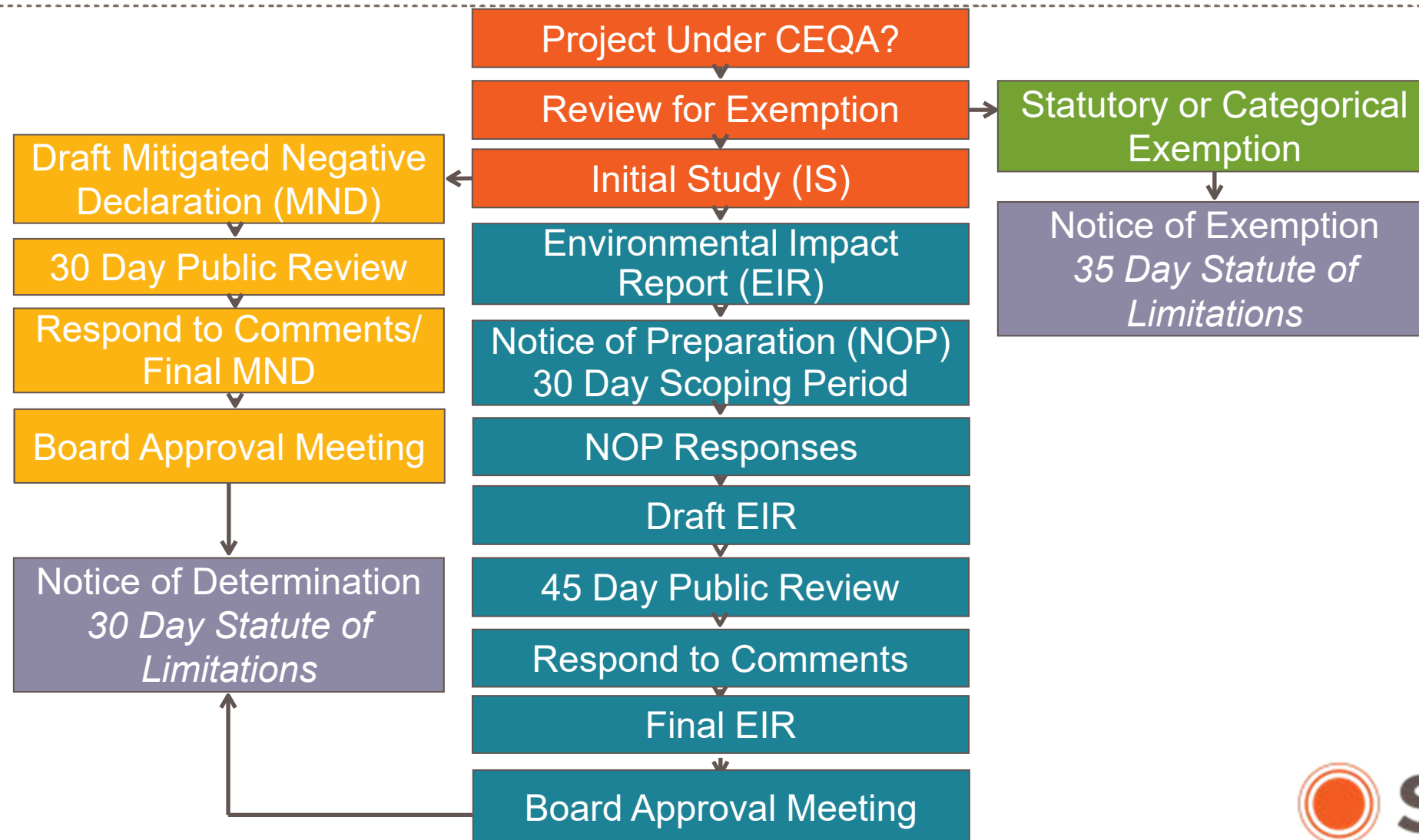
Notice of Preparation was released Nov. 19

Placer County determined that a Conditional Use Permit (CUP) will be required

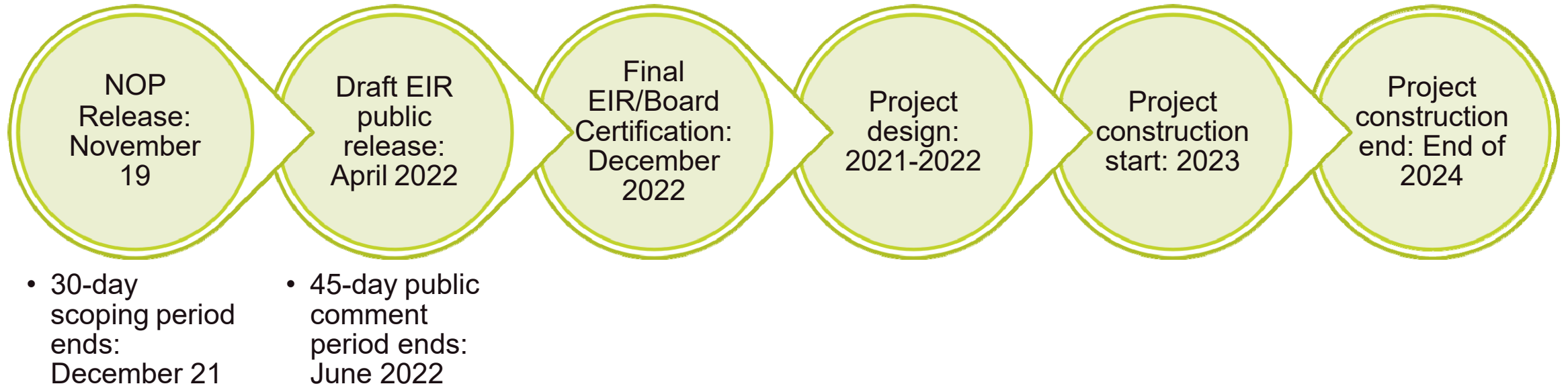
SMUD will be CEQA Lead Agency

County will work closely with SMUD and certify our EIR for the CUP

California Environmental Quality Act (CEQA) Process Flowchart



Timeline and next steps



Keeping you informed



Website: smud.org/CountryAcres



Email: CountryAcres@smud.org



Phone: 916-732-4934

Appendix C Comment Letters



November 20, 2021

Amy Spitzer
SMUD
PO Box 15830
Sacramento, CA 95817

Ref: Gas and Electric Transmission and Distribution

Dear Amy Spitzer,

Thank you for submitting the SMUD Country Acres Solar Project plans for our review. PG&E will review the submitted plans in relationship to any existing Gas and Electric facilities within the project area. If the proposed project is adjacent/or within PG&E owned property and/or easements, we will be working with you to ensure compatible uses and activities near our facilities.

Attached you will find information and requirements as it relates to Gas facilities (Attachment 1) and Electric facilities (Attachment 2). Please review these in detail, as it is critical to ensure your safety and to protect PG&E's facilities and its existing rights.

Below is additional information for your review:

1. This plan review process does not replace the application process for PG&E gas or electric service your project may require. For these requests, please continue to work with PG&E Service Planning: https://www.pge.com/en_US/business/services/building-and-renovation/overview/overview.page.
2. If the project being submitted is part of a larger project, please include the entire scope of your project, and not just a portion of it. PG&E's facilities are to be incorporated within any CEQA document. PG&E needs to verify that the CEQA document will identify any required future PG&E services.
3. An engineering deposit may be required to review plans for a project depending on the size, scope, and location of the project and as it relates to any rearrangement or new installation of PG&E facilities.

Any proposed uses within the PG&E fee strip and/or easement, may include a California Public Utility Commission (CPUC) Section 851 filing. This requires the CPUC to render approval for a conveyance of rights for specific uses on PG&E's fee strip or easement. PG&E will advise if the necessity to incorporate a CPUC Section 851 filing is required.

This letter does not constitute PG&E's consent to use any portion of its easement for any purpose not previously conveyed. PG&E will provide a project specific response as required.

