



COUNTY OF LAKE
Health Services Department
Environmental Health Division
 922 Bevins Court
 Lakeport, California 95453-9739
 Telephone 707/263-1090
 FAX 707/263-4395

Anthony Arton
 Health Services Director

Craig Wetherbee
 Environmental Health Director

Promoting an Optimal State of Wellness in Lake County

Memorandum

DATE: 3/12/2024
TO: Laura Hall, Senior Planner
FROM: Christina Gearhart, EHS
RE: Major Use Permit (UP 23-05); Initial Study (IS 23-10)
APN: APN: 004-010-04

Lake County Environmental Health (LCEH) has no permits for the referenced water well and septic system on this property. Notation of their existence was noted on material previously submitted in 2010, but the locations have not been validated by our office. A field clearance inspection will be required.

It is noted in the submitted material that the onsite well will be “refurbished”. A well repair/alteration permit may be required for this process. Please discuss this activity with our office to determine if a permit is required.

All wells shall be located and with an adequate horizontal distance from potential sources of contamination and pollution. The storage of hazardous materials shall be located a safe distance from any water well to prevent contamination. The site should also be designed to prevent runoff of hazardous materials into the nearby creek and drainage paths.

If the applicant stores hazardous materials equal to or greater than 55 gallons of a liquid, 500 pounds of a solid or 200 cubic feet of compressed gas, the applicant will be required to submit a Hazardous Materials Inventory Disclosure Statement/ Business Plan to the Environmental Health Division via the California Electronic Reporting System (CERS) and it shall be renewed and updated annually or if quantities increase. Note that additional California Unified Program Agency (CUPA) requirements may apply depending on the amounts of hazardous materials stored onsite.



COUNTY OF LAKE
HEALTH SERVICES
 prevent.promote.protect.

LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT

2617 South Main Street
Lakeport, CA 95453
Phone (707) 263-7000
Fax (707) 263-0421



Douglas G. Gearhart
Air Pollution Control Officer
doug@lcaqmd.net

-MEMORANDUM-

To: Katherine Schaefers
Resource Planner
Community Development Department

DATE: October 12, 2023

FROM: Peter Helldorfer, Air Quality Engineer

A handwritten signature in blue ink, appearing to be "PH", is written next to the name Peter Helldorfer.

SUBJECT: Scotts Valley Energy Corporation ••• APN 004-010-04 ••• UP 23-05, IS 23-10 ••• Installation of a woody biomass processing and pyrolysis facility for the generation of electricity, biochar and syngas located at 755 E. State Highway 20, Upper Lake, CA 95485

The Lake County Air Quality Management District (LCAQMD) received a Request for Review for Sufficiency from the County of Lake Community Development Department for Scotts Valley Energy Corporation. The applicant proposes the installation of a woody biomass processing and pyrolysis facility for the generation of electricity, biochar and syngas located at 755 E. State Highway 20, Upper Lake, CA CA 95485.

The project parcel is not located in a mapped area known to contain serpentine rock and/or soils. The District and State of California Air Resources Board regulate surfacing and construction activities involving serpentine. Serpentine commonly contains regulated amounts of asbestos. If serpentine is discovered or is present during the course of grading or construction, all work shall stop until an approved serpentine dust control plan is in place.

Significant dust may be generated from vehicle traffic if driveways and parking areas are not adequately surfaced. Surfacing standards should be included as a requirement in the use permit to minimize dust impacts to the public, visitors, and road traffic. At a minimum, the District recommends chip seal for primary access roads and parking. Paving with asphaltic concrete is preferred. All areas subject to semi-truck / trailer traffic should require asphaltic concrete paving or equivalent to prevent fugitive dust generation. Gravel surfacing may be adequate for low use/overflow driveways and parking areas, however, gravel surfaces require more maintenance to achieve dust control, and permit conditions should require regular palliative treatment if gravel is utilized. White rock is not suitable for surfacing (and should be prohibited in the

permit) because of its tendency to break down and create excessive dust. Adequate dust mitigation measures must be in place such that a nuisance is not created.

Commercial burning is not allowed. All vegetative waste from land development must be disposed of by chipping or other appropriate methods.

Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State Air Toxic Control Measures for Compression Ignition engines.

A complete list of all equipment which will be utilized at the site with the potential to emit air contaminants should be submitted to the LCAQMD including, but not limited to conveyors, chippers, grinders, generators, pumps, off-road equipment, etc. An Authority to Construct permit may be required for equipment with the potential for emissions to air. The pyrolysis facility will likely require a LCAQMD Authority to Construct permit. The applicant should contact the LCAQMD as soon as possible to reduce the potential for delays in obtaining any necessary LCAQMD permits.

Any demolition or major renovation is subject to the Federal National Emissions Standard for Hazardous Air Pollutants (NESHAP) for asbestos in buildings and requires asbestos inspections by a Certified Asbestos Consultant for all major renovations and all demolition. An Asbestos Notification must be submitted to the LCAQMD at least fourteen days prior to beginning any demolition work. The applicant should contact the LCAQMD for details. Regardless of asbestos content, all demolition activities should use adequate water to prevent dust generation and nuisance conditions

The Lake County Air Basin is presently in compliance with all of the State Ambient Air Quality Standards. This project is not expected to result in sufficient area-wide air quality impacts that would affect the County's air quality attainment status.

Given the above concerns are adequately addressed, the project as proposed with mitigation measures, can be supported for air quality concerns.

From: [Lake County Community Development - Resource Planning](#)
To: [Laura Hall](#)
Cc: [Lake County Community Development - Resource Planning](#)
Subject: RE: Request for Review (RFR) for Major Use Permit (UP 23-05); Initial Study (IS 23-10) at APN 004-010-04:
Date: Wednesday, January 31, 2024 11:28:04 AM
Attachments: [image002.png](#)
[image003.png](#)
[Grading Permits 2024.pdf](#)

Good morning,

As a follow-up to my commentary below, if the supplemental material for **UP 23-05** *does* provide enough information to analyze against the below list of triggers, submitting the General Grading Questionnaire will not be necessary. In this case, please use the triggers below as a reference, and reach out to me for any needed clarifications. Note that grading work is not generally allowed from October 15-April 15 and must be priorly approved by the Administrative Official. If **UP 23-05** requires a grading permit, please have the applicant submit material according to the instructions in the "Grading Permits 2024" document.

