



Planning Commission Staff Report

Meeting Date: February 6, 2018

Agenda Item: 8B

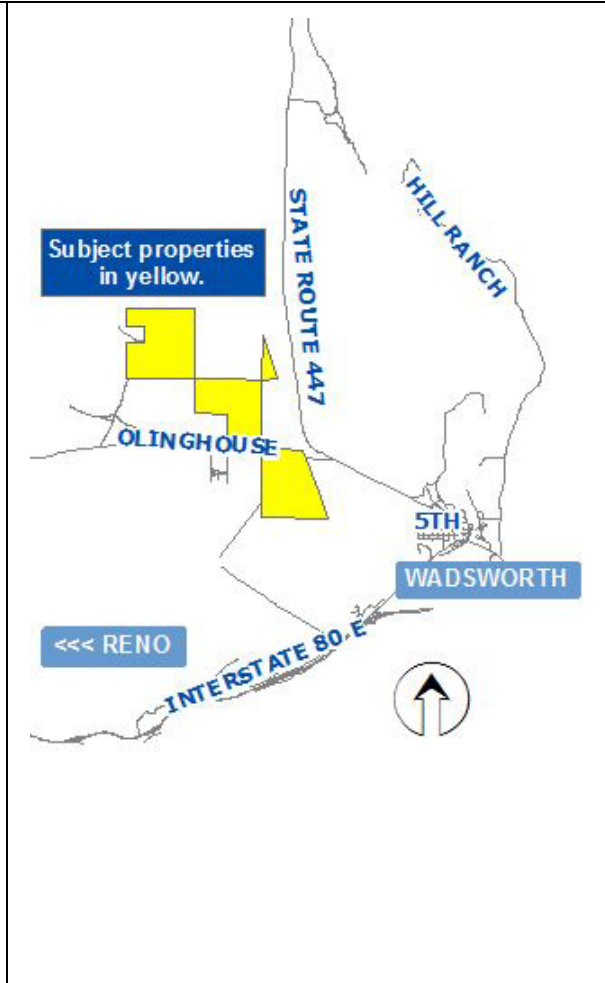
STAFF REPORT CASE NUMBERS: WSUP17-0021 and WADMIN17-0010 (Dodge Flat Solar)

BRIEF SUMMARY OF REQUEST: To approve a 200 MW solar energy center on four parcels totaling ±1,616-acres. ±1,200-acres would be developed to include a photovoltaic solar field; substation; switchyard; energy storage system; two 90-foot-tall private communication antennas; ancillary facilities; and associated grading.

STAFF PLANNER: Kelly Mullin, AICP, 775.328.3608, kmullin@washoecounty.us

CASE DESCRIPTION

For possible action, hearing, and discussion by the Washoe County Planning Commission (PC) to provisionally approve a special use permit for a 200 MW solar energy center with associated grading, and an administrative permit to allow for two private communication antennas over 45-feet in height. The project site consists of four parcels totaling ±1,616-acres and is classified as a Renewable Energy Production industrial use type. Approximately 1,200-acres would be developed to include a photovoltaic solar field, substation, switchyard, 200 MW energy storage system, and ancillary facilities, including two 90-foot-tall private communication antennas. The project would connect to an existing 345 kV transmission line that crosses the subject property. Proposed grading includes ±307,000 cubic yards of cut, ±264,000 cubic yards of fill, and disturbing an area of approximately 1,200-acres in size. The request also seeks to vary parking and landscaping standards by waiving them. The proposal will require a conformance review with the Truckee Meadows Regional Plan for a Project of Regional Significance because it includes an electric substation, a transmission line that carries more than 60 kV and is a facility that generates electricity greater than 5 MW. If the project is provisionally approved by the PC, it will also require subsequent action by the Washoe County Board of Commissioners to sponsor an amendment to the Truckee Meadows Regional Plan to identify the location of the new substation on the Regional Utility Corridor Map of the Truckee Meadows Regional Plan.



- ♦ Applicant: Dodge Flat Solar, LLC
- ♦ Property Owners: New Nevada Lands, LLC; NV Land & Resource Holdings, Inc.
- ♦ Location: 2505 State Route 447
- ♦ APNs/Sizes: 079-150-29 (±600-ac.), 079-150-11 (±480-ac.), 079-180-16 (±499-ac.), 079-180-14 (±38-ac.)
- ♦ Master Plan: Rural
- ♦ Regulatory Zone: General Rural
- ♦ Area Plan: Truckee Canyon
- ♦ CAB: East Truckee Canyon
- ♦ Dev Code: Authorized in Articles 808, 810 and 812
- ♦ Comm. District: 4 – Commissioner Hartung
- ♦ Sec/Town/Range: Sections 23/25, T21N, R23E; Sections 19/31, T21N, R24E; MDM, Washoe County, NV

STAFF RECOMMENDATION

PROVISIONALLY APPROVE

PROVISIONALLY APPROVE WITH CONDITIONS

DENY

POSSIBLE MOTION

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission provisionally approve, with the conditions included as Exhibit A to this matter, Special Use Permit Case Number WSUP17-0021 and Administrative Permit Case Number WADMIN17-0010 for Dodge Flat Solar, LLC, having made all required findings in accordance with Washoe County Code Sections 110.810.30, 110.808.25 and 110.324.30. This approval is subject to the project being found in conformance with the Truckee Meadows Regional Plan.

