



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

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Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

July 25, 2024

Jim Minnick

Director

Imperial County Planning Development

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RE: MITIGATED NEGATIVE DECLARATION FOR THE GPA23-0002 ZC23-0002
CUP23-0007 CUP23-0008 IS23-0007, NORTHSTAR 3 PROJECT DATED JUNE 21,
2024 STATE CLEARINGHOUSE NUMBER [2024060955](#)

Dear Jim Minnick,

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the GPA23-0002 ZC23-0002 CUP23-0007 CUP23-0008 IS23-0007, NorthStar 3 project (project). The proposed project consists of issuance of a conditional use permit to allow for the construction and operation of a 100-megawatt (MW) solar photovoltaic facility and a 200-MW battery energy storage system within an Open Space/Preservation zone. The project proposes to connect to the electrical grid via an off-site transmission line, which would extend to the west from the project site, connecting to the existing Imperial Irrigation District's 161-kilovolt "L" Line which traverses the project site.

DTSC requests consideration of the following comments:

1. The Fire Protection/Fire Suppression section on Page 16 of the Initial Study states that “Fire suppression agents such as Novec 1230 or FM 2000, or water may be used as a suppressant.” It is imperative that any fire suppression agent used is void of any type of per- and polyfluoroalkyl substances (PFAS), even those with short chain PFAS formulations. Short-chain PFAS have a higher mobility in soil and water due to their shorter carbon chain and they are extremely persistent from degradation. Please refer to the [United States Environmental Protection Agency \(US EPA\) Regional Screening Levels \(RSL\)s for PFAS compounds](#) and the [US EPA National Primary Drinking Water Regulation](#) for reference on regulatory thresholds for PFAS compounds.
2. The Water Use section on Page 17 of the Initial Study states that a new groundwater well will “be drilled and installed as part of the project” to provide water for construction and maintenance needs. Groundwater is a vital resource in the Imperial Valley, and waters in the Salton Sea have been declining due to natural-occurring conditions.
 - a) Indicate how water draw-down in a newly installed well will not have an adverse impact on current groundwater conditions.
 - b) Explore alternative options to using water for dust suppression for maintenance activities to minimize water usage in the area. Where possible, soil binding spray could be used, as appropriate, for dust suppression.
 - c) Consult with the local water purveyors and the Regional Water Quality Control Board for requirements related to groundwater use and permits for well installation in the area.
3. The project area is approximately 1 mile from the Salton Sea Test Base, which was an area used by the Department of Defense (DOD) for munitions testing. While it is not anticipated that munitions constituents, debris or other materials would be encountered during construction, encountering such materials could be possible. If any ordinance or munitions related material is discovered, DTSC recommends the following protocol to be followed: 1)

retreat from the area; 2) call 911 or local law enforcement; and 3) contact DTSC. If other hazardous materials are encountered, please contact your local environmental agency and DTSC.

4. The project and future CEQA documents should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. Any future CEQA documents should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

DTSC appreciates the opportunity to comment on the MND for the GPA23-0002 ZC23-0002 CUP23-0007 CUP23-0008 IS23-0007, NorthStar 3 project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,



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Jim Minnick
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cc: (via email)
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