Simple Grading Permit Triggers

1. Greater than 10,000 ft.² but less than one (1) acre (43,560 ft²) of vegetation clearing.
2. Greater than 50 cubic yd³ but less than 500 cubic yards of material.
3. Less than 250 yards or one half acre if in serpentine soils.
4. Does not affect sensitive species or habitat identified by CNDDDB.
5. Occurs on slopes less than 25%.
6. Does not create a filled area for the support of a structure.
7. Cannot adversely change an existing drainage.
8. Cannot occur in a FEMA mapped floodway.
9. Cannot occur in a class 1, 2, or 3 watercourse, lake wetland or vernal pool.
10. Cannot affect known archaeological or historical resources.
11. Occurs between October 15 to April 15 (Winter/Rainy Season).

Standard Grading Permit Triggers

1. Clearing more than one acre of vegetation, or
2. Disturbance of 500 to 1,000 cubic yards of material with a severe erosion hazard rating.
3. Disturbance of 500 to 2,000 cubic yards of material with a moderate erosion hazard rating.
4. Disturbance of 500 to 5,000 cubic yards of material with a slight erosion hazard rating.
5. Disturbance of 250 to 1,000 cubic yards of naturally occurring asbestos soil (serpentine) or soil in a mapped naturally occurring asbestos area.
6. Excavating material to a depth not greater than ten (10) feet from original grade.
7. 2:1 or less cut or fill ratio.
8. Fill depth eight (8) feet or less.
9. Cannot adversely change an existing drainage.
10. Cannot occur in a class I, II, or III watercourse, lake, wetland or vernal pool, as defined in Grading Ordinance Section 30-9.
11. Does not affect sensitive species or habitat identified by CNDDDB.
12. Does not result in a significant clearing of oak trees.
13. Cannot occur in a FEMA mapped floodway.

Complex Grading Permit Triggers

1. The excavation or fill of more than 5,000 cubic yards of material.
2. Construction of a reservoir or dam larger than one (1) acre foot or larger than 5 acre feet if constructed totally below natural grade and not on a watercourse.
3. Disturbance of more than 1,000 cubic yards of material with a severe erosion hazard rating.
4. Disturbance of more than 1,000 cubic yards of naturally occurring asbestos soil (serpentine).
5. Grading resulting in cuts or fills greater than fifteen (15) feet.
6. Dredging of lake, watercourses, or wetlands, as defined in Grading Ordinance Section 30-9.
7. Grading in areas designated as geologic or landslide hazard areas.
8. Grading in FEMA-mapped floodway.

Thank you,



Katherine Schaefer, MA

Resource Planner

Community Development Department

255 N. Forbes St.

Lakeport, CA 95453

Phone: (707) 263-2221

Fax: (707) 262-1843

Email: ResourcePlanning@lakecountyca.gov

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This communication contains information intended only for the use of the individuals to whom it is addressed and may contain information that is privileged, confidential or exempt from other disclosure under applicable law. If you are not the intended recipient, you are notified that any disclosure, printing, copying, distribution or use of the contents is prohibited. If you have received this in error, please notify the sender immediately by telephone or by returning it by reply e-mail and then permanently deleting the communication from your system.

From: Lake County Community Development - Resource Planning

<ResourcePlanning@lakecountyca.gov>

Sent: Wednesday, January 31, 2024 11:06 AM

To: Laura Hall <Laura.Hall@lakecountyca.gov>

Cc: Lake County Community Development - Resource Planning

<ResourcePlanning@lakecountyca.gov>

Subject: RE: Request for Review (RFR) for Major Use Permit (UP 23-05); Initial Study (IS 23-10) at APN 004-010-04:

Good morning and apologies for the delayed reply,

This project shall adhere to the standards set forth in both Chapters [29](#) and [30](#) of the Lake County Code.

If the supplemental materials for this application do not provide enough information to analyze

potential grading permit triggers in the Initial Study, please have the applicant fill out the attached “General Grading Questionnaire” and submit to: ResourcePlanning@lakecountyca.gov as part of this RFR process.

Please also give the applicant the attached “Grading Permits 2024” document as information on how their grading permit will be processed. The Initial Study and Conditions of Approval for **UP 23-05** will be used to inform the grading permit conditions post-Use Permit approval.

Thank you,



Katherine Schaefer, MA
Resource Planner
Community Development Department
255 N. Forbes St.
Lakeport, CA 95453
Phone: (707) 263-2221
Fax: (707) 262-1843
Email: ResourcePlanning@lakecountyca.gov

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From: Laura Hall <Laura.Hall@lakecountyca.gov>

Sent: Tuesday, January 30, 2024 9:42 AM

To: Lake County Community Development - Resource Planning
<ResourcePlanning@lakecountyca.gov>

Subject: FW: Request for Review (RFR) for Major Use Permit (UP 23-05); Initial Study (IS 23-10) at APN 004-010-04:

Katherine,

Please see the attached. This project includes minimal ground disturbance but large amounts of imported materials (please refer to the Property Access & Dust Mitigation section in the RFR).

Thank you,

Laura

From: Laura Hall

Sent: Thursday, September 28, 2023 9:00 AM

To: Lars Ewing <Lars.Ewing@lakecountyca.gov>; Lake County Community Development - Resource Planning <ResourcePlanning@lakecountyca.gov>; Bruce McCracken <bruce.mccracken@wasteconnections.com>

Subject: RE: Request for Review (RFR) for Major Use Permit (UP 23-05); Initial Study (IS 23-10) at APN 004-010-04:

Lars,

Thank you for reaching out to Bruce.

Bruce,

I look forward to getting the new contact information and will add it to our agency list.

Thank you both,

Laura

From: Lars Ewing <Lars.Ewing@lakecountyca.gov>

Sent: Wednesday, September 27, 2023 4:41 PM

To: Lake County Community Development - Resource Planning <ResourcePlanning@lakecountyca.gov>; Laura Hall <Laura.Hall@lakecountyca.gov>; Bruce McCracken <bruce.mccracken@wasteconnections.com>

Subject: FW: Request for Review (RFR) for Major Use Permit (UP 23-05); Initial Study (IS 23-10) at APN 004-010-04:

Bruce: forwarding this to you for Waste Connections' review because I noticed C&S Waste, and particularly Lindsey McCollough, was still listed as the point of contact. Please reply all with the appropriate Waste Connections email address for solid waste hauler review of planning RFR's like this so Lake County Community Development can update their records.