(Motion with Findings on Page 17)

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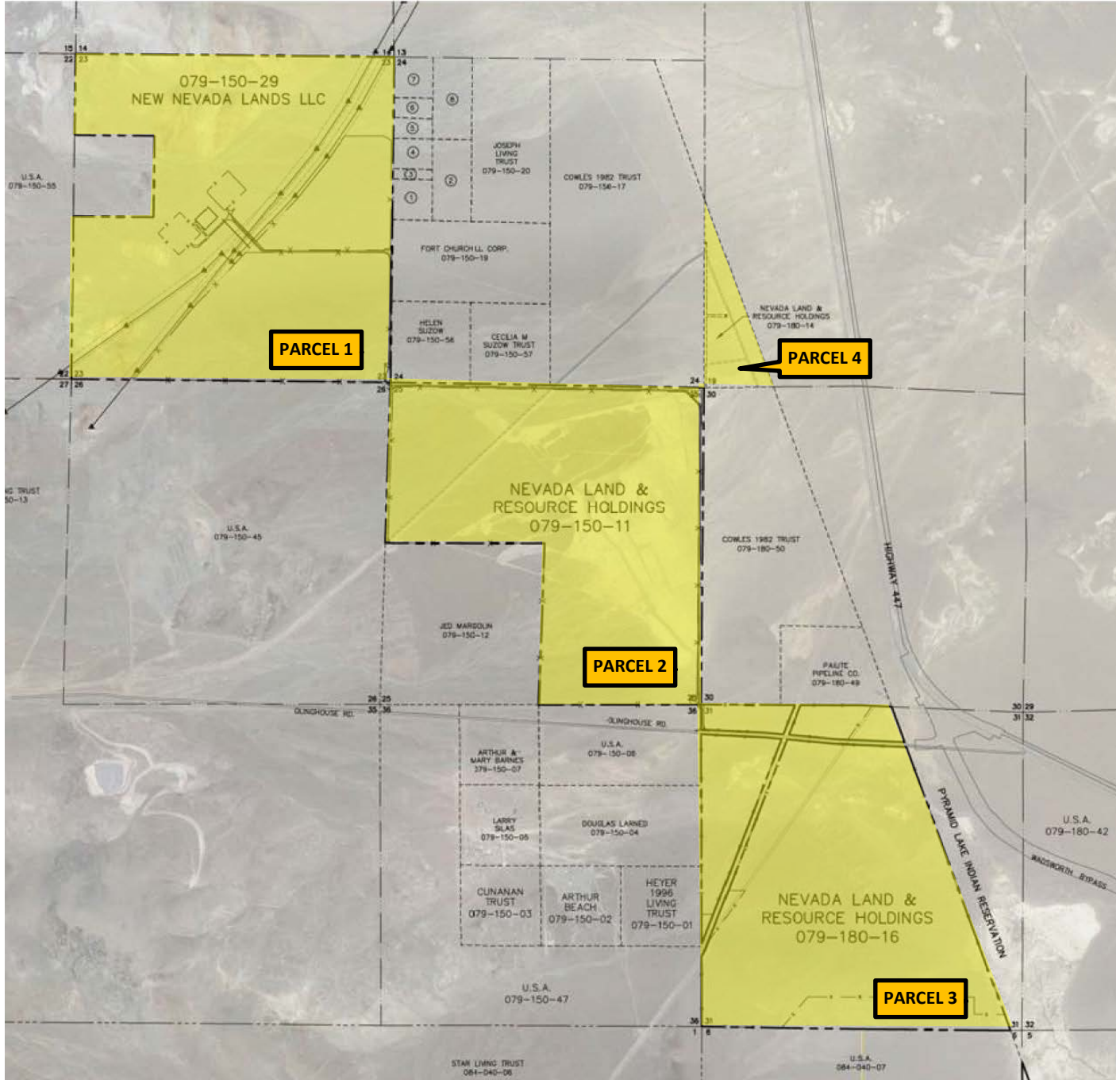
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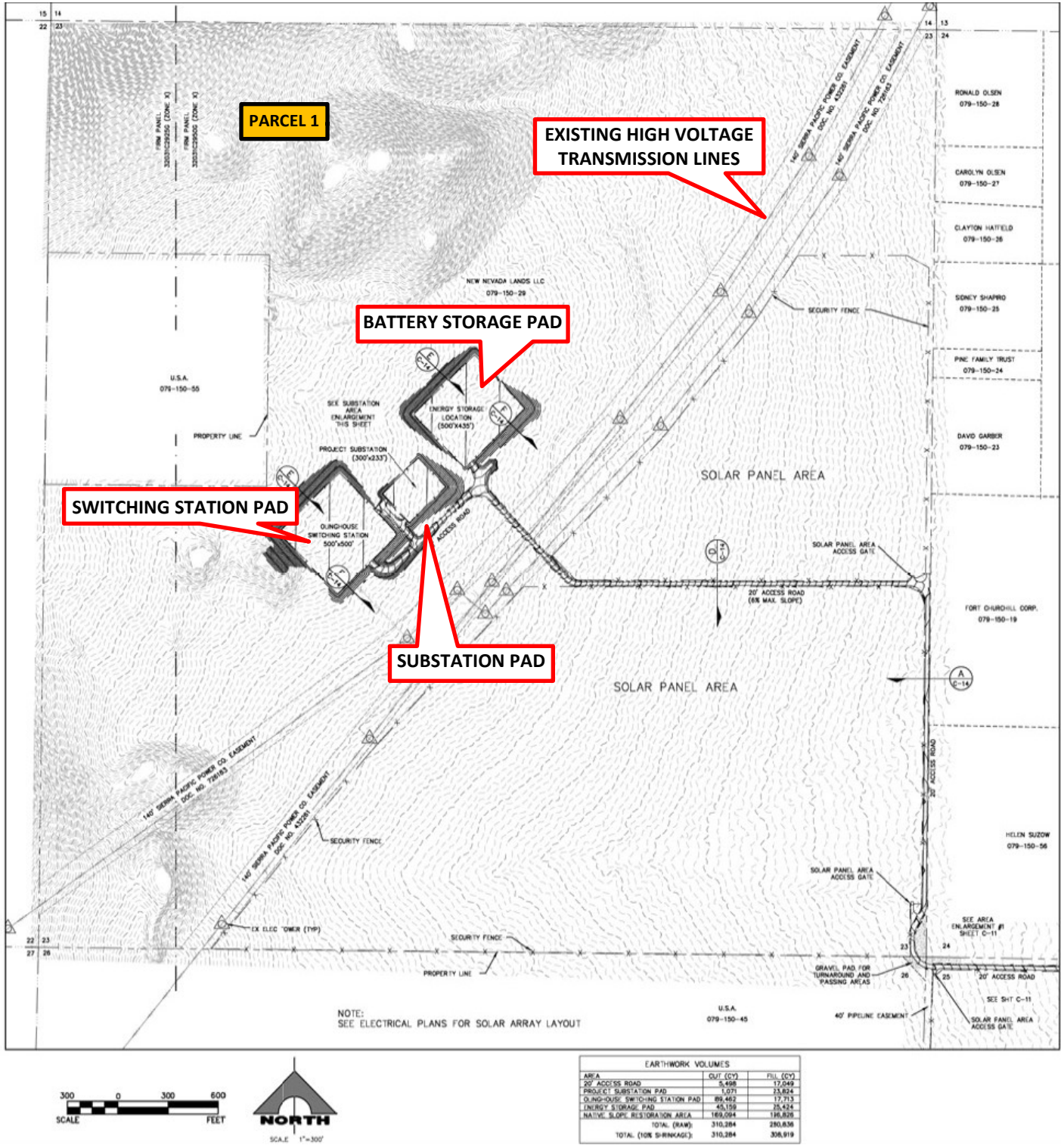
Project Applications..... Available online at <http://bit.ly/2zBbwfg>



