



Natural Resources Agency  
 DEPARTMENT OF FISH AND WILDLIFE  
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**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



Governor's Office of Planning & Research

**Jun 25 2020**

## STATE CLEARINGHOUSE

June 24, 2020

Mr. John Davidson  
 City of Santa Clara  
 1500 Warburton Ave,  
 Santa Clara, CA 95050  
[JDavidson@santaclara.ca.gov](mailto:JDavidson@santaclara.ca.gov)

Subject: Bucks Creek Hydroelectric Project, FERC Project #619  
 DRAFT Supplemental EIR SCH# 2019069104

Dear Mr. Davidson:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Draft Supplemental Environmental Impact Report from the City of Santa Clara (City) for the Bucks Creek Hydroelectric Project (Bucks) Hydroelectric Federal Energy Regulatory Commission (FERC) Project # 619 (Project) in Plumas County pursuant the California Environmental Quality Act (CEQA) statute and guidelines<sup>1</sup>. CDFW previously submitted Federal Power Act section 10(j) recommendations and rationale in response to the Project's application for a FERC license in October 2018.

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, CDFW appreciates 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. (Fish & G. Code, § 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.) The Project may be subject to CDFW's lake and

<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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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 (Fish & G. Code, § 86) of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish & G. Code will be required. CDFW also administers the Native Plant Protection Act, Natural Community Conservation Program, and other provisions of the Fish and Game Code that afford protection to California’s fish and wildlife resources.

### **PROJECT DESCRIPTION SUMMARY**

The Bucks Creek Hydroelectric Project is located on Bucks, Grizzly, and Milk Ranch Creeks, in the Sierra Nevada Mountains in Plumas County, California.

The 84.8-megawatt Project consists of Bucks Creek and Grizzly Powerhouses owned by Pacific Gas & Electric (PG&E) Company and the City, respectively, including a 4.2-mile-long, 115- kilovolt Grizzly Tap Transmission Line; water storage, diversion and conveyance facilities associated with the two powerhouses, including Bucks Lake, Lower Bucks Lake, Three Lakes, and Grizzly Forebay; and other associated facilities. The Project is a peaking system normally operated remotely from PG&E’s Rock Creek powerhouse switching center. Operations of the Project developments are coordinated to optimize the use of water, including the operations of PG&E’s other three FERC-licensed hydroelectric projects in the North Fork Feather River watershed (Project Nos. 2107, 2105, and 1962).

The Project affects approximately 1,539.5 acres in the Plumas National Forest administered by the U.S. Department of Agriculture, Forest Service. The licensees are not proposing to add capacity or make any major modifications to the Project or its operations under the new license. There are no Government-listed hazardous waste or materials sites within the Project boundary.

The proposed Project analyzed in this Draft CEQA Supplement is the continued operation and maintenance of the Bucks Creek Project under a new license. The new license would consist of: a) modifications to existing Project facilities, and adjustment of the Project boundary as described in the licensees’ applications to FERC, b) protection, mitigation, and enhancement measures (PM&E measures) proposed by the licensees, c) FERC staff recommended modifications of the licensees’ proposal and additional measures, and d) all mandatory terms and conditions. Mandatory terms and conditions are those required by the Forest Service under section 4(e) of the Federal Power Act and all the terms and conditions required in the State Water Board’s future decision on section 401 certification of the Project. Together these components comprise the whole of the Project expected to be implemented under the new license and reflect the license that the City will be requested to review for adoption.

### **GENERAL COMMENTS**

CDFW supports the City on the adoption of this Supplemental Draft Environmental Impact Report (SDEIR) and concurs that the Project will have a less than significant impact on biological resources when implemented with all agreed-upon PM&E’s and mandatory

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license conditions including the Forest Service 4(e) conditions and the pending State Water Board's section 401 Water Quality Certification conditions.

## 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 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 California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link:

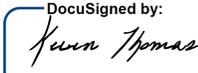
<https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: [CNDDDB@wildlife.ca.gov](mailto:CNDDDB@wildlife.ca.gov).

## CONCLUSION

Pursuant to Public Resources Code §21092 and §21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed Project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to [r2CEQA@wildlife.ca.gov](mailto:r2CEQA@wildlife.ca.gov).

CDFW appreciates the opportunity to comment on the SDEIR to assist in identifying and mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts. Questions regarding this letter or further coordination should be directed to Sarah Lose, Senior Environmental Scientist at 916-747-5226 or [sarah.lose@wildlife.ca.gov](mailto:sarah.lose@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
A2A0A9C574C3445...  
Kevin Thomas  
Regional Manager

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California Department of Fish and Wildlife

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