Lars Ewing

Lake County Public Services

From: Laura Hall <Laura.Hall@lakecountyca.gov>

Sent: Wednesday, September 27, 2023 2:19 PM

To: Elizabeth Knight <elizabethk@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; William Collins <William.Collins@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Craig Wetherbee <Craig.Wetherbee@lakecountyca.gov>; Lars Ewing <Lars.Ewing@lakecountyca.gov>;

Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lake County Community Development - Resource Planning <ResourcePlanning@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; lmccollough@candswaste.com; alancaster@lakecountyfire.com; chief800@northshorefpd.com; gdm@paratransit.net; PGEPanReview@pge.com; ulc wd@yahoo.com; apetrie@ulusd.org; jduarte@ulusd.org; R2CEQA@wildlife.ca.gov; jesse.robertson@dot.ca.gov; CentralValleySacramento@waterboards.ca.gov; Stephanie.Tadlock@waterboards.ca.gov; nwic@sonoma.edu; nahc@nahc.ca.gov
Subject: Request for Review (RFR) for Major Use Permit (UP 23-05); Initial Study (IS 23-10) at APN 004-010-04:

Good Afternoon Fellow Agencies,

This is a request for review (RFR) for Major Use Permit (UP 23-05); Initial Study (IS 23-10) which proposes to construct a biomass processing facility in addition to other activities described in the RFP at 755 E. State Hwy 20, Upper Lake, CA 95485 (APN 004-010-04). Attached are the RFR, project maps, and other materials.

Please advise us if additional information is needed, which permits are required from your agency (if any), and/or of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **October 11, 2023**. Please email your comments to laura.hall@lakecountyca.gov, or mail them to the address listed in the letterhead of the RFR.

Sincerely,

Laura Hall,
Senior Planner



Laura L. Hall, MS
Senior Planner

Community Development
255 N. Forbes St.
Lakeport, CA 95453
Phone: (707) 263-2221
Fax: (707) 263-2225
Email: laura.hall@lakecountyca.gov

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From: [William Collins](#)
To: [Laura Hall](#)
Subject: RE: [EXTERNAL] Supporting Documents - Upper Lake Waste Forest Wood Processing Site/Project
Date: Tuesday, January 23, 2024 10:21:46 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)

1. Sprinklers will not be required if they go with the new layout where all building are less than 2500 SF.
2. Onsite water storage for fire suppression will be required and need to be calculated in accordance with NFPA 1142 and calculation will need to be included during building permit application process.
3. Roads/driveways will need to comply with California Fire Code requirements.

Here are my revised comments.

Sincerely

Bill Collins, CBO, CASp
Chief Building Official
County of Lake
255 N. Forbes St.
Lakeport, CA 95453
707-263-2221 ex 38123 (Office)
william.collins@lakecountyca.gov



From: Laura Hall <Laura.Hall@lakecountyca.gov>
Sent: Tuesday, January 23, 2024 10:09 AM
To: William Collins <William.Collins@lakecountyca.gov>; Ciancio, Mike@NorthShore FPD <chief800@northshorefpd.com>
Cc: mike.wink@fire.ca.gov; chief800@northshorefpd.com
Subject: RE: [EXTERNAL] Supporting Documents - Upper Lake Waste Forest Wood Processing Site/Project

Hello All,

I'm just checking in to see if you have had a chance to review the additional project information and when I can expect to receive any revised comments.

Thank you,

Laura

From: Steve <srr@woodbridge-energy.com>
Sent: Wednesday, January 17, 2024 10:27 AM
To: William Collins <William.Collins@lakecountyca.gov>
Cc: thomas.jordan@sv-nsn.gov; Laura Hall <Laura.Hall@lakecountyca.gov>; mike.wink@fire.ca.gov; chief800@northshorefpd.com
Subject: [EXTERNAL] Supporting Documents - Upper Lake Waste Forest Wood Processing Site/Project

To All:

Attached are the supporting documents that we talked about on the zoom meeting.

If this information helps resolve the groups major concerns then we will work with Laura and Bill on the project description to reflect the changes/modifications. The additional fee from NSFD I don't think is a problem but Tom will need to approve.

Building Code for Membrane Structure pdf: Section 2 G-0-1
Encroachment Plan: Section 4 GE-0-1
Mainspring Linear Genset: Section 8-7
Capstone Microturbine Genset: Section 8-9
Data Sheet for Gasifier: Omni Artis 200
Truegrid Gravel Pavers Data Sheet for Fire Truck Driveway Access:

Artis Field Test Lab Site Picture:



Tank Below Meets NEPA 22

Basic Gallon Water Holding Tank Calc:

- Pumper truck pumping rate 1,500 Gallons per Minute
- 15 Minutes of Max Flow Rate Run Time
- 22,500 Gallon Capacity Needed.
- Anti-Vortex Plate added to Tank to Prevent Cavitation. See detail following

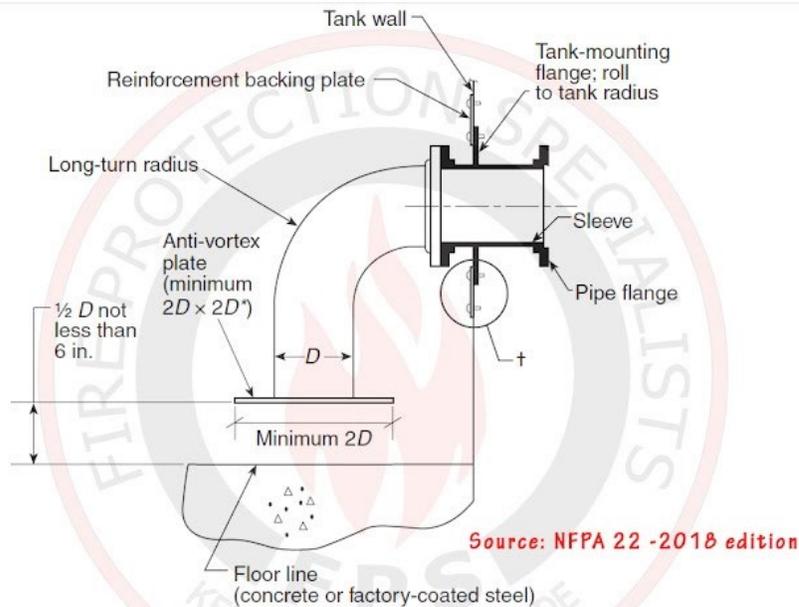
This tank will cost about \$60,000 installed without tax or shipping. Tank Size +- 18' D x 20' H = 27,600 gallons.

FYI: We don't have this in our budget and would be up to Tom to authorize using.

To add this Water Fire Reservoir Tank to the site will require concrete to be used for the foundation which we didn't plan on using.



| Diameter | Capacity | Eave Height | Total Height |
|----------|------------|-------------|--------------|
| Ft' In" | US Gallons | Ft' In" | Ft' In" |
| 17' 11" | 13,812 | 7' 4" | 12' 6" |
| | 27,625 | 14' 8" | 19' 6" |



For SI units, 1 in. = 25.4 mm.

*Frequently, a 48 in. x 48 in. size is used as a standard size that will work for any situation.

†For reinforcement requirements, see AWWA D103.

Typical Suction Nozzle with Anti-Vortex Plate for Lap-Jointed Bolted Tanks.