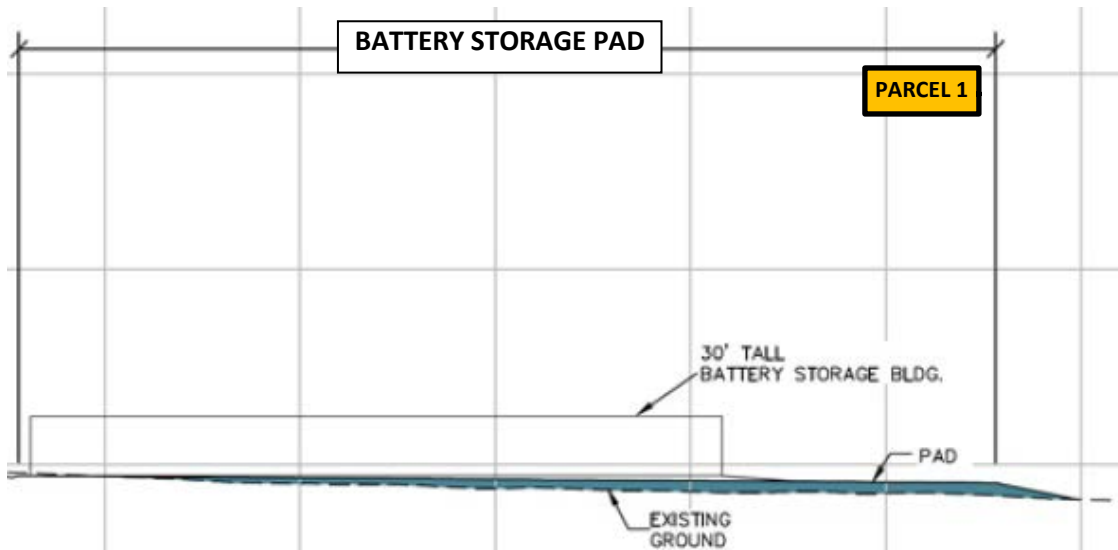
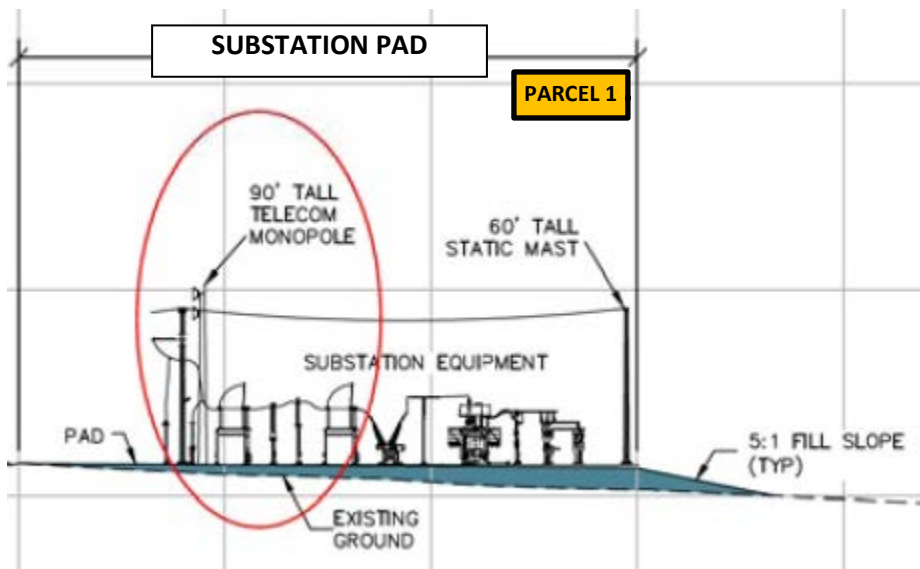
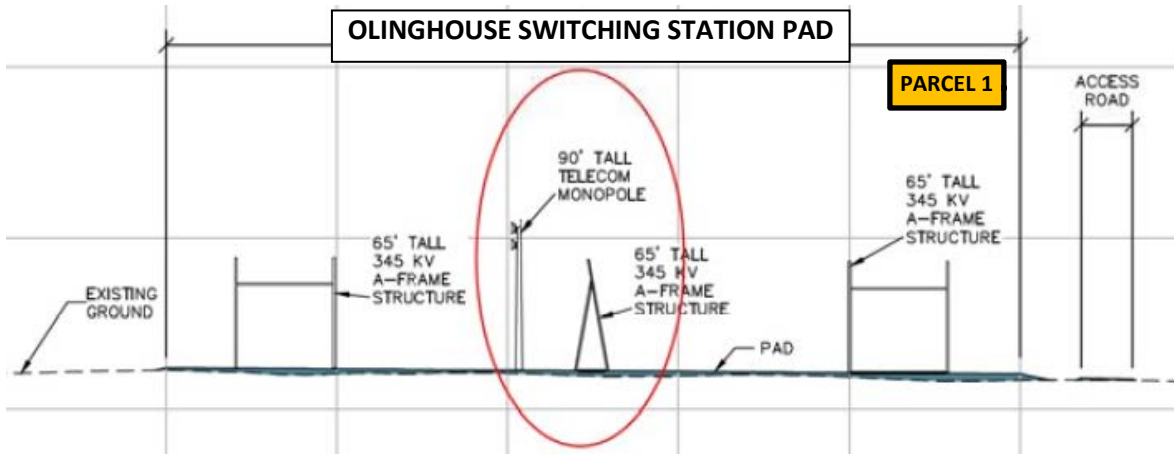
ID	APN	OWNER
1	079-150-23	DAVID GARRER
2	079-150-21	U.S.A.
3	079-150-24	PINE FAMILY TRUST
4	079-150-25	SONEY SHAPRO
5	079-150-26	CLAYTON BATHFIELD
6	079-150-27	CAROLYN OLSEN
7	079-150-28	RONALD OLSEN
8	079-150-22	MATTHEW & KATHERINE RASMUSSEN