Sincerely,

Plan Review Team
Land Management



Attachment 1 – Gas Facilities

There could be gas transmission pipelines in this area which would be considered critical facilities for PG&E and a high priority subsurface installation under California law. Care must be taken to ensure safety and accessibility. So, please ensure that if PG&E approves work near gas transmission pipelines it is done in adherence with the below stipulations. Additionally, the following link provides additional information regarding legal requirements under California excavation laws: <https://www.usanorth811.org/images/pdfs/CA-LAW-2018.pdf>

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity that comes within 10 feet of the gas pipeline. This includes all grading, trenching, substructure depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at 811. A minimum notice of 48 hours is required. Ensure the USA markings and notifications are maintained throughout the duration of your work.
2. **Access:** At any time, PG&E may need to access, excavate, and perform work on the gas pipeline. Any construction equipment, materials, or spoils may need to be removed upon notice. Any temporary construction fencing installed within PG&E's easement would also need to be capable of being removed at any time upon notice. Any plans to cut temporary slopes exceeding a 1:4 grade within 10 feet of a gas transmission pipeline need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.
3. **Wheel Loads:** To prevent damage to the buried gas pipeline, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing the pipe.

Ensure a list of the axle weights of all equipment being used is available for PG&E's Standby Inspector. To confirm the depth of cover, the pipeline may need to be potholed by hand in a few areas.

Due to the complex variability of tracked equipment, vibratory compaction equipment, and cranes, PG&E must evaluate those items on a case-by-case basis prior to use over the gas pipeline (provide a list of any proposed equipment of this type noting model numbers and specific attachments).

No equipment may be set up over the gas pipeline while operating. Ensure crane outriggers are at least 10 feet from the centerline of the gas pipeline. Transport trucks must not be parked over the gas pipeline while being loaded or unloaded.

4. **Grading:** PG&E requires a minimum of 36 inches of cover over gas pipelines (or existing grade if less) and a maximum of 7 feet of cover at all locations. The graded surface cannot exceed a cross slope of 1:4.
5. **Excavating:** Any digging within 2 feet of a gas pipeline must be dug by hand. Note that while the minimum clearance is only 12 inches, any excavation work within 24 inches of the edge of a pipeline must be done with hand tools. So to avoid having to dig a trench entirely with hand tools, the edge of the trench must be over 24 inches away. (Doing the math for a 24 inch



wide trench being dug along a 36 inch pipeline, the centerline of the trench would need to be at least 54 inches [$24/2 + 24 + 36/2 = 54$] away, or be entirely dug by hand.)

Water jetting to assist vacuum excavating must be limited to 1000 psig and directed at a 40° angle to the pipe. All pile driving must be kept a minimum of 3 feet away.

Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Services in writing PRIOR to performing the work.

6. Boring/Trenchless Installations: PG&E Pipeline Services must review and approve all plans to bore across or parallel to (within 10 feet) a gas transmission pipeline. There are stringent criteria to pothole the gas transmission facility at regular intervals for all parallel bore installations.

For bore paths that cross gas transmission pipelines perpendicularly, the pipeline must be potholed a minimum of 2 feet in the horizontal direction of the bore path and a minimum of 12 inches in the vertical direction from the bottom of the pipe with minimum clearances measured from the edge of the pipe in both directions. Standby personnel must watch the locator trace (and every ream pass) the path of the bore as it approaches the pipeline and visually monitor the pothole (with the exposed transmission pipe) as the bore traverses the pipeline to ensure adequate clearance with the pipeline. The pothole width must account for the inaccuracy of the locating equipment.

7. Substructures: All utility crossings of a gas pipeline should be made as close to perpendicular as feasible ($90^\circ \pm 15^\circ$). All utility lines crossing the gas pipeline must have a minimum of 12 inches of separation from the gas pipeline. Parallel utilities, pole bases, water line 'kicker blocks', storm drain inlets, water meters, valves, back pressure devices or other utility substructures are not allowed in the PG&E gas pipeline easement.

If previously retired PG&E facilities are in conflict with proposed substructures, PG&E must verify they are safe prior to removal. This includes verification testing of the contents of the facilities, as well as environmental testing of the coating and internal surfaces. Timelines for PG&E completion of this verification will vary depending on the type and location of facilities in conflict.

8. Structures: No structures are to be built within the PG&E gas pipeline easement. This includes buildings, retaining walls, fences, decks, patios, carports, septic tanks, storage sheds, tanks, loading ramps, or any structure that could limit PG&E's ability to access its facilities.

9. Fencing: Permanent fencing is not allowed within PG&E easements except for perpendicular crossings which must include a 16 foot wide gate for vehicular access. Gates will be secured with PG&E corporation locks.

10. Landscaping: Landscaping must be designed to allow PG&E to access the pipeline for maintenance and not interfere with pipeline coatings or other cathodic protection systems. No trees, shrubs, brush, vines, and other vegetation may be planted within the easement area. Only those plants, ground covers, grasses, flowers, and low-growing plants that grow unsupported to a maximum of four feet (4') in height at maturity may be planted within the easement area.



11. Cathodic Protection: PG&E pipelines are protected from corrosion with an “Impressed Current” cathodic protection system. Any proposed facilities, such as metal conduit, pipes, service lines, ground rods, anodes, wires, etc. that might affect the pipeline cathodic protection system must be reviewed and approved by PG&E Corrosion Engineering.

12. Pipeline Marker Signs: PG&E needs to maintain pipeline marker signs for gas transmission pipelines in order to ensure public awareness of the presence of the pipelines. With prior written approval from PG&E Pipeline Services, an existing PG&E pipeline marker sign that is in direct conflict with proposed developments may be temporarily relocated to accommodate construction work. The pipeline marker must be moved back once construction is complete.

13. PG&E is also the provider of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E’s facilities must be reviewed and approved by PG&E to ensure that no impact occurs which may endanger the safe operation of its facilities.



Attachment 2 – Electric Facilities

It is PG&E's policy to permit certain uses on a case by case basis within its electric transmission fee strip(s) and/or easement(s) provided such uses and manner in which they are exercised, will not interfere with PG&E's rights or endanger its facilities. Some examples/restrictions are as follows:

1. Buildings and Other Structures: No buildings or other structures including the foot print and eave of any buildings, swimming pools, wells or similar structures will be permitted within fee strip(s) and/or easement(s) areas. PG&E's transmission easement shall be designated on subdivision/parcel maps as **"RESTRICTED USE AREA – NO BUILDING."**
2. Grading: Cuts, trenches or excavations may not be made within 25 feet of our towers. Developers must submit grading plans and site development plans (including geotechnical reports if applicable), signed and dated, for PG&E's review. PG&E engineers must review grade changes in the vicinity of our towers. No fills will be allowed which would impair ground-to-conductor clearances. Towers shall not be left on mounds without adequate road access to base of tower or structure.
3. Fences: Walls, fences, and other structures must be installed at locations that do not affect the safe operation of PG&E's facilities. Heavy equipment access to our facilities must be maintained at all times. Metal fences are to be grounded to PG&E specifications. No wall, fence or other like structure is to be installed within 10 feet of tower footings and unrestricted access must be maintained from a tower structure to the nearest street. Walls, fences and other structures proposed along or within the fee strip(s) and/or easement(s) will require PG&E review; submit plans to PG&E Centralized Review Team for review and comment.
4. Landscaping: Vegetation may be allowed; subject to review of plans. On overhead electric transmission fee strip(s) and/or easement(s), trees and shrubs are limited to those varieties that do not exceed 15 feet in height at maturity. PG&E must have access to its facilities at all times, including access by heavy equipment. No planting is to occur within the footprint of the tower legs. Greenbelts are encouraged.
5. Reservoirs, Sumps, Drainage Basins, and Ponds: Prohibited within PG&E's fee strip(s) and/or easement(s) for electric transmission lines.
6. Automobile Parking: Short term parking of movable passenger vehicles and light trucks (pickups, vans, etc.) is allowed. The lighting within these parking areas will need to be reviewed by PG&E; approval will be on a case by case basis. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications. Blocked-up vehicles are not allowed. Carports, canopies, or awnings are not allowed.
7. Storage of Flammable, Explosive or Corrosive Materials: There shall be no storage of fuel or combustibles and no fueling of vehicles within PG&E's easement. No trash bins or incinerators are allowed.



8. Streets and Roads: Access to facilities must be maintained at all times. Street lights may be allowed in the fee strip(s) and/or easement(s) but in all cases must be reviewed by PG&E for proper clearance. Roads and utilities should cross the transmission easement as nearly at right angles as possible. Road intersections will not be allowed within the transmission easement.

9. Pipelines: Pipelines may be allowed provided crossings are held to a minimum and to be as nearly perpendicular as possible. Pipelines within 25 feet of PG&E structures require review by PG&E. Sprinklers systems may be allowed; subject to review. Leach fields and septic tanks are not allowed. Construction plans must be submitted to PG&E for review and approval prior to the commencement of any construction.