Hope this info helps.

Best regards,
Steve

On Jan 16 2024, at 8:08 am, William Collins <William.Collins@lakecountyca.gov> wrote:

Good morning Steve,

Thanks for sending over ahead of time so I have time to review.

See everyone at 9:30.

Sincerely

Bill Collins, CBO, CASp

Chief Building Official

County of Lake

255 N. Forbes St.

Lakeport, CA 95453

707-263-2221 ex 38123 (Office)

william.collins@lakecountyca.gov



From: [Mike Ciancio](#)
To: [Laura Hall](#)
Subject: Fwd: [EXTERNAL] Supporting Documents - Upper Lake Waste Forest Wood Processing Site/Project
Date: Tuesday, February 20, 2024 11:11:53 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)

Here are the two bullet points that I would agree to. Please see Mike Wink's input.
Mike Ciancio , Fire Chief
Northshore Fire Protection District
707-274-3100 Office
707-813-7720 Cell

----- Forwarded message -----

From: **Wink, Mike@CALFIRE** <Mike.Wink@fire.ca.gov>
Date: Tue, Feb 20, 2024 at 9:56 AM
Subject: RE: [EXTERNAL] Supporting Documents - Upper Lake Waste Forest Wood Processing Site/Project
To: Ciancio, Mike@NorthShore FPD <chief800@northshorefpd.com>

Chief, my 2 cents. Mike

Once the fire emergency is mitigated, conditions:

- After four hours of suppression efforts by the Fire Entities, the property owner shall take over continued extinguishment efforts with heavy equipment and water tenders at their expense.
- If the emergency becomes re-established or of concern the property owner should call 911 for Fire response to mitigate the emergency.

From: Mike Ciancio <chief800@northshorefpd.com>
Sent: Tuesday, February 6, 2024 11:38 AM
To: Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>
Subject: Fwd: [EXTERNAL] Supporting Documents - Upper Lake Waste Forest Wood Processing Site/Project

Warning: this message is from an external user and should be treated with caution.

Any suggestions to the above email would be appreciated.

Mike Ciancio , Fire Chief
Northshore Fire Protection District
707-274-3100 Office
707-813-7720 Cell

----- Forwarded message -----

From: **Laura Hall** <Laura.Hall@lakecountyca.gov>
Date: Tue, Feb 6, 2024 at 11:29 AM
Subject: RE: [EXTERNAL] Supporting Documents - Upper Lake Waste Forest Wood Processing Site/Project
To: Mike Ciancio <chief800@northshorefpd.com>
Cc: Mireya Turner <Mireya.Turner@lakecountyca.gov>, Michelle Irace <Michelle.Irace@lakecountyca.gov>, William Collins <William.Collins@lakecountyca.gov>, Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>

Mike,

I spoke with staff and the mitigation language needs to come from your department as you are the experts on fire code requirements. Just a few reminders that the piles will be monitored for heat and will not be stored for prolonged periods. Also, I know there was mention at the last meeting of a possible agreement that would require the applicant to address smothering piles after 4 hours, maybe with heavy equipment and other tools. Some staff has asked, what if a fire breaks out after the fire department leaves and someone gets hurt? Our Principal Planner mentioned that some state agencies have fees in place when extended services are needed. I am ccing Mireya and Michelle on this email just in case they have anything more, but I will be looking forward to receiving your comments.

Thank you,

Laura

From: Laura Hall
Sent: Tuesday, February 6, 2024 9:35 AM
To: 'Mike Ciancio' <chief800@northshorefpd.com>
Cc: William Collins <William.Collins@lakecountyca.gov>; 'Wink, Mike@CALFIRE' <Mike.Wink@fire.ca.gov>
Subject: RE: [EXTERNAL] Supporting Documents - Upper Lake Waste Forest Wood Processing Site/Project

Mike,

As I am working on the initial study, I'm realizing that the requirement below may need a bit more detail before adding as a mitigation measure. Because you are the fire expert, I'm hoping you can revise to specifically state what the fire district is requiring.

I know you are likely very busy due to the recent storm event, so your time is greatly appreciated.

Respectfully,

Laura

From: Laura Hall
Sent: Tuesday, January 23, 2024 4:44 PM
To: 'Mike Ciancio' <chief800@northshorefpd.com>
Cc: Steve <srr@woodbridge-energy.com>; William Collins <William.Collins@lakecountyca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Thomas Jordan <thomas.jordan@sv-nsn.gov>
Subject: RE: [EXTERNAL] Supporting Documents - Upper Lake Waste Forest Wood Processing Site/Project

Mike,

Thank you for getting back to us. I will add to the file.

Sincerely,

Laura

From: Mike Ciancio <chief800@northshorefpd.com>
Sent: Tuesday, January 23, 2024 4:33 PM
To: Laura Hall <Laura.Hall@lakecountyca.gov>
Cc: Steve <srr@woodbridge-energy.com>; William Collins <William.Collins@lakecountyca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Thomas Jordan <thomas.jordan@sv-nsn.gov>
Subject: Re: [EXTERNAL] Supporting Documents - Upper Lake Waste Forest Wood Processing Site/Project

I would be comfortable with a 4 hour commitment time. Anything over that would be up to the property owner.

Mike Ciancio , Fire Chief

Northshore Fire Protection District

707-274-3100 Office

707-813-7720 Cell

On Tue, Jan 23, 2024 at 12:17 PM Laura Hall <Laura.Hall@lakecountyca.gov> wrote:

Steve,

Please see the comments below from Assistant Chief Mike Wink. Our Chief Building Officer William Collins has the following:

1. Sprinklers will not be required if they go with the new layout where all building are less than 2500 SF.
2. Onsite water storage for fire suppression will be required and need to be calculated in accordance with NFPA 1142 and calculation will need to be included during building permit application process.
3. Roads/driveways will need to comply with California Fire Code requirements.

I believe we are waiting to hear from Chief Mike Ciancio.