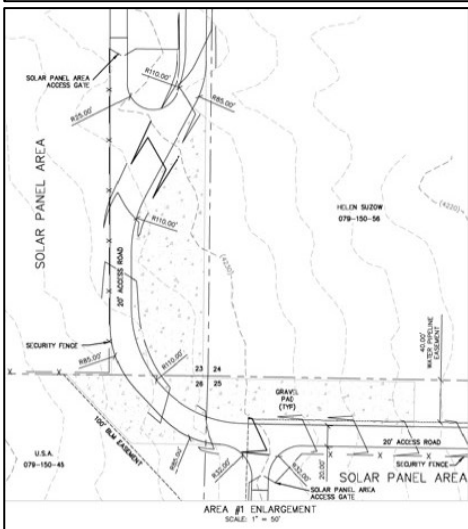
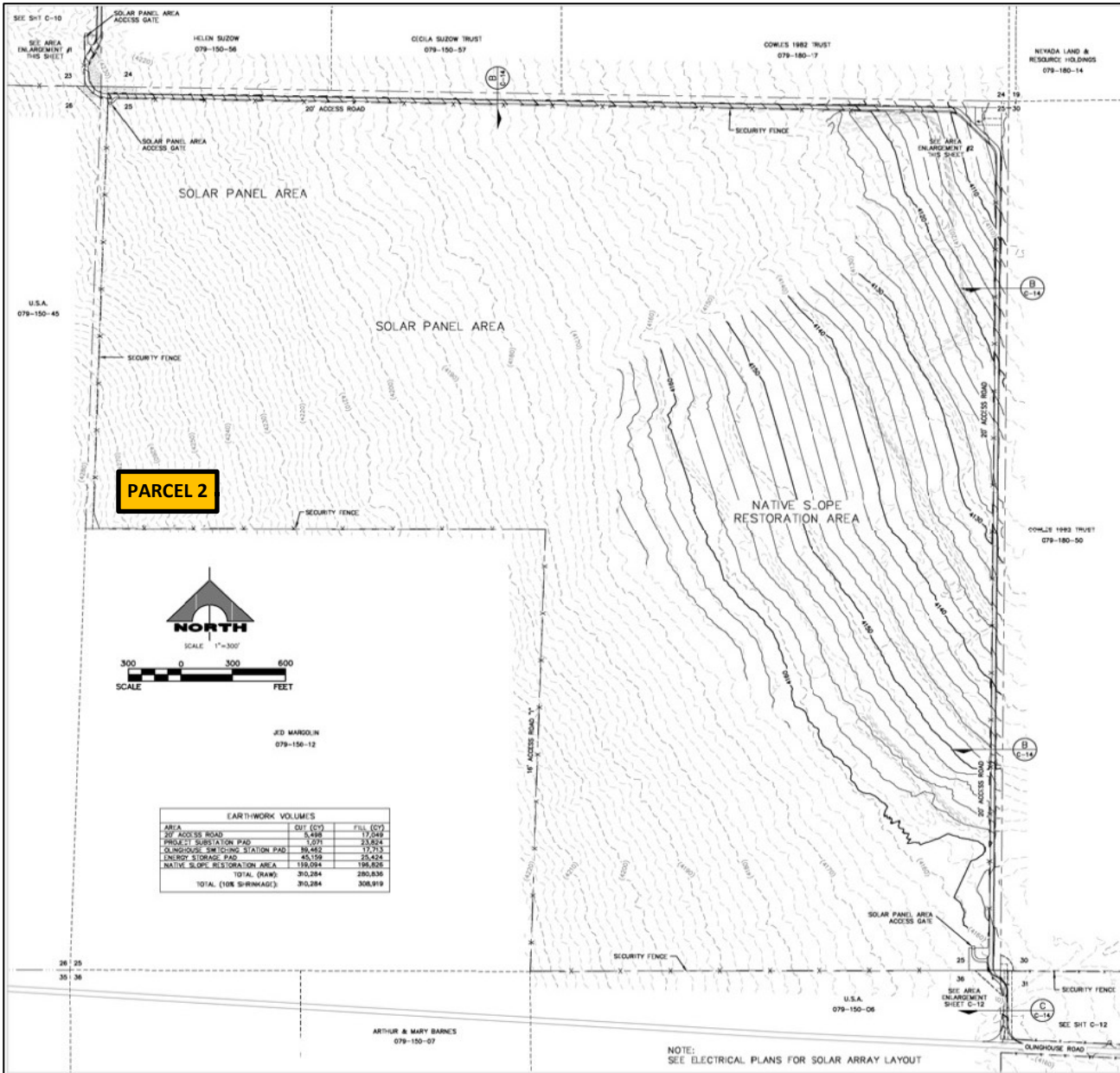
Location Map