10. Signs: Signs are not allowed except in rare cases subject to individual review by PG&E.

11. Recreation Areas: Playgrounds, parks, tennis courts, basketball courts, barbecue and light trucks (pickups, vans, etc.) may be allowed; subject to review of plans. Heavy equipment access to PG&E facilities is to be maintained at all times. Parking is to clear PG&E structures by at least 10 feet. Protection of PG&E facilities from vehicular traffic is to be provided at developer's expense AND to PG&E specifications.

12. Construction Activity: Since construction activity will take place near PG&E's overhead electric lines, please be advised it is the contractor's responsibility to be aware of, and observe the minimum clearances for both workers and equipment operating near high voltage electric lines set out in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety (<https://www.dir.ca.gov/Title8/sb5g2.html>), as well as any other safety regulations. Contractors shall comply with California Public Utilities Commission General Order 95 (http://www.cpuc.ca.gov/gos/GO95/go_95_startup_page.html) and all other safety rules. No construction may occur within 25 feet of PG&E's towers. All excavation activities may only commence after 811 protocols has been followed.

Contractor shall ensure the protection of PG&E's towers and poles from vehicular damage by (installing protective barriers) Plans for protection barriers must be approved by PG&E prior to construction.

13. PG&E is also the owner of distribution facilities throughout many of the areas within the state of California. Therefore, any plans that impact PG&E's facilities must be reviewed and approved by PG&E to ensure that no impact occurs that may endanger the safe and reliable operation of its facilities.

From: [Country Acres Project](#)
To: [Amy E. Spitzer](#)
Subject: FW: [EXTERNAL] RE: Notice of Preparation of an Environmental Impact Report for SMUD's Country Acres Solar Project in Southwest Placer County
Date: Monday, November 22, 2021 11:54:41 AM
Attachments: [image001.png](#)
[Initial Response Letter 11-20-2021.pdf](#)

From: PGE Plan Review <PGEPlanReview@pge.com>
Sent: Saturday, November 20, 2021 12:36 PM
To: Country Acres Project <CountryAcres@smud.org>
Subject: [EXTERNAL] RE: Notice of Preparation of an Environmental Impact Report for SMUD's Country Acres Solar Project in Southwest Placer County

CAUTION: This email originated from outside of SMUD. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Amy Spitzer,

Thank you for submitting the SMUD Country Acres Solar Project plans. The PG&E Plan Review Team is currently reviewing the information provided. Should this project have the potential to interfere with PG&E's facilities, we intend to respond to you with project specific comments on or prior to the provided deadline. Attached is some general information when working near PG&E facilities that must be adhered to when working near PG&E's facilities and land rights.

This email and attachment does not constitute PG&E's consent to use any portion of PG&E's land rights for any purpose not previously conveyed. If there are subsequent modifications made to your design, we ask that you resubmit the plans to the email address listed below.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at (877) 259-8314 or pgeplanreview@pge.com.

Thank you,



Pacific Gas and Electric Company
Plan Review Team
(877) 259-8314
Email: pgeplanreview@pge.com

From: Amy E. Spitzer <Amy.Spitzer@smud.org>
Sent: Friday, November 19, 2021 10:14 AM
Subject: Notice of Preparation of an Environmental Impact Report for SMUD's Country Acres Solar Project in Southwest Placer County

*******CAUTION: This email was sent from an EXTERNAL source. Think before clicking links or opening attachments.*******

Hello,

Because you are interested in being notified of proposed projects in Placer County, please see the attached Notice of Preparation of an Environmental Impact Report for SMUD's Country Acres Solar Project.

Please direct any questions or comments about the project to the contact information in the NOP.

Thanks,

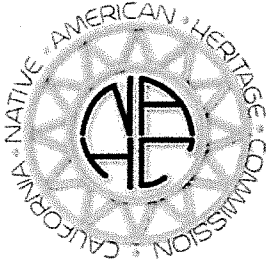
Amy Spitzer

Environmental Specialist, Environmental Services Department

SMUD | Powering forward. Together.

6201 S Street, Mail Stop B209, Sacramento, CA 95817

P.O. Box 15830, Sacramento, CA 95852-0830



NATIVE AMERICAN HERITAGE COMMISSION

November 22, 2021

Amy Spitzer
Sacramento Municipal Utility District
6201 S Street, MS B209
Sacramento, CA 95817

Re: 2021110307, Country Acres Solar Project, Placer County

Dear Ms. Spitzer:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

PARLIAMENTARIAN
Russell Atebery
Karuk

COMMISSIONER
William Mungary
Paiute/White Mountain
Apache

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

COMMISSIONER
Sara Dutschke
Miwok

COMMISSIONER
Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki

COMMISSIONER
Wayne Nelson
Luiseño

COMMISSIONER
Stanley Rodriguez
Kumeyaay

EXECUTIVE SECRETARY
Christina Snider
Pomo

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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Katy.Sanchez@nahc.ca.gov.

Sincerely,



Katy Sanchez
Associate Environmental Planner

cc: State Clearinghouse

From: Anna Starkey <astarkey@auburnrancheria.com>

Sent: Tuesday, November 23, 2021 12:32 PM

To: Country Acres Project <CountryAcres@smud.org>

Subject: [EXTERNAL] RE: UAIC Comments -NOP for EIR, SMUD's Country Acres Solar Project

CAUTION: This email originated from outside of SMUD. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

The following comments are on behalf of the UAIC regarding the NOP for the SMUD Country Acres Solar Project. We appreciate the opportunity to provide comments.

1. We ask that the Cultural Resources and TCR chapter are separate and distinct, and not combined into a single chapter. We ask that the TCR chapter does not repeat the same background information as the Cultural Resources chapter. Rather that it focuses on the contemporary tribal communities that stewards and cares for their ancestors sites. Please let me know if you require additional details on what is expected in the TCR chapter (Please see SMUD's tribal consultation and associated testing report for the Station H project or ask Rob Ferrara for more info).
2. Mitigation measures for TCRs should be separate and distinct from cultural resources and not combined into the same mitigation measures. Tribal values must be separate and distinct from archaeological values.
3. Because potential TCRs have been identified early, we ask the TCR chapter adequately discusses these resources. We ask that the identification, evaluation, and treatment of TCRs be taken into consideration with the same level of analysis and professionalism that archaeologists are given. The identification and evaluation of TCRs should be no less rigorous than archaeological resources and can only be accomplished through tribal consultation.
4. UAIC reiterates that California Native American tribes traditionally and culturally affiliated with a geographic area may have expertise concerning their tribal cultural resources (PRC Section 21080.3.1). This means that archaeologists shall not identify, evaluate, or make recommendations for cultural items or sites that are considered TCRs unless it is in direct coordination with consulting Tribes.

5. The following resources UAIC identifies as TCRs:

- Indigenous archaeological sites
- Sacred Lands
- Traditional Cultural Properties
- Midden soils/disturbed midden soils
- Burials, cremations, and all related burial or ceremonial items
- Burial soils
- Isolated indigenous artifacts
- Cultural landscapes
- Significant native plants/gathering areas
- *lot limited to

6. UAIC requests that the TCR chapter and report does not refer to tribes and their ancestors as “prehistoric”. Please show in the TCR chapter that tribes are living communities committed to protecting and stewarding their land and cultural sites.

7. UAIC requests that aesthetic, natural, scenic, and historic environmental qualities are analyzed for TCRs in the TCR chapter if any are identified in the project area.

Thank you for involving UAIC in the planning process at an early stage. We ask that you make this letter a part of the project record and we look forward to working with you to ensure that TCRs and cultural resources are protected.

Sincerely,
Anna Starkey

From: [Country Acres Project](#)
To: [Amy E. Spitzer](#)
Subject: FW: [EXTERNAL] Public Comment
Date: Wednesday, December 8, 2021 11:25:55 AM

From: Elia B <elia7272@gmail.com>
Sent: Monday, December 6, 2021 4:09 PM
To: Country Acres Project <CountryAcres@smud.org>
Subject: [EXTERNAL] Public Comment

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Country Acres Public Comment,

I love SMUD and their efforts towards sustainability.

As a mitigation measure, to make up for this loss of (what appears to be) prime agricultural land and creating an increase to the region's urban heat island, SMUD must first build out all infill and rooftop solar opportunities before breaking ground on this valuable agricultural land. To do this SMUD would allow unlimited roof top solar and pay a reimbursement at the same cost of the Country Acres project (not counting the battery portion cost).