Thank you,

Laura

From: Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>
Sent: Tuesday, January 23, 2024 11:49 AM
To: Laura Hall <Laura.Hall@lakecountyca.gov>; William Collins <William.Collins@lakecountyca.gov>; Ciancio, Mike@NorthShore FPD <chief800@northshorefpd.com>
Cc: Ciancio, Mike@NorthShore FPD <chief800@northshorefpd.com>
Subject: RE: [EXTERNAL] Supporting Documents - Upper Lake Waste Forest Wood Processing Site/Project

Nothing new from me. Chief Ciancio may still have a Time Threshold for extended incident response and mitigation to be added to the Use Permit Conditions. Thanks, Mike



Mike Wink

Assistant Chief–Sonoma Lake Napa
Unit

Artis Field Test Lab Site Picture:



Tank Below Meets NFPA 22

Basic Gallon Water Holding Tank Calc:

- Pumper truck pumping rate 1,500 Gallons per Minute
- 15 Minutes of Max Flow Rate Run Time
- 22,500 Gallon Capacity Needed.
- Anti-Vortex Plate added to Tank to Prevent Cavitation. See detail following

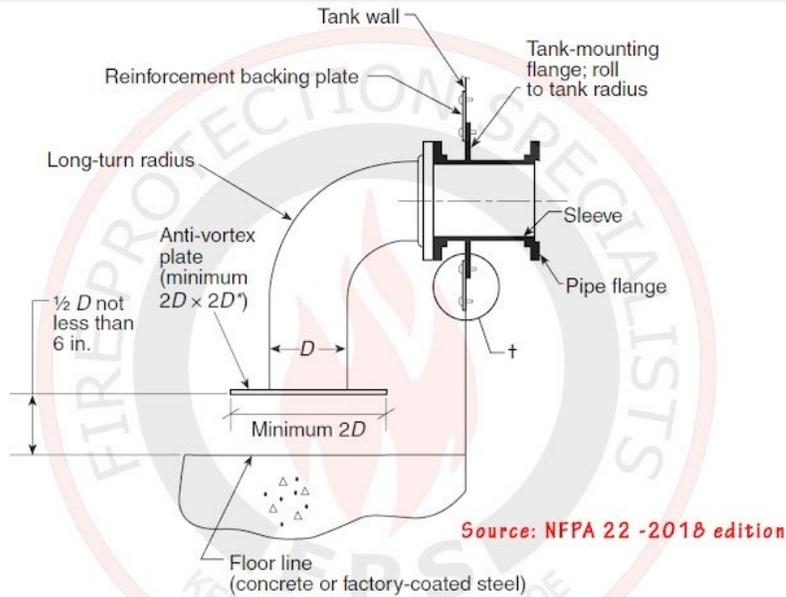
This tank will cost about \$60,000 installed without tax or shipping. Tank Size +/- 18' D x 20' H = 27,600 gallons.

FYI: We don't have this in our budget and would be up to Tom to authorize using.

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 †For reinforcement requirements, see AWWA D103.

Typical Suction Nozzle with Anti-Vortex Plate for Lap-Jointed Bolted Tanks.

Hope this info helps.

Best regards,

Steve

On Jan 16 2024, at 8:08 am, William Collins <William.Collins@lakecountyca.gov> wrote:

Good morning Steve,

Thanks for sending over ahead of time so I have time to review.

See everyone at 9:30.

Sincerely

Bill Collins, CBO, CASp

Chief Building Official

County of Lake

255 N. Forbes St.

Lakeport, CA 95453

707-263-2221 ex 38123 (Office)

william.collins@lakecountyca.gov



NORTHSHORE FIRE PROTECTION DISTRICT

6257 Seventh Avenue • Post Office Box 1199 • Lucerne, California 95458

(707) 274-3100 • (707) 274-3102 Fax

District Fire Chief Mike Ciancio

Station 75
(707) 998-3294

Station 80
(707) 274-3100

Station 85
(707) 274-8834

Station 90
(707) 275-2446

October 10, 2023

Northshore Fire Protection District has the following comments regarding the proposed project.

AG Forest Wood Processing

APN 004-010-04

755 E. State Hwy 20, Upper Lake, CA 95485

The Northshore Fire Protection District provides year-round fire protection services to the project area. Our closest staffed station to the project is at 9420 Main St. in Upper Lake about 1 mile from the project area.

The project area is in Local Responsibility Area (LRA).

A proposed Use Permit may and will be subject to the requirements of the California Fire Code and NFPA standards and the Public Resource Code. The need for fire hydrants and supporting water storage will be determined by the Lake County Building official and the Northshore Fire Protection District. The current documents provided do not address fire suppression at all. Sprinkler systems, fire alarm systems, portable fire extinguishers, fire hose reels and other fire protection methods may need to be provided as required by the California Fire Code and the Lake County Building official.

The project may be subject to Fire Mitigation Fees. Once plans are submitted those fees may be calculated if applicable. Currently provided is a 4800 Sq Ft building mitigation fees at this time would be \$4800.00. The membrane structure will be required to have State Fire Marshal fire resistant stamp on the structure.

Fire Access Roads shall meet the requirements of CCR 1273.

Premises Identification- approved address numbers shall be placed on all buildings and or driveways in such a position as to be plainly visible and legible from the street or road fronting the property. Numbers shall contrast with their background.

Key Box- a rapid entry lock box, approved by this fire district will be required if a gate is installed.

Thank you for your consideration in this matter. Please feel free to contact me if you have any questions or concerns regarding these comments.

Respectfully,

Fire Chief
NorthShore Fire Protection District

From: [Laura Hall](#)
To: "Mike Ciancio"
Cc: [Steve](#); [William Collins](#); [Wink, Mike@CALFIRE](#); [Thomas Jordan](#)
Subject: RE: [EXTERNAL] Supporting Documents - Upper Lake Waste Forest Wood Processing Site/Project
Date: Tuesday, January 23, 2024 4:44:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)

Mike,

Thank you for getting back to us. I will add to the file.

Sincerely,

Laura

From: Mike Ciancio <chief800@northshorefpd.com>
Sent: Tuesday, January 23, 2024 4:33 PM
To: Laura Hall <Laura.Hall@lakecountyca.gov>
Cc: Steve <srr@woodbridge-energy.com>; William Collins <William.Collins@lakecountyca.gov>; Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Thomas Jordan <thomas.jordan@sv-nsn.gov>
Subject: Re: [EXTERNAL] Supporting Documents - Upper Lake Waste Forest Wood Processing Site/Project

I would be comfortable with a 4 hour commitment time. Anything over that would be up to the property owner.

*Mike Ciancio , Fire Chief
Northshore Fire Protection District
707-274-3100 Office
707-813-7720 Cell*

On Tue, Jan 23, 2024 at 12:17 PM Laura Hall <Laura.Hall@lakecountyca.gov> wrote:

Steve,

Please see the comments below from Assistant Chief Mike Wink. Our Chief Building Officer William Collins has the following:

1. Sprinklers will not be required if they go with the new layout where all building are less than 2500 SF.
2. Onsite water storage for fire suppression will be required and need to be calculated in accordance with NFPA 1142 and calculation will need to be included during building permit application process.
3. Roads/driveways will need to comply with California Fire Code requirements.

I believe we are waiting to hear from Chief Mike Ciancio.