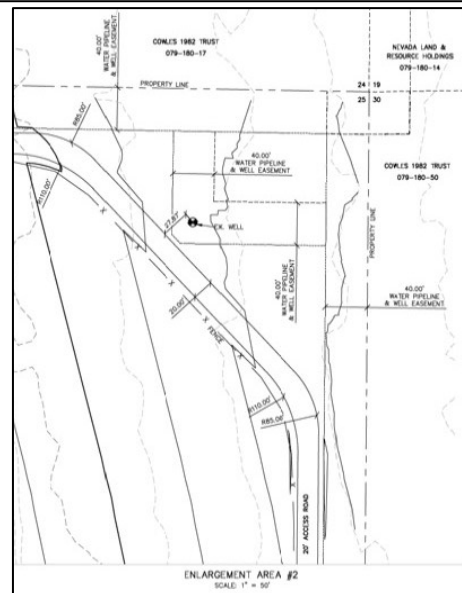
Site Plan (APN 079-150-29)

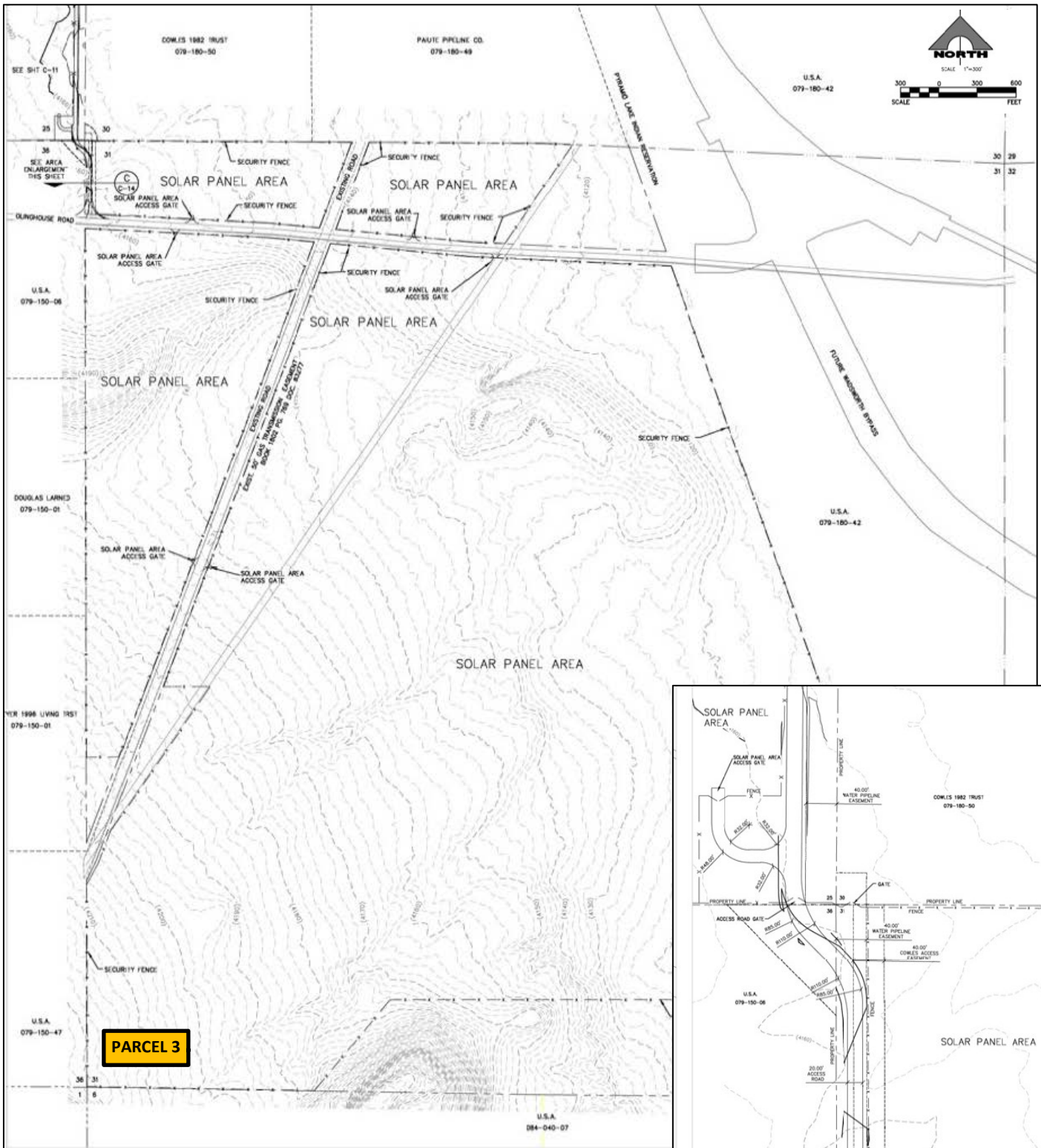


Elevations (APN 079-150-29)