SMUD has told me I cannot install solar on my roof that is more than my past years usage. Unless I refuse all reimbursement of any kind (I have to opt out of Net Metering). SMUD refuses to pay anything for donated solar. SMUD has thousands of acres of vacant rooftops that it refuses to make a program to use, but then wants to increase our urban heat island and destroy prime agricultural land instead. Just this week SMUD refused to allow over 5 kilowatt hour worth of panels on one of my roofs and a similar amount on another property a year ago. We can't say no infill solar on this rooftop but yes destroy this agricultural land, that is backwards mitigation.

Alternative ideas to be discussed in EIR:

1. Whenever a new roof is installed in the SMUD jurisdiction, SMUD offers to lease the rooftop and install SMUD owned solar.
2. SMUD allows what could be called mini power purchase agreements where anyone can install solar and SMUD reimburses at the cost of this Country Acres project. This would be allowed in parallel to a net metering project in a number of ways.
3. SMUD allows Net Metering projects to over produce if they agree to a lower reimbursement rate that matches the cost of the Country Acres project.
4. SMUD offers property owners to lease all the parking lots not planned for development, much has been done but more remain.
5. Floating system on Folsom Dam
6. Doubling the size of Country Acres to allow it to be active farm land. There are some crops and grazing opportunities that are sharing land with properly planned solar projects. This increases the land cost but is more sustainable and increases the production of each solar panel by keeping them cooler.

I fully support SMUD controlling energy storage. Energy storage does not take up land and create a heat island effect to the scale of solar panels. It is far more efficient for energy storage to be controlled by a municipality at scale. I'd be interested to hear pressurized air or a gravitation weight system cost compared to batteries. I think battery manufacturing might be best used for transportation first until the entire transportation system is electric. The alternative cost/benefit of this many batteries used for transportation might far better reduce our climate impacts most quickly.

Elia Bassin
2821 63rd St
Sacramento, CA 95817

From: [Country Acres Project](#)
To: [Amy E. Spitzer](#)
Subject: FW: [EXTERNAL] Comment on Country Acres
Date: Wednesday, December 8, 2021 11:26:04 AM

From: Steve Schweigerdt <sshweigerdt@gmail.com>
Sent: Tuesday, December 7, 2021 8:36 PM
To: Country Acres Project <CountryAcres@smud.org>
Subject: [EXTERNAL] Comment on Country Acres

CAUTION: This email originated from outside of SMUD. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi SMUD Staff,

I am very disappointed to see the proposal for a solar farm at the Country Acres site. While I am a strong supporter of solar power and the need to take aggressive action to curb climate change, this project disturbs me for these reasons:

1. The project is located in Placer County, outside of the SMUD service area, and the economic benefits touted for the project will not flow to most SMUD customers but will go to Placer County through increased tax assessment and development in their area. Placer County is a posterchild for sprawl and developing this project in their territory rewards the excessive growth they have approved there. I urge you to instead to site the project within Sacramento County so the benefits flow to SMUD customers. Sacramento is filled with vacant and industrial sites that could accommodate a project of this size. Please analyze the economic benefits of this project taking into account these indirect benefits to SMUD customers. At the very least a condition for approval should be that contractors and employees for the project be drawn from SMUD service territory.
2. The project fragments existing productive agricultural land that is outside the planned development footprint in the Placer County General Plan. We should be encouraging local food production and protect agricultural uses near the population centers. It would be far preferable to utilize disturbed and non-productive lands (again, preferably in Sacramento County). There are so many opportunities to cover large parking lots with solar, use old gravel mining sites, and add rooftop solar to large industrial parks that should be the focus of solar development instead of greenfield development that will impact agricultural uses. The lands proposed for this site appear to support row crops and rice, which if developed would be a greater loss to the region than grazing or industrial land. If the project is approved at this site there should be BMPs added for sheep grazing and native wildlife habitat that can at least partly offset the loss of quality land.

Please consider these points as to what will be best for SMUD customers and preservation of our agricultural heritage.

Thank you,

Steve Schweigerdt

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415-846-9665

sschweigerdt@gmail.com



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670-4599
916-358-2900
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



December 17, 2021

Governor's Office of Planning & Research

Dec 17 2021

Amy Spitzer
Sacramento Municipal Utility District
Environmental Services Department
6201 S Street, MS B209
Sacramento, CA 95817
CountryAcres@smud.org

STATE CLEARINGHOUSE

Subject: NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT
FOR THE PROPOSED COUNTRY ACRES SOLAR PROJECT
SCH# 2021110307

Dear Ms. Spitzer:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Preparation of an Environmental Impact Report (EIR) from Sacramento Municipal Utility District (SMUD) for the Country Acres Solar Project (Project) in Placer County pursuant to the California Environmental Quality Act (CEQA) statute and guidelines.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, plants and their habitats. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code (Fish & G. Code).

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802.). Similarly, for purposes of CEQA, CDFW provides, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law

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of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The Project site is located on approximately 1,300 acres of land in unincorporated southwestern Placer County just west of the City of Roseville, north of Baseline Road and east of South Brewer Road. Primary access to the Project site would be provided by an entry road from Baseline Road to the south and Phillip Road to the north. The Project site includes grassland, agricultural rice fields, and almond orchards with scattered seasonal wetlands, including vernal pools. The site also includes several drainages, including segments of upper Curry Creek.

The Project consists of the construction and operation of a photovoltaic (PV) solar power and battery storage facility and interconnection facilities, including a generation substation, switch station, and interconnection lines, that would provide new power production capacity of up to 344 megawatts (MW) delivered at the point of interconnection with the grid managed by SMUD. The total Project site would generally comprise PV solar modules, foundation piles, racking, direct current (DC) collection, alternative current (AC) collection, fencing, roads, inverters, medium voltage transformers, an interconnection line between the generation substation and switch station, battery storage equipment, and interconnection lines to the existing SMUD transmission system. In addition, the Project also includes limited grading and vegetation removal and other minor site improvements to facilitate construction.

The Project description should include the whole action as defined in the CEQA Guidelines § 15378 and should include appropriate detailed exhibits disclosing the Project area including temporary impacted areas such as equipment stage area, spoils areas, adjacent infrastructure development, staging areas and access and haul roads if applicable.

As required by § 15126.6 of the CEQA Guidelines, the EIR should include an appropriate range of reasonable and feasible alternatives that would attain most of the basic Project objectives and avoid or minimize significant impacts to resources under CDFW's jurisdiction.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations presented below to assist SMUD in adequately identifying and/or mitigating the Project's significant, or potentially significant, impacts on biological resources. The comments and recommendations are also offered to enable CDFW to adequately review and comment on the proposed Project with respect to impacts on biological resources. CDFW recommends that the forthcoming EIR address the following:

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Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the Project, the EIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats. CDFW recommends that the EIR specifically include:

1. An assessment of all habitat types located within the Project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following *The Manual of California Vegetation*, second edition (Sawyer 2009). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the Project. CDFW recommends that the California Natural Diversity Database (CNDDDB), as well as previous studies performed in the area, be consulted to assess the potential presence of sensitive species and habitats. A nine United States Geologic Survey (USGS) 7.5-minute quadrangle search is recommended to determine what may occur in the region, larger if the Project area extends past one quad (see *Data Use Guidelines* on the Department webpage www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data). Please review the webpage for information on how to access the database to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the Project. CDFW recommends that CNDDDB Field Survey Forms be completed and submitted to CNDDDB to document survey results. Online forms can be obtained and submitted at: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.

Please note that CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the Project site. Other sources for identification of species and habitats near or adjacent to the Project area should include, but may not be limited to, State and federal resource agency lists, California Wildlife Habitat Relationship (CWHR) System, California Native Plant Society (CNPS) Inventory, agency contacts, environmental documents for other projects in the vicinity, academics, and professional or scientific organizations.

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3. A complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern and California Fully Protected Species (Fish & G. Code § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. The EIR should include the results of focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable. Species-specific surveys should be conducted in order to ascertain the presence of species with the potential to be directly, indirectly, on or within a reasonable distance of the Project activities. CDFW recommends SMUD rely on survey and monitoring protocols and guidelines available at: www.wildlife.ca.gov/Conservation/Survey-Protocols. Alternative survey protocols may be warranted; justification should be provided to substantiate why an alternative protocol is necessary. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Some aspects of the Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought or deluge.
4. A thorough, recent (within the last two years), floristic-based assessment of special-status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see www.wildlife.ca.gov/Conservation/Plants).
5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]).