Thank you,

Laura

From: Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>
Sent: Tuesday, January 23, 2024 11:49 AM
To: Laura Hall <Laura.Hall@lakecountyca.gov>; William Collins <William.Collins@lakecountyca.gov>; Ciancio, Mike@NorthShore FPD <chief800@northshorefpd.com>
Cc: Ciancio, Mike@NorthShore FPD <chief800@northshorefpd.com>
Subject: RE: [EXTERNAL] Supporting Documents - Upper Lake Waste Forest Wood Processing Site/Project

Nothing new from me. Chief Ciancio may still have a Time Threshold for extended incident response and mitigation to be added to the Use Permit Conditions. Thanks, Mike



Mike Wink
Assistant Chief--Sonoma Lake Napa Unit
Pre-Fire/Inspections/PIO/Fuels/Grants
1199 Big Tree Road, St. Helena Ca. 94574
(707) 967-1408 Office

(707) 889-4225 Mobile



From: Laura Hall <Laura.Hall@lakecountyca.gov>

Sent: Tuesday, January 23, 2024 10:09 AM

To: William Collins <William.Collins@lakecountyca.gov>; Ciancio, Mike@NorthShore FPD <chief800@northshorefpd.com>

Cc: Wink, Mike@CALFIRE <Mike.Wink@fire.ca.gov>; Ciancio, Mike@NorthShore FPD <chief800@northshorefpd.com>

Subject: RE: [EXTERNAL] Supporting Documents - Upper Lake Waste Forest Wood Processing Site/Project

Warning: this message is from an external user and should be treated with caution.

Hello All,

I'm just checking in to see if you have had a chance to review the additional project information and when I can expect to receive any revised comments.

Thank you,

Laura

From: Steve <srr@woodbridge-energy.com>

Sent: Wednesday, January 17, 2024 10:27 AM

To: William Collins <William.Collins@lakecountyca.gov>

Cc: thomas.jordan@sv-nsn.gov; Laura Hall <Laura.Hall@lakecountyca.gov>; mike.wink@fire.ca.gov; chief800@northshorefpd.com

Subject: [EXTERNAL] Supporting Documents - Upper Lake Waste Forest Wood Processing Site/Project

To All:

Attached are the supporting documents that we talked about on the zoom meeting.

If this information helps resolve the groups major concerns then we will work with Laura and Bill on the project description to reflect the changes/modifications. The additional fee from NSFD I don't think is a problem but Tom will need to approve.

Building Code for Membrane Structure pdf: Section 2 G-0-1

Encroachment Plan: Section 4 GE-0-1

Mainspring Linear Genset: Section 8-7

Capstone Microturbine Genset: Section 8-9

Data Sheet for Gasifier: Omni Artis 200

Truegrid Gravel Pavers Data Sheet for Fire Truck Driveway Access:

Artis Field Test Lab Site Picture:



[Tank Below Meets NFPA 22](#)

Basic Gallon Water Holding Tank Calc:

- Pumper truck pumping rate 1,500 Gallons per Minute
- 15 Minutes of Max Flow Rate Run Time
- 22,500 Gallon Capacity Needed.
- Anti-Vortex Plate added to Tank to Prevent Cavitation. See detail following

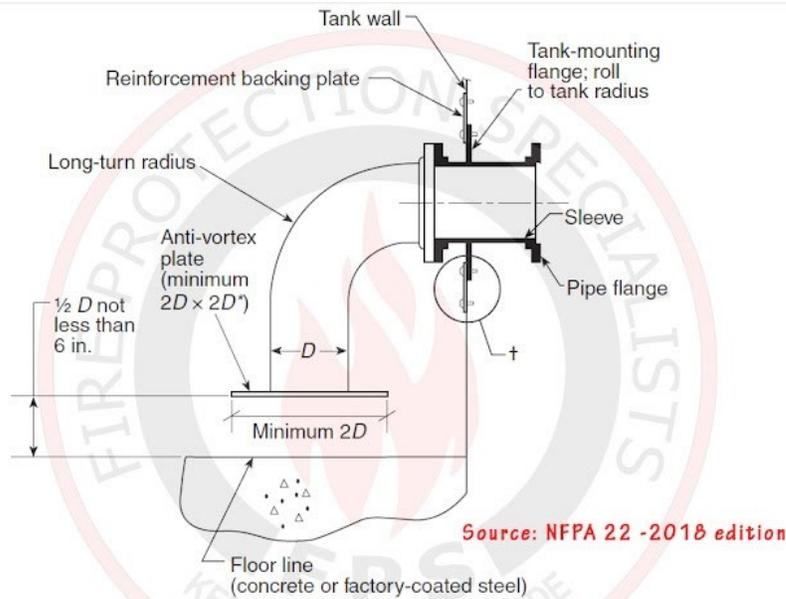
This tank will cost about \$60,000 installed without tax or shipping. Tank Size +- 18' D x 20' H = 27,600 gallons.

FYI: We don't have this in our budget and would be up to Tom to authorize using.

To add this Water Fire Reservoir Tank to the site will require concrete to be used for the foundation which we didn't plan on using.



| Diameter | Capacity | Eave Height | Total Height |
|-----------------|-------------------|--------------------|---------------------|
| Ft' In" | US Gallons | Ft' In" | Ft' In" |
| 17' 11" | 13,812 | 7' 4" | 12' 6" |
| | 27,625 | 14' 8" | 19' 6" |



For SI units, 1 in. = 25.4 mm.

*Frequently, a 48 in. x 48 in. size is used as a standard size that will work for any situation.

†For reinforcement requirements, see AWWA D103.

Typical Suction Nozzle with Anti-Vortex Plate for Lap-Jointed Bolted Tanks.

Hope this info helps.

Best regards,
Steve

On Jan 16 2024, at 8:08 am, William Collins <William.Collins@lakecountyca.gov> wrote:

Good morning Steve,

Thanks for sending over ahead of time so I have time to review.

See everyone at 9:30.

Sincerely

Bill Collins, CBO, CASp

Chief Building Official

County of Lake

255 N. Forbes St.

Lakeport, CA 95453

707-263-2221 ex 38123 (Office)

william.collins@lakecountyca.gov



From: Steve <srr@woodbridge-energy.com>

Sent: Tuesday, January 16, 2024 7:59 AM

To: thomas.jordan@sy-nsn.gov; Laura Hall <Laura.Hall@lakecountyca.gov>; mike.wink@fire.ca.gov; chief800@northshorefpd.com; William Collins <William.Collins@lakecountyca.gov>

Subject: [EXTERNAL] Site Layout Update - Upper Lake Waste Forest Wood Processing Site/Project

Bill,

Over the last 4 days we have worked on a solution that will use only one canopy for the project, The canopy is 40'W x 60'L = 2,400 square feet.