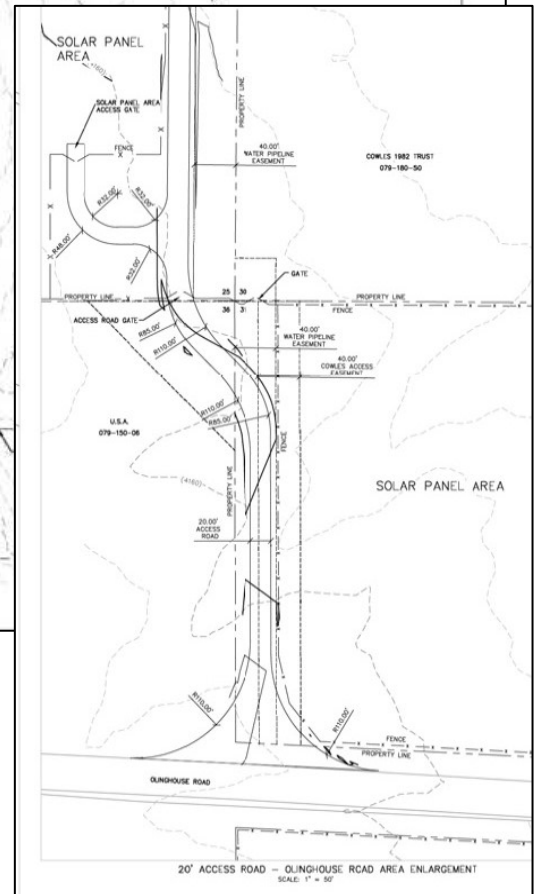


Site Plan (APN 079-150-11)





Site Plan (APN 079-180-16)



Site Photos



Existing high-voltage transmission lines near proposed substation location
(Photo courtesy of Dodge Flat Solar LLC)



Overview of project site, looking north from Olinghouse Road
(Photo courtesy of Dodge Flat Solar LLC)

Project Evaluation

Project Overview

Dodge Flat Solar LLC, a subsidiary of Next Era Energy Resources, seeks to construct a 200 MW solar energy center on four parcels totaling ±1,616-acres in the Truckee Canyon planning area northwest of Wadsworth. Approximately 1,200-acres of the site are proposed to be developed to include a photovoltaic solar field, substation, switchyard, 200 MW energy storage system, and ancillary facilities. The project would connect to an existing 345 kV transmission line crossing the subject property, and would augment northern Nevada's renewable power supply. The proposed project is classified as a Renewable Energy Production industrial use type, which requires a special use permit in the General Rural regulatory zone. The project also includes two 90-foot-tall private communication monopole antennas. An Administrative Permit is required on this property to allow private antennas when they are over 45-feet in height.

In accordance with NRS 278.026, the proposed facility is a Project of Regional Significance (PRS) because it is a utility project that includes at least one of the following:

- An electric substation;
- A transmission line that carries 60 kilovolts or more;
- A facility that generates electricity greater than 5 megawatts;

The project has been determined to be a PRS because it involves the construction of a power substation, transmission lines over 60 kV, and a facility generating over 5 MW. As a PRS, this special use permit is reviewed by the Planning Commission, per Washoe County Code Section 110.812.25. If the Planning Commission approves this special use permit, staff will forward the request to the Truckee Meadows Regional Planning Commission (RPC) for a conformance review with the Truckee Meadows Regional Plan for a PRS. Concurrently, staff will ask the Washoe County Board of Commissioners to sponsor an amendment to the Regional Plan to identify the new locations of the substation and transmission lines to reflect such facilities on the Regional Utility Corridor map. Such an amendment to the Regional Plan will require approval by both the RPC and the Regional Planning Governing Board.

Phasing and Staffing

The applicant has noted the project is intended to be constructed in a single phase within a 12-month period. However, this timing is subject to pending power purchase agreements and additional phasing may be required pending execution of those agreements. After project construction is complete, the facilities will be operated remotely, with operations and maintenance staff only visiting the site as needed for any repairs and regular maintenance. As a result, no permanently manned structures are proposed.

Grading and Existing Topography

As is visible in the site photos provided on page 8 of this staff report, the project parcels contain mainly low-lying brush and grasses, with few to no trees. The topography of the two southern parcels is generally level, with a 2-3% slope across the extent of the project area. In general, these two parcels slope gently downwards from west to east. The northwestern parcel has a slightly steeper average grade of approximately 6% in the area to be developed. That parcel's elevation increases as the project site approaches Tiger Canyon and the foothills to the north. These steeper areas of the site are not proposed to be developed.

The special use permit request includes disturbing an area of up to 1,200-acres in size, with grading of approximately 307,000 cubic yards of cut and 264,000 cubic yards of fill. Portions of the 1,200-acre developed area are anticipated to need to be cleared of brush in order to install the solar panels and other facilities. The majority of the grading would occur in association with the construction of roadways and inverter pads. A significant portion of the proposed grading will occur

within the center parcel (APN 079-150-11), where historical mining operations changed the nature of the landscape and denuded much of the area. As shown in the site plan on page 6 of this staff report, this area is proposed to be re-contoured in order for the site to be brought back to native slopes prior to installing solar panels.

Due to anticipated earthwork shrinkage during the grading operations, no import or export of material is anticipated. A dust control permit and comprehensive dust control plan will be required through the County's Air Quality Management Division prior to the start of any site development.

Submitted grading plans for the facility pads do not currently meet the provisions of Article 438, *Grading Standards*. Prior to the issuance of a grading permit, the applicant will be required to update the plans to meet these standards. This includes, but is not limited to, maximum slope ratios of 3:1, and varying curvilinear slopes in order to visually integrate all slope faces into the natural terrain.