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The EIR should provide a thorough discussion of the Project's potential direct, indirect, and cumulative impacts on biological resources. To ensure that Project impacts on biological resources are fully analyzed, the following information should be included in the EIR:

1. The EIR should define the threshold of significance for each impact and describe the criteria used to determine whether the impacts are significant (CEQA Guidelines, § 15064, subd. (f)). The EIR must demonstrate that the significant environmental impacts of the Project were adequately investigated and discussed, and it must permit the significant effects of the Project to be considered in the full environmental context.

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2. A discussion of potential impacts from lighting, noise, human activity, and wildlife-human interactions created by Project activities especially those adjacent to natural areas, exotic and/or invasive species occurrences, and drainages. The EIR should address Project-related changes to drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.
3. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the Project footprint, such as nearby public lands (e.g. National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Conservation or Recovery Plan, or other conserved lands).
4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. The EIR should discuss the Project's cumulative impacts to natural resources and determine if that contribution would result in a significant impact. The EIR should include a list of present, past, and probable future projects producing related impacts to biological resources or shall include a summary of the projections contained in an adopted local, regional, or statewide plan, that consider conditions contributing to a cumulative effect. The cumulative analysis shall include impact analysis of vegetation and habitat reductions within the area and their potential cumulative effects. Please include all potential direct and indirect Project-related impacts to riparian areas, wetlands, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and/or special-status species, open space, and adjacent natural habitats in the cumulative effects analysis.

Mitigation Measures for Project Impacts to Biological Resources

The EIR should include appropriate and adequate avoidance, minimization, and/or mitigation measures for all direct, indirect, and cumulative impacts that are expected to occur as a result of the construction and long-term operation and maintenance of the Project. CDFW also recommends that the environmental documentation provide scientifically supported discussion regarding adequate avoidance, minimization, and/or mitigation measures to address the Project's significant impacts upon fish and wildlife and their habitat. For individual projects, mitigation must be roughly proportional to the level of impacts, including cumulative impacts, in accordance with the provisions of CEQA (Guidelines § § 15126.4(a)(4)(B), 15064, 15065, and 16355). In order for mitigation measures to be effective, they must be specific, enforceable, and feasible actions that will improve environmental conditions. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

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1. *Fully Protected Species*: Multiple Fully Protected Species (Fish & G. Code § 3511) have the potential to occur within or adjacent to the Project area, including, but not limited to: white-tailed kite (*Elanus leucurus*), golden eagle (*Aquila chrysaetos*), American peregrine falcon (*Falco peregrinus anatum*), bald eagle (*Haliaeetus leucocephalus*), and California black rail (*Laterallus jamaicensis coturniculus*). Fully protected species may not be taken or possessed at any time. Project activities described in the EIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the EIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that SMUD include in the analysis how appropriate avoidance, minimization and mitigation measures will reduce indirect impacts to fully protected species.
2. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in *The Manual of California Vegetation* (Sawyer 2009). The EIR should include measures to fully avoid and otherwise protect sensitive plant communities from Project-related direct and indirect impacts.
3. *Mitigation*: CDFW considers adverse Project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the EIR should include mitigation measures for adverse Project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of Project impacts. For unavoidable impacts, onsite habitat restoration, enhancement, or permanent protection should be evaluated and discussed in detail. If onsite mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, offsite mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.

The EIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset Project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

4. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in the regional ecosystems and native plant restoration techniques. Plans should identify the assumptions used

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to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be appropriately timed to ensure the viability of the seeds when planted. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various Project components as appropriate. Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the Project. Examples may include retention of woody material, logs, snags, rocks, and brush piles. Fish and Game Code sections 1002, 1002.5 and 1003 authorize CDFW to issue permits for the take or possession of plants and wildlife for scientific, educational, and propagation purposes. Please see our website for more information on Scientific Collecting Permits at www.wildlife.ca.gov/Licensing/Scientific-Collecting#53949678-regulations-.

5. *Nesting Birds*: Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). CDFW implemented the MBTA by adopting the Fish and Game Code section 3513. Fish and Game Code sections 3503, 3503.5 and 3800 provide additional protection to nongame birds, birds of prey, their nests and eggs. Sections 3503, 3503.5, and 3513 of the Fish and Game Code afford protective measures as follows: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by the Fish and Game Code or any regulation made pursuant thereto; section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by the Fish and Game Code or any regulation adopted pursuant thereto; and section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as

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provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Potential habitat for nesting birds and birds of prey is present within the Project area. The Project should disclose all potential activities that may incur a direct or indirect take to nongame nesting birds within the Project footprint and its vicinity. Appropriate avoidance, minimization, and/or mitigation measures to avoid take must be included in the EIR.

CDFW recommends that the EIR include specific avoidance and minimization measures to ensure that impacts to nesting birds or their nests do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: Project phasing and timing, monitoring of Project-related noise (where applicable), sound walls, and buffers, where appropriate. The EIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the Project site. In addition to larger, protocol level survey efforts (e.g. Swainson's hawk surveys) and scientific assessments, CDFW recommends a final preconstruction survey be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted earlier.

6. *Moving out of Harm's Way*: The Project is anticipated to result in the clearing of natural habitats that support native species. To avoid direct mortality, SMUD may condition the EIR to require that a qualified biologist with the proper permits be retained to be onsite prior to and during all ground- and habitat-disturbing activities. The qualified biologist with the proper permits may move out of harm's way special-status species or other wildlife of low or limited mobility that would otherwise be injured or killed from Project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as far as necessary to ensure their safety (i.e., CDFW does not recommend relocation to other areas). It should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for habitat loss.

7. *Translocation of Species*: CDFW generally does not support the use of relocation, salvage, and/or transplantation as the sole mitigation for impacts to rare, threatened, or endangered species as these efforts are generally experimental in nature and largely unsuccessful.

The EIR should incorporate mitigation performance standards that would ensure that impacts are reduced to a less-than-significant level. Mitigation measures proposed in the EIR should be made a condition of approval of the Project. Please note that obtaining a permit from CDFW by itself with no other mitigation proposal may constitute mitigation deferral. CEQA Guidelines section 15126.4, subdivision (a)(1)(B) states that formulation of mitigation measures should not be deferred until some future time. To

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avoid deferring mitigation in this way, the EIR should describe avoidance, minimization and mitigation measures that would be implemented should the impact occur.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to the CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in “take” (Fish & G. Code § 86 defines “take” as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) of State-listed CESA species, either through construction or over the life of the Project.

CESA-listed species with the potential to occur in the area include but are not limited to: Boggs Lake hedge-hyssop (*Gratiola heterosepala*), tricolored blackbird (*Agelaius tricolor*), Swainson’s hawk (*Buteo swainsoni*), and giant garter snake (*Thamnophis gigas*).

The EIR should disclose the potential of the Project to take CESA-listed species and how the impacts will be avoided, minimized, and mitigated. Please note that mitigation measures that are adequate to reduce impacts to a less-than significant level to meet CEQA requirements may not be enough for the issuance of an ITP. To issue an ITP, CDFW must demonstrate that the impacts of the authorized take will be minimized and fully mitigated (Fish & G. Code §2081 (b)). To facilitate the issuance of an ITP, if applicable, CDFW recommends the EIR include measures to minimize and fully mitigate the impacts to any State-listed species the Project has potential to take. CDFW encourages early consultation with staff to determine appropriate measures to facilitate future permitting processes and to engage with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service to coordinate specific measures if both state and federally listed species may be present within the Project vicinity.

Western Placer County Habitat Conservation Plan/Natural Community Conservation Plan (PCCP)

The Project is located within the boundaries of the PCCP. CEQA Guidelines section 15125(d) states that EIRs must discuss any inconsistencies between projects and applicable plans (including habitat conservation plans/natural community conservation plans). Because the PCCP is currently in implementation, CDFW recommends that the EIR include a discussion of each Project alternative’s consistency with the PCCP and how SMUD will ensure that implementation of the Project alternatives do not impede the PCCP’s ability to meet its permit conditions and biological goals and objectives. Particular focus in the EIR’s analysis should be directed to:

- Analysis of potential impacts to all PCCP Covered Species.
- Assessment of project impacts to natural communities and constituent habitat types identified in the PCCP.