I have attached that layout and design in two drawings. One is a scaled drawing of the 5 acres project area, the other is a detail of the main equipment and its sitting near the canopy structure.

The area around the project will have a 20 foot wide clear area that will be either graveled, mowed or tilled to prevent grass fire. No trees are in the area of concern.

Also, below is the link to the zoom meeting scheduled for 9:30am today.

Best regards,
Steve

Join Zoom Meeting

<https://us02web.zoom.us/j/82611764083?pwd=NVVxQk55K0EyOHVjdVF5Z0dYNWgvZz09>

Meeting ID: 826 1176 4083

Passcode: 636448

Dial by your location
1 408 638 0968 US (San Jose)



LAKE COUNTY SHERIFF'S OFFICE

1220 Martin Street • P.O. Box 489 • Lakeport, California 95453

| | | | | | |
|---|---|----------------------------------|--------------------------------------|---|-------------------------------------|
| Administration (707) 262-4200 | Central Dispatch (707) 263-2690 | Coroner (707) 262-4215 | Corrections (707) 262-4240 | Patrol/Investigation (707) 262-4200 | Substation (707) 994-6433 |
|---|---|----------------------------------|--------------------------------------|---|-------------------------------------|

To : Laura Hall – Senior Planner
Community Development Department

From : Lieutenant Luke Bingham
Lake County Sheriff's Office

Date : October 6, 2023

Subject : Major Use Permit 23-05

I have reviewed the documents submitted to the Sheriff's Office for Major Use Permit 23-05. I do not believe this project will have a significant impact on the services provided by our office.

If you have any questions, please contact me at 707-262-4082.

LJB/ljb

From: [Lori Baca](#)
To: [Laura Hall](#)
Subject: RE: Request for Review (RFR) for Major Use Permit (UP 23-05); Initial Study (IS 23-10) at APN 004-010-04:
Date: Friday, October 6, 2023 11:32:13 AM
Attachments: [image003.png](#)

Laura,

The applicant indicates that no permanent facilities are being established at the site. No foundations, no paved parking lots, etc. Because of this we feel it's appropriate not to require the developer to extend the mainline and connect to the sewer system as required by the ordinance due to their proximity ($\leq 200'$). However, if the use changes in the future and permanent facilities are developed on site the District would require a mainline extension and connection to the sewer.

“No septic system will be installed. Instead, an ADA-approved restroom facility will be used, and a servicing company will be hired to maintain the facility appropriately with cleaning and disposal at minimum of once a week. The project includes a 2,500-gallon onsite water storage tank used for dust control and domestic water when needed.”

“The SVBPI is committed to minimizing the impact on project lands. As a result, the project will deploy non-permanent structures and equipment, which will be placed on site and secured in place. Note that no permanent foundations, paved parking lots, or other permanent facilities will be installed on site”

Happy Friday!!!

Lori A. Baca
Customer Service Supervisor
Lori.Baca@lakecountyca.gov
Office Number (707) 263-0119
Fax (707) 263-3836



From: Laura Hall
Sent: Wednesday, September 27, 2023 2:19 PM
To: Elizabeth Knight <elizabethk@lcaqmd.net>; Ryan Lewelling <Ryan.Lewelling@lakecountyca.gov>; William Collins <William.Collins@lakecountyca.gov>; Scott DeLeon <Scott.DeLeon@lakecountyca.gov>; John Everett <John.Everett@lakecountyca.gov>; Craig Wetherbee <Craig.Wetherbee@lakecountyca.gov>; Lars Ewing <Lars.Ewing@lakecountyca.gov>

Lucas Bingham <Lucas.Bingham@lakecountyca.gov>; Lake County Community Development - Resource Planning <ResourcePlanning@lakecountyca.gov>; Lori Baca <Lori.Baca@lakecountyca.gov>; Vance Ricks <Vance.Ricks@lakecountyca.gov>; Greg Peters <Greg.Peters@lakecountyca.gov>; lmccollough@candswaste.com; alancaster@lakecountyfire.com; chief800@northshorefpd.com; gdm@paratransit.net; PGEPlanReview@pge.com; ulc wd@yahoo.com; apetrie@ulusd.org; jduarte@ulusd.org; R2CEQA@wildlife.ca.gov; jesse.robertson@dot.ca.gov; CentralValleySacramento@waterboards.ca.gov; Stephanie.Tadlock@waterboards.ca.gov; nwic@sonoma.edu; nahc@nahc.ca.gov
Subject: Request for Review (RFR) for Major Use Permit (UP 23-05); Initial Study (IS 23-10) at APN 004-010-04:

Good Afternoon Fellow Agencies,

This is a request for review (RFR) for Major Use Permit (UP 23-05); Initial Study (IS 23-10) which proposes to construct a biomass processing facility in addition to other activities described in the RFP at 755 E. State Hwy 20, Upper Lake, CA 95485 (APN 004-010-04). Attached are the RFR, project maps, and other materials.

Please advise us if additional information is needed, which permits are required from your agency (if any), and/or of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **October 11, 2023**. Please email your comments to laura.hall@lakecountyca.gov, or mail them to the address listed in the letterhead of the RFR.

Sincerely,

Laura Hall,
Senior Planner



Laura L. Hall, MS
Senior Planner

Community Development
255 N. Forbes St.
Lakeport, CA 95453
Phone: (707) 263-2221
Fax: (707) 263-2225

Email: laura.hall@lakecountyca.gov

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From: [Kennedy, Amy@Wildlife](mailto:Kennedy.Amy@Wildlife)
To: [Laura Hall](#)
Cc: [Wildlife R2 CEQA](#)
Subject: [EXTERNAL] Request for Review (RFR) for Major Use Permit (UP 23-05); Initial Study (IS 23-10) at APN 004-010-04: - Project Tracking # 2023-0360-0000
Date: Monday, October 9, 2023 2:58:11 PM
Attachments: [image001.png](#)
[image002.png](#)

Hi Laura

I was forwarded the request for review for the Major Use Permit Initial Study, because I oversee Fire/Fuel Reduction Projects and Vegetation Management Plans in the Timber Program. While this project doesn't specifically deal with Fire/Fuel Reduction, I am familiar with the need for Biomass/Biochar facilities in California, therefore I will be providing comments on this project, for you.

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 has the following comments for your consideration:

The Project Description states there will not be any permanent structures, permanent foundations or paved parking areas as a result of the project, however a search of the California Natural Diversity Database (CNDDB) was consulted to confirm the potential presence of any special-status species within the project area. The search encompasses areas within 5-miles of the project location and showed historic and current occurrences of the following species:

- American Badger (CDFW Species of Special Concern (SSC))
- Clear Lake Hitch (CDFW Threatened)
- Clear Lake Tule Perch (CDFW SSC)
- Sacramento Perch (CDFW SSC)
- Townsends Big Eared Bat (CDFW SSC)
- Foothill Yellow-legged Frog, North Coast DPS (CDFW SSC)
- California Native Plant Society listed 1B and 2B species including Glandular Western Flax, Grassland Suncup, Bristly Sedge, Beaked Tracyina, and Konocti Manzanita.
- Tricolored blackbird predictive habitat model shows potential tricolored blackbird habitat in the project area.