Re-vegetation of the graded areas of the site will be required in order to stabilize the site and provide erosion control. The applicant has indicated that they are working with the Washoe-Storey Conservation District to prepare a revegetation plan and determine the appropriate seed mix for revegetation. A recommended condition of approval to this effect has been included with Exhibit A.

Primary access will be from Olinghouse Road via State Route 447. A construction traffic haul route plan was included as part of the project application and reviewed by interested stakeholder agencies. Should the Nevada Department of Transportation (NDOT) complete construction of the Wadsworth Bypass prior to construction of the Dodge Flat Solar facility, primary access would be via the Bypass, connecting to Olinghouse Road.

Existing perimeter roads will provide access between parcels within the project site. Roads internal to the project will be constructed to provide access to the various facilities. Roadways to the substation, switchyard and energy storage facility are proposed to be compacted aggregate base. Washoe County Code requires that all on-site roadway improvements necessary to serve the project be designed and constructed to County standards and specifications to the satisfaction of the County Engineer and the Truckee Meadows Fire Protection District. The applicant is required to conform to appropriate County road construction and maintenance standards.

The applicant seeks to waive the parking and paving standards within Article 410, *Parking and Loading* within the project site. The project is proposed to be an unmanned facility not accessible to the general public, and staff is supportive of waiving these standards. A statement memorializing this exception has been included with the recommended conditions of approval in Exhibit A.

Development Suitability

The Truckee Canyon Area Plan's Development Suitability Map largely identifies the subject parcels as "most suitable" for development. The exceptions are: slopes above 15% within the northwestern corner of the northern parcel (outside of the developed area); and, potential wetlands within a small portion of the southeastern parcel. The Army Corps of Engineers has indicated they are currently reviewing a request to delineate aquatic resources on the site.

Landscaping and Compatibility

The site is located in a largely undeveloped, rural area that has minimal vegetation and limited water resources to support landscaping. The applicant has indicated that no ornamental landscaping is proposed as part of this project. Article 412, *Landscaping*, allows for landscaping standards to be waived for energy production use types, as follows:

Section 110.412.10 Exemptions. The following uses are exempt from the provisions of this article:

- (d) Industrial Use Types. No uses are exempt. However, the provisions of this article may be waived during the approval process for use types classified under energy production, mining operations, and petroleum gas extraction.

The subject parcels are surrounded on all sides by General Rural properties of varying sizes, with the exception of the two easternmost parcels, which are bordered to the east by the Pyramid Lake Paiute Tribe reservation. Ownership of adjacent parcels is a mix of private and federal ownership. Some of the privately owned parcels are less than 40 acres in size, including some at 1-acre, 5-acres and 10-acres in size. None of these parcels have yet been developed.

With the applicant's request to waive the required landscaping standards, and due to the overall scale of the project, it is staff's belief that additional screening and/or buffering is necessary along adjacent privately-owned parcels in the event that they may be developed residentially in the future. A recommended condition of approval has been provided which requires a minimum 50-foot project setback along private property. This is equivalent to the required 50-foot side yard setback for the General Rural regulatory zone. This setback would increase to 100-feet adjacent to properties smaller than 40 acres in size (there are 3 properties smaller than 40 acres adjacent to the proposed developed areas). These minimum distances are in addition to fencing with privacy slats intended to provide additional screening adjacent to privately owned property. The requirement for privacy slats in the fencing may be waived adjacent to properties whose owners agree to its removal.

Due to the characteristics of the subject parcels and surrounding area, and with this additional buffering and screening in place, staff is supportive of the request to waive ornamental landscaping standards. A recommended condition of approval has been included with Exhibit A that waives the ornamental landscaping standards found within Article 412, but still requires revegetation in accordance with Article 438, *Grading Standards*.

Visual Impacts

Due to the topography of the surrounding area, the proposed facilities would be visible from a relatively large area. However, this part of Washoe County is generally rural, consisting mainly of large parcels, and is sparsely populated with limited development. There are few existing residences within close proximity of the site. As a result of the remote location and recommended conditions of approval, visual impacts are anticipated to be mitigated to the extent possible. The photovoltaic panels are proposed to be up to 12-feet in height with an appearance similar to the photo below. Inverter stations would be up to 13-feet in height.



Example of solar panel to be used with Dodge Flat Solar project, minus paving.
(Photo courtesy of Next Era Energy at Mountain View Solar Energy Center in Clark County, NV.)

A photo simulation of the project has been provided below by the applicant. This view reflects how the project may appear at build-out, as viewed from the intersection of SR 447/Olinghouse Road.



Photo simulation view from intersection of SR 447 and Olinghouse Road, facing west.
Solar panels show up as dark spots in the distance.
(Simulation courtesy of Dodge Flat Solar, LLC.)

The applicant has provided the following information related to reflectivity of the solar panels proposed as part of this project:

“It is anticipated that the panels will be either crystalline silicon or thin film. Solar panels are specifically designed to absorb light, since any rejection results in a reduction in electrical energy generation. Additionally, the glass surface is typically stippled to further enhance its light trapping ability. In all cases the PV [photovoltaic] solar panels will include anti-reflection technology and have a reflectivity as shown in the attached chart prepared by the Federal Aviation Administration.” [See chart to the right, as provided by the applicant.]

A recommended condition of approval has been included requiring the solar panels to utilize an anti-reflective coating or other anti-reflective technology.