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- Identification of applicable PCCP avoidance, minimization, or mitigation measures.
- Analysis of any impacts to reserve land commitments of the PCCP.
- Discussion of any inconsistencies between the Project and the PCCP.

To identify any potential inconsistencies with the PCCP and provide special emphasis on rare or unique resources in compliance with CEQA, CDFW recommends that the EIR also address the following:

- Impacts to established or future reserve land managed under the Placer Conservation Authority (PCA).
- Reduction of available reserve land in the PCCP (with appropriate buffers and setbacks as detailed in the PCCP).
- Impacts to PCCP conservation zones and key habitat linkages.
- Financial impacts to the PCA and feepayers under the PCCP.

Native Plant Protection Act

The Native Plant Protection Act (NPPA) (Fish & G. Code §1900 *et seq.*) prohibits the take or possession of State-listed rare and endangered plants, including any part or product thereof, unless authorized by CDFW or in certain limited circumstances. Take of State-listed rare and/or endangered plants due to Project activities may only be permitted through an ITP or other authorization issued by CDFW pursuant to California Code of Regulations, Title 14, section 786.9 subdivision (b).

Lake and Streambed Alteration Program

The EIR should identify all perennial, intermittent, and ephemeral rivers, streams, lakes, other hydrologically connected aquatic features, and any associated biological resources/habitats present within the entire Project footprint (including utilities, access, and staging areas). The environmental document should analyze all potential temporary, permanent, direct, indirect and/or cumulative impacts to the above-mentioned features and associated biological resources/habitats that may occur because of the Project. If it is determined the Project will result in significant impacts to these resources the EIR shall propose appropriate avoidance, minimization and/or mitigation measures to reduce impacts to a less-than-significant level.

Section 1602 of the Fish and Game Code requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: substantially divert or obstruct the natural flow of any river, stream or lake; substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

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If CDFW determines that the Project activities may substantially adversely affect an existing fish or wildlife resource, a Lake and Streambed Alteration (LSA) Agreement will be issued which will include reasonable measures necessary to protect the resource. CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if one is necessary, the EIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the Project may avoid or reduce impacts to fish and wildlife resources. To submit an LSA Notification package, please go to <https://www.wildlife.ca.gov/Conservation/Environmental-Review/LSA>.

Please note that other agencies may use specific methods and definitions to determine impacts to areas subject to their authorities. These methods and definitions often do not include all needed information for CDFW to determine the extent of fish and wildlife resources affected by activities subject to Notification under Fish and Game Code section 1602. Therefore, CDFW does not recommend relying solely on methods developed specifically for delineating areas subject to other agencies' jurisdiction (such as United States Army Corps of Engineers) when mapping lakes, streams, wetlands, floodplains, riparian areas, etc. in preparation for submitting a Notification of an LSA.

CDFW relies on the lead agency environmental document analysis when acting as a responsible agency issuing an LSA Agreement. CDFW recommends lead agencies coordinate with us as early as possible, since potential modification of the proposed Project may avoid or reduce impacts to fish and wildlife resources and expedite the Project approval process.

The following information will be required for the processing of an LSA Notification and CDFW recommends incorporating this information into any forthcoming CEQA document(s) to avoid subsequent documentation and Project delays:

1. Mapping and quantification of lakes, streams, and associated fish and wildlife habitat (e.g., riparian habitat, freshwater wetlands, etc.) that will be temporarily and/or permanently impacted by the Project, including impacts from access and staging areas. Please include an estimate of impact to each habitat type.
2. Discussion of specific avoidance, minimization, and mitigation measures to reduce Project impacts to fish and wildlife resources to a less-than-significant level. Please refer to section 15370 of the CEQA Guidelines.

Based on review of Project materials, aerial photography, and observation of the site from public roadways, the Project site supports Curry Creek, multiple unnamed tributaries, and associated riparian habitat. CDFW recommends that the EIR fully identify the Project's potential impacts to the stream and/or its associated vegetation and wetlands.

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General Avian, Bat, and other Wildlife Impacts

The EIR should evaluate the cumulative effects of loss of habitat as an indirect cause of avian mortality for grassland birds. Breeding Bird Surveys (BBS) conducted by the U.S. Geological Survey Biological Resources Division and volunteers throughout the country show that grassland birds, as a group, have declined more than other groups, such as forest and wetland birds (Brennan and Kuvlesky 2005; NRCS 1999). The BBS shows that in California, grassland birds such as the western meadowlark (*Sturnella neglecta*), and State Species of Special Concern the burrowing owl (*Athene cunicularia*), have shown population declines since 1966 (Sauer et al., 2019). CDFW recommends at a minimum an equal amount of land with primary purpose of habitat conservation should be enhanced and conserved elsewhere to offset the loss of habitat for grassland birds.

In addition, the EIR should evaluate threats to birds from collisions and electrocutions with solar infrastructure. Collisions with PV equipment can include direct collisions into panels, guy wires, or transmission lines. Injuries from collisions with collectors/reflectors may result in acute and direct take (Kagan et al. 2014), or stranding. Stranding can occur when an individual is injured by collision impact and is unable to take off. The EIR should include measures to reduce the risks of avian collisions such as adding special patterns to the PV panels. Linear features such as generator-tie lines, collector lines, and interior and perimeter fences all present collision hazards for birds, and electric lines present a potential electrocution hazard (Huso, et al. 2016). All aboveground lines should be fitted with bird flight diverters or visibility enhancement devices. When lines, or other related infrastructure with the potential to cause take, cannot be placed underground, appropriate avian protection designs should be employed. At a minimum, the collection system should conform with the most current edition of the Avian Power Line Interaction Committee guidelines to prevent electrocutions, found at: <https://www.aplic.org/mission>.

The EIR should include a requirement for weekly or twice-weekly avian mortality surveys to meet the following objectives:

- Estimate the total number of birds and bats killed at the Project site within a specified time period.
- Determine whether there are spatial or temporal/seasonal patterns of total bird fatality.
- Evaluate species composition and which taxonomic groups may be at risk.
- Provide results that allow comparisons with other solar sites and to evaluate changes in fatality due to adaptive management.

The EIR should include a requirement to develop an Avian and Bat Protection Plan or Bird and Bat Conservation Strategy (BBCS) in coordination with the U.S. Fish and Wildlife Service and CDFW. The purpose of the BBCS is to:

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- Describe baseline conditions for bird and bat species present within the Project site, and adjacent where influenced by the Project, including results of site-specific surveys.
- Assess potential risk to birds and bats based on the proposed activities.
- Specify conservation measures that will be employed to avoid, minimize, and/or mitigate any potential adverse effects to these species.
- Describe the incidental monitoring and reporting that will take place during construction.
- Provide details for post-construction monitoring.
- Specify the adaptive management process that will be used to address potential adverse effects on avian and bat species.

Permanent Fencing

CDFW recommends the EIR discuss and analyze impacts to wildlife associated with permanent fencing which may be installed around the solar facility. For example, a fence can obstruct the natural migration and daily movements of wildlife such as deer and the consequences of disrupting these movements should be considered in fencing design (VerCauteren *et al.* 2006). In addition, deer occasionally become entangled in fences or collide with them when attempting to pass over, through, or under (Goddard *et al.* 2001). Some fences, especially wire mesh, can be a complete barrier to fawns, even if adults can still jump over. This can lead to fawns becoming separated from their mothers and the herd resulting in the fawns killed by predators, vehicle collisions, or starvation (Hanophy 2009).

Birds can also collide with fences, breaking wings and tangling in wires. Large, low-flying birds such as ducks, geese, hawks, and owls are especially vulnerable to collisions with fencing. For example, the American kestrel (*Falco sparverius*) and low-flying hawks and owls may collide with fences when swooping in on prey (Bryant *et al.* 1993). Fencing can be made more visible to birds by attaching reflective or colorful weather-resistant flagging materials (e.g., aluminum or plastic strips) to the wire.

Fences made of chain-link material may exclude small mammals, amphibians, and reptiles. Providing a small gap between the fencing and the ground can allow animals to pass through without being blocked from entry into the solar arrays.

The EIR should analyze the potential impacts to birds and mammals caused by the proposed fencing and describe alternative wildlife-friendly designs that will be implemented. The EIR should also include effective minimization and mitigation measures to offset any impacts of fencing to wildlife species that cannot feasibly be completely avoided.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database, which may be used to make

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subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be found at the following link:

<https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov.