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 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.

CDFW recommends evaluating the environmental baseline by including a complete and current analysis of endangered, threatened, candidate, and locally unique species potentially present in or near the Project area. Species-specific surveys should be conducted based on appropriate timing for when those species would likely be detected to ascertain the presence of species within the Project vicinity. CDFW recommends using the survey protocols located at http://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html when performing species-specific surveys. For example, project site assessments for rare plants and rare natural communities follow CDFW's 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities, which can be found at the link above.

Based on the CNDDDB records search, the project area may support special-status plant species. To confirm the presence of rare plants, CDFW recommends conducting floristic surveys as described in CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (DFG 2009). These guidelines suggest rare plant surveys be conducted at the proper time of year when rare or listed species are both "evident" and identifiable. Our website provides additional information: http://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html .

CDFW recommends a mitigation measure be added to address potential impacts to nesting birds. Sections 3503, 3503.5, and 3513 of the Fish and Game Code protect nesting and migratory birds and birds of prey. 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. Section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the federal Migratory Bird Treaty Act.

If the project will include vegetation removal (including grasses) or earthwork of any kind during the nesting season (February 1 through August 31), CDFW recommends a pre-construction nesting bird survey be conducted by a qualified biologist to identify the absence or presence of active (i.e. with eggs or young) nests. The survey area should include the project site and a minimum 300-foot buffer around the project site. To minimize the chance of nests becoming established between the time the survey is conducted and when construction begins, CDFW recommends the preconstruction survey be conducted no more than three (3) days before the start of vegetation removal and/or

ground disturbing activities. Please also note that Fish and Game Code section 3503 protects the nests and eggs of all birds, not just migratory birds and birds of prey. If active nests are observed during the pre-construction survey a species-appropriate no-disturbance buffer should be established to protect the active nest. Nesting birds' tolerance of disturbance varies greatly depending on species, intensity of disturbance, whether the nesting pair is accustomed to disturbance, the location of the nest, the stage of development of nestlings, etc. Disturbance too close to the nest may impact the parents' ability to forage effectively and reduce nestlings' chances of survival. In some cases, disturbance can cause the parents to abandon the nest completely. For these reasons the size of the no-disturbance buffer should be determined by the qualified biologist. CDFW is available to provide comments and feedback on nesting bird avoidance strategies if desired. However, it should be noted that CDFW cannot guarantee that any specific buffer width will be sufficient to completely avoid take in any given situation, and therefore CDFW cannot approve or disapprove specific buffer proposals.

Thank you for the opportunity to comment on this project. If you should have any questions or concerns, please feel free to reach out to me.

Thank you.

Amy Kennedy

Senior Environmental Scientist, Specialist | Timberland Conservation Program
(916) 358-2842 (cell and office)



Good Afternoon Fellow Agencies,

This is a request for review (RFR) for Major Use Permit (UP 23-05); Initial Study (IS 23-10) which proposes to construct a biomass processing facility in addition to other activities described in the RFP at 755 E. State Hwy 20, Upper Lake, CA 95485 (APN 004-010-04). Attached are the RFR, project maps, and other materials.

Please advise us if additional information is needed, which permits are required from your agency (if any), and/or of your environmental concerns. Additionally, please advise if your agency recommends any modifications to the project that would reduce potential environmental impacts. Due to the provisions of state law, it is essential that we receive your comments as soon as possible but in no case later than **October 11, 2023**. Please email your comments to laura.hall@lakecountyca.gov, or mail them to the address listed in the letterhead of the RFR.

Sincerely,

Laura Hall,

Senior Planner



Laura L. Hall, MS
Senior Planner

Community Development
255 N. Forbes St.
Lakeport, CA 95453
Phone: (707) 263-2221
Fax: (707) 263-2225
Email: laura.hall@lakecountyca.gov

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Amy Kennedy

Senior Environmental Scientist, Specialist | Timberland Conservation Program
(916) 358-2842 (cell and office)



Central Valley Regional Water Quality Control Board

22 May 2024

Laura Hall
County of Lake
255 North Forbes Street
Lakeport, CA 95453
laura.hall@lakecountycalifornia.gov

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, AG FOREST WOOD PROCESSING BIOENERGY PROJECT, SCH#2024040980, LAKE COUNTY

Pursuant to the State Clearinghouse's 23 April 2024 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the AG Forest Wood Processing Bioenergy Project, located in Lake County.

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

I. Regulatory Setting

Basin Plan

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

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

the State Water Resources Control Board (State Water Board), Office 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

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.

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

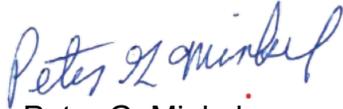
If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a 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) 464-4684 or Peter.Minkel2@waterboards.ca.gov.



Peter G. Minkel
Engineering Geologist

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

From: [Schmitz, Lori@Waterboards](mailto:Schmitz,Lori@Waterboards)
To: [Laura Hall](#)
Subject: [EXTERNAL] Lake County. Ag Forest Wood Processing Bioenergy Project, SCH 2024040980
Date: Wednesday, May 1, 2024 11:46:01 AM

Laura,

Thanks for the discussion this morning on the Ag Forest Wood Processing Bioenergy Project your County currently has in circulation.

I just realized after looking at the document again that the Project would not have enough employees on-site to create a public water system- as the onsite personnel would only be 3-5 employees- so even if the well and tank are used for domestic purposes, they would not meet the requirements of a public water system.

I no longer need further follow up on the information we discussed.
This project would not trigger a permit for the State Water Resources Control Board, Division of Drinking Water.

Thanks!

Lori Schmitz

Lori Schmitz
State Water Resources Control Board
Division of Financial Assistance
Special Project Review Unit
Lori.Schmitz@waterboards.ca.gov



October 6, 2023

Laura Hall
County of Lake
255 N Forbes St
Lakeport, CA 95453

Re: UP 23-05
IS 23-10

Dear Laura Hall,

Thank you for providing PG&E the opportunity to review the proposed plans for UP 23-05 dated 9/27/2023. Our review indicates the proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to the design, we ask that you resubmit the plans to the email address listed below.

If the project requires PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <https://www.pge.com/cco/>.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at pgeplanreview@pge.com.

Sincerely,

PG&E Plan Review Team
Land Management