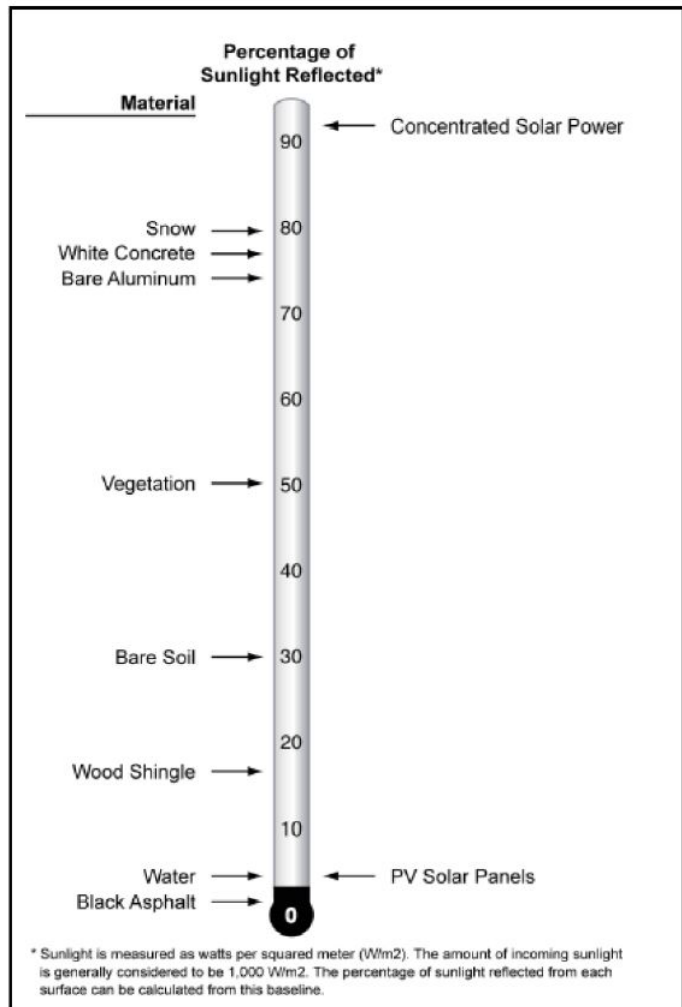
Fencing and Lighting

A 6-foot-tall chain-link security fence topped with 1-foot of barbed wire is proposed around the project site and substation. The primary access gates, substation and entrance to the energy storage facility would also feature security lighting activated both manually and via motion-sensor.

Monopoles

The project includes two 90-foot-tall private communication antennas designed as monopoles. On the subject site, private communication antennas would generally be limited to 45-feet in height. However, Washoe County Code Section 110.324.30 authorizes additional height to be considered if an administrative permit is obtained, if the additional height is deemed necessary, and if the antenna meets FAA and FCC regulations. The applicant has addressed these requirements as follows:

Figure 13. Reflectivity Scale (FAA, 2010)



“... One tower is needed for NV Energy to monitor equipment at the Olinghouse Switching Station being constructed by NV Energy, and the second communication tower is needed by Dodge Flat Solar LLC to monitor operations at the Project Substation owned and operated by Dodge Flat Solar LLC.

The proposed project would utilize a supervisory control and data acquisition (SCADA) system to monitor operations of the facility equipment remotely. The SCADA system is essential to ensure all project components are operating correctly. In order for the SCADA system to operate properly, communications regarding the energy facility equipment performance needs to be delivered via use of microwave dishes to an AT&T communication hub located approximately 7 miles to the east in Fernley. Per an analysis performed by telecommunication experts with Dodge Flat Solar LLC and working with the communication hub in Fernley, it has been determined that a telecommunication tower at 90 feet in height is required in order to provide a direct line of sight between the Dodge Flat Solar Energy Center and telecommunication hub in Fernley. A direct line of sight is required to ensure reliable communications with minimal potential for obstructions that could impact the communication signals between the Dodge Flat Solar Energy Center and telecommunication hub in Fernley.

Prior to constructing the proposed telecommunication towers, Dodge Flat Solar LLC will demonstrate to Washoe County the facilities are in compliance with Federal Communications Commission (FCC) and Federal Aviation Administration (FAA) regulations.”

The application was also sent to the Reno-Tahoe Airport Authority, who reviewed the application and indicated they do not request any conditions of approval.

Other Impacts

Per a memo provided by the applicant from the Nevada Department of Wildlife (NDOW), portions of the project site contain occupied distribution for mule deer and pronghorn antelope. General habitat for sage-grouse is also located within the vicinity of the project site, as well as likely habitat for various species of raptors. Recommended conditions of approval from NDOW and the US Fish & Wildlife Service have been provided that recommend protection measures for local wildlife.

Project Benefits

The applicant has indicated that the project will provide the following community benefits:

- Produce approximately 500,000 megawatt-hours of clean, emissions-free power annually;
- Facilitate grid reliability during peak demand periods via the project's energy storage component;
- Allow for the reduction of 510,000 tons of carbon dioxide annually; and,
- Provide jobs for a peak construction workforce of 500 workers, with 10 full-time off-site jobs after project completion.

East Truckee Canyon Citizen Advisory Board (ETCCAB)

The proposed project was presented by the applicant's representative at the regularly scheduled Citizen Advisory Board meeting on October 4, 2017. This was presented as an informational item only, so the CAB was not asked to take any action. The CAB minutes are attached as Exhibit B and reflect discussion on the following items:

- Primary and emergency access routes and road maintenance
- Community benefits provided by the project and the developers
- Job creation
- Construction schedule
- Site security measures

- Fire suppression
- Dust mitigation

No written comments from the public have been received regarding this proposal.

Reviewing Agencies

The following agencies received a copy of the project application for review and evaluation:

- Washoe County Community Services Department
 - Planning and Building Division
 - Engineering and Capital Projects Division
 - Utilities/Water Rights
 - Parks and Open Space
- Washoe County Health District
 - Air Quality Management Division
 - Environmental Health Services Division
 - Emergency Medical Services Program
- Washoe County Sheriff's Office
- Washoe-Storey Conservation District
- Truckee Meadows Fire Protection District
- Regional Transportation