FILING FEES

The Project, as proposed, would have an effect on fish and wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the lead agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

Pursuant to Public Resources Code sections 21092 and 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the Project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670.

CDFW appreciates the opportunity to comment on the NOP of the EIR for the Country Acres Solar Project and recommends that SMUD address CDFW's comments and concerns in the forthcoming EIR. CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts.

If you have any questions regarding the comments provided in this letter or wish to schedule a meeting and/or site visit, please contact Patrick Moeszinger, Senior Environmental Scientist (Specialist) at (916) 767-3935 or patrick.moeszinger@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Kelley Barker

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Kelley Barker

Environmental Program Manager

ec: Juan Torres, Senior Environmental Scientist (Supervisory)
Patrick Moeszinger, Senior Environmental Scientist (Specialist)
CEQACommentLetters
Department of Fish and Wildlife

Office of Planning and Research, State Clearinghouse, Sacramento

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Central Valley Regional Water Quality Control Board

17 December 2021

Governor's Office of Planning & Research

Dec 27 2021

Amy Spitzer
Sacramento Municipal Utility District
6201 S Street
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STATE CLEARINGHOUSE

COMMENTS TO REQUEST FOR REVIEW FOR THE NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT, COUNTRY ACRES SOLAR PROJECT, SCH#2021110307, PLACER AND SACRAMENTO COUNTIES

Pursuant to the State Clearinghouse's 19 November 2021 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Notice of Preparation of a Draft Environmental Impact Report* for the Country Acres Solar Project, located in Placer and Sacramento Counties.

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/

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_2018_05.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 and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-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 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.

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.

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/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

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 Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. 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 Threat 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 Threat Waiver and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

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) 464-4709 or Greg.Hendricks@waterboards.ca.gov.



Greg Hendricks
Environmental Scientist

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

From: [Country Acres Project](#)
To: [Amy E. Spitzer](#)
Subject: FW: [EXTERNAL] RE: Notice of Preparation of an Environmental Impact Report for SMUD's Country Acres Solar Project in Southwest Placer County
Date: Monday, December 20, 2021 11:37:49 AM

From: Mohan Ganapathy <MGanapat@placer.ca.gov>
Sent: Friday, December 17, 2021 9:36 AM
To: Country Acres Project <CountryAcres@smud.org>
Cc: Shirlee Herrington <SHerring@placer.ca.gov>
Subject: [EXTERNAL] RE: Notice of Preparation of an Environmental Impact Report for SMUD's Country Acres Solar Project in Southwest Placer County

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Ms. Spitzer

Thank you for the opportunity to comment on the NOP. The project proposes an “operational facility” to be located on the project site and portable restrooms. While portable restrooms are allowed during the construction phase, Placer County will require permanent restrooms to service the project during the regular operational phase. This permanent restroom will be required to connect to an onsite septic system and be serviced by potable water (by way of a permitted drilled well if public water is not available). As part of the EIR, a Phase 1 Environmental Site Assessment will be required to be performed. If past activities on the parcels involved show a potential for the existence of recognized environmental conditions, then a Limited Phase 2 Soils Investigation will need to be performed. The project EIR shall also take into account the mosquito/vector control issues by including Placer Mosquito and Vector Control District into the process. Thank you for the opportunity to comment.

Mohan Ganapathy R.E.H.S.

Land Use and Water Resources Supervisor

Placer County | Health & Human Services | Environmental Health

Direct line 530-745-2364 | Main line 530-745-2300 | mganapat@placer.ca.gov

From: Shirlee Herrington <SHerring@placer.ca.gov>
Sent: Friday, November 19, 2021 10:39 AM
To: Angel Green <AGreen@placer.ca.gov>; Mohan Ganapathy <MGanapat@placer.ca.gov>; Katherine Conkle <kconkle@placer.ca.gov>; Sarah Gillmore <SGillmore@placer.ca.gov>; Ted Rel <TRel@placer.ca.gov>; Lisa Carnahan <LCarnaha@placer.ca.gov>; Young Rodriguez <YRodrigu@placer.ca.gov>; Jerry Rogers <jerryrogers@placer.ca.gov>; Joshua Huntsinger <JHuntsin@placer.ca.gov>; Ralph Gibson <RGibson@placer.ca.gov>; Jeff Hoag <PCFD_JHoag@placer.ca.gov>
Cc: Leigh Chavez <LChavez@placer.ca.gov>; Clayton Cook <CCook@placer.ca.gov>; EJ Ivaldi <EJIvaldi@placer.ca.gov>; Shanti Landon <SLandon@placer.ca.gov>; Michele Kingsbury

<MKingsbu@placer.ca.gov>; Vanessa Lieberman <VLieberman@placer.ca.gov>; Jane Christenson <JChristenson@placer.ca.gov>; Dave Defanti <DDefanti@placer.ca.gov>

Subject: Notice of Preparation of an Environmental Impact Report for SMUD's Country Acres Solar Project in Southwest Placer County

Hello,

Because you are interested in being notified of proposed projects in Placer County, please see the attached Notice of Preparation of an Environmental Impact Report for SMUD's Country Acres Solar Project.

Please direct any questions or comments about the project to the contact information in the NOP.

Thanks,

Amy Spitzer

Environmental Specialist, Environmental Services Department

SMUD | Powering forward. Together.

6201 S Street, Mail Stop B209, Sacramento, CA 95817

P.O. Box 15830, Sacramento, CA 95852-0830

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From: [Country Acres Project](#)
To: [Amy E. Spitzer](#)
Subject: FW: [EXTERNAL] Country Acres Solar Project
Date: Tuesday, December 21, 2021 9:53:43 AM
Attachments: [image002.png](#)
[image003.png](#)
[SMUD NOP Response 12.17.21 tj.pdf](#)

From: Gregg McKenzie (CDR) <GAMckenz@placer.ca.gov>
Sent: Tuesday, December 21, 2021 7:40 AM
To: Country Acres Project <CountryAcres@smud.org>
Cc: Robert Weygandt <RWeygand@placer.ca.gov>; Shanti Landon <SLandon@placer.ca.gov>; Chris Beale <cbeale@resourceslawgroup.com>; Clayton Cook <CCook@placer.ca.gov>; Shirlee Herrington <SHerrington@placer.ca.gov>; Leigh Chavez <LChavez@placer.ca.gov>; Rebecca Lillis <RLillis@placer.ca.gov>; Theresa Johnson <tjohnson@placer.ca.gov>
Subject: [EXTERNAL] Country Acres Solar Project

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Amy –

Attached is the NOP comment letter regarding the SMUD Country Acres Solar Project on behalf of the Placer Conservation Authority.

Gregg

Gregg McKenzie
PCCP Administrator / PCA Executive Director
Community Development Resource Agency
(530) 745-3074 / Cell (530) 320-1695 / gamckenz@placer.ca.gov
www.placerconservation.com



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December 21, 2021

Amy Spitzer
Sacramento Municipal Utility District
Environmental Services Department
6201 S Street, MS B209
Sacramento, CA 95817

Electronic Transmittal Only

Subject: Response to NOP of a DEIR for the Proposed Country Acres Solar Project

On behalf of the Placer Conservation Authority, I am providing this initial response to the above referenced project's CEQA Notice of Preparation.

The Placer Conservation Authority (PCA) is a Joint Exercise of Powers Agency established under Section 6500 of the Government Code of the State of California to jointly exercise the powers common to Placer County and the City of Lincoln. The PCA was formed to administer and implement the Western Placer County Habitat Conservation Plan and Natural Community Conservation Plan (HCP/NCCP) and the Western Placer County In-Lieu Fee Program (ILF Program). The HCP/NCCP and ILF Program provide an effective framework to protect natural resources in western Placer County, while improving and streamlining the environmental permitting process for impacts on aquatic resources and on rare and sensitive species and their habitat. The PCA expects that the HCP/NCCP and ILF Program will also enable them to achieve certain land use planning goals and, at the same time, to provide comprehensive species, wetlands, and ecosystem conservation and to contribute to the recovery of endangered species in Northern California.

As such, the interests of the PCA are to ensure that activities covered by the HCP/NCCP and ILF Program within the Plan Area, as well as those projects that are not covered but that are developed in the Plan Area, are consistent with and do not jeopardize the ability of the PCA to successfully implement goals and objectives of the program, including the cost and funding of the Conservation Strategy.

This communication is intended to provide a meaningful response related to the scope and content of a future DEIR, including mitigation and project alternatives that should be addressed.

Project Description

It is important to note that SMUD is not a Permittee under the HCP/NCCP. As such, SMUD's activities are not covered by the HCP/NCCP and the Project cannot receive coverage under the incidental take permits or programmatic wetland permits normally afforded to Covered Activities carried out by or under the authority of the Permittees (Placer County, Placer County Water Agency, South Placer Regional Transportation Authority, City of Lincoln). Any part of the Project subject to the permitting authority of the County (e.g., grading, building, or other permits) is also precluded from receiving coverage pursuant to HCP/NCCP Section 2.7 (Activities not Covered by this Plan).

Section 2.7 provides that utility scale solar was determined by the state and federal regulatory and wildlife agencies to not be appropriate for coverage because of the scope and scale of impacts to species and their habitat, including wetlands and waters. As such, the Project cannot rely on the joint EIR/EIS prepared for the HCP/NCCP and programmatic 401/404 permits and is required to separately notify and obtain any applicable permits, mitigation, and authorization pursuant to the requirements of the state and federal wildlife and regulatory agencies. Therefore, impacts, mitigation, and the associated state and federal permitting and mitigation requirements for the Project should be thoroughly analyzed in the DEIR.

Project Location

As described by the notice, the Project is located on approximately 1,300 acres in unincorporated southwestern Placer County. NOP Figures 1 and 2 indicate that the Project is located within the HCP/NCCP Plan Area predominately covered by existing grassland, agricultural rice fields, orchards, vernal pools, drainages, and segments of the upper Curry Creek watershed. The Project is located within the designated Planned Future Growth Area of the HCP/NCCP. While lands designated as Planned Future Growth Area are anticipated to be converted from natural and semi-natural land cover to urban/suburban land uses in the future, the Project's potential to result in the loss of habitat and waters/wetlands covered by the HCP/NCCP should be analyzed by the DEIR, including impacts and mitigation for the HCP/NCCP's fourteen (14) Covered Species.

HCP/NCCP

Notwithstanding the information above, since the Project is located within the HCP/NCCP's Plan Area, the DEIR must address the Project's consistency with the

HCP/NCCP, including impacts to Covered Species and their habitat including wetlands, hydrology, habitat connectivity, stream system protection, water quality, species movement and hazards, and mitigation consistent with the HCP/NCCP's landscape scale Conservation Strategy. The CEQA Statute and Appendix G of the CEQA Guidelines require the DEIR to include an analysis of the Project's consistency with an adopted HCP/NCCP, or other approved local, regional, or state habitat conservation plan, and in this case, how the Project relates to the implementation of the HCP/NCCP, including the cost and funding of its Conservation Strategy.

Potential Environmental Effects

As noted by the NOP, the DEIR will describe the significant environmental impacts of the Project, including Agriculture, Biological Resources, and Hydrology/Water Quality. The DEIR should also include a detailed analysis of not only the HCP/NCCP's fourteen Covered Species, but also species and plants not covered by the HCP/NCCP. Of note, the Project Location is known to provide habitat to species, including but not limited to the following:

HCP/NCCP Covered Species:

- Swainson's hawk
- Western burrowing owl
- Tricolored black bird
- California black rail
- Vernal Pool branchiopods
- Valley elderberry longhorn beetle
- Western pond turtle
- Giant garter snake

Other Special Status Species with known occurrences or the potential to occur within the Project Location:

- Western spadefoot
- Loggerhead shrike
- Bat species
- Dwarf downingia
- Boggs lake hedge-hyssop
- Sanford's arrowhead
- Other listed and non-listed species of special concern and migratory bird species

The Project area is comprised of a significant amount of active and inactive rice fields, vernal pool grasslands, and other natural and semi-natural lands. The rice fields include irrigated wetlands, the vernal pool grasslands include vernal pools, seasonal wetlands, and other waters. All of which provide habitat to listed and non-listed species, Covered Species, and have water quality and hydrologic benefits to Curry Creek and surrounding watersheds.

Thank you for the opportunity to provide comments on the scope and content of the DEIR through the NOP process. The PCA requests that notices and draft and final documents be provided to it electronically at gamckenz@placer.ca.gov.

Sincerely,
Gregg McKenzie
Executive Director

cc: Supervisor Robert Weygandt, Chairman
Chris Beale, Resources Law Group
Clayton Cook, PCA Counsel

December 21, 2021

Amy Spitzer
Sacramento Municipal Utility District
Environmental Services Department
6201 S Street, MS B209
Sacramento, CA 95817

SENT VIA : CountryAcres@smud.org

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report for the Proposed Country Acres Solar Project

Dear Ms. Spitzer;

The Placer County Air Pollution Control District (District) thanks you for the opportunity to review and comment on the Notice of Preparation of a Draft Environmental Impact Report for the Proposed Country Acres Solar Project. The District has the following comments on the Notice of Preparation for your consideration.

1. If the project includes the use of equipment capable of releasing emissions to the atmosphere, permits(s) may be required from the District for both the construction and operational phases. The applicant, developer, or operator of a project that includes a generator or compressors or other such equipment should contact the District early to determine if a permit is required, and to begin the permit application process.

Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc.) with an internal combustion engine over 50 horsepower are required to have a PCAPCD permit or a California Air Resources Board portable equipment registration.

2. For the construction phase of the project, [District Rule 228, Fugitive Dust \(PDF\)](#), establishes standards to be met by activities generating fugitive dust. When an area to be disturbed is greater than one acre, and if required by the Conditions of Approval of a discretionary permit, a dust control plan must be submitted to and approved by the District. The District has developed an application for this purpose, which can be found on the District website: <https://placerair.org/FormCenter/Air-Pollution-Control-6/Dust-Control-Form-52>.

For the operational phase of this project, with the installation of solar panels, the soil beneath them will be drier, which could change the vegetation type along with the soil being more prone to disturbance and movement. Therefore, the District recommends the DEIR evaluate this with a control strategy/mitigation measure that should be identified to assure that the project areas comply with District Rule 228 Fugitive Dust.

The Project Description states that there will be vegetation removed as a result of this project. Any proposed burning of vegetation for commercial development (as apposed to residential development) is required to comply with District [Rule 304 Land Development Smoke Management \(PDF\)](#). This means that any air district burn permit would only be issued if in compliance with Rule 304 and the burn can be done without creating a nuisance.

For the operational phase of the project there was no discussion regarding ongoing vegetation management once the project is built. Please provide information on how vegetation will be managed.

Thank you for allowing the District this opportunity to review this project. Please do not hesitate to contact me at 530.745.2327 or ahobbs@placer.ca.gov if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Ann Hobbs". The signature is written in a cursive, flowing style.

Ann Hobbs
Associate Planner
Planning & Monitoring Section

From: [Country Acres Project](#)
To: [Amy E. Spitzer](#)
Subject: FW: [EXTERNAL] Country Acres Solar Project
Date: Tuesday, December 21, 2021 2:01:37 PM

-----Original Message-----

From: SHARON WEBB <sharon@noelwebb.com>
Sent: Tuesday, December 21, 2021 10:55 AM
To: Country Acres Project <CountryAcres@smud.org>
Subject: [EXTERNAL] Country Acres Solar Project

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Greetings Ms. Spitzer-

I'm a Country Acres Lane property owner. I received the 'Notice of Preparation of EIR' from SMUD, but called in 'late' (about 4:14 pm) for the 12/8 Zoom 'Public Scoping' meeting. The meeting concluded around that time. I was disappointed, but it was all my fault!

If there is a recording of that meeting and you can share it, I'd appreciate having a link to it.

I'm very supportive of exploring alternative energy sources and pleased to hear about SMUD's proposal to install solar panels in the area to support the growing energy demand. I'm a huge advocate of solar energy in particular. I have solar panels on my own residence in Southern California.

My Country Acres Lane property (7510 Country Acres Lane) consists of just under 40 acres of agricultural land—though with the persistent drought and prohibitive cost of water, the pasture land is limited to approximately 10 acres.

Presuming the project is approved to move forward, please know that I have space available for lease, if needed for construction activities or other. I'm very interested in discussing options with you, so please contact me if the opportunity should arise.

Thank you.

Have a wonderful holiday season!

Sharon Webb
22400 Sentar Road
Woodland Hills, CA 91364-4022
Mobile: 310-775-5884

AECOM
2020 L Street, Suite 400
Sacramento, CA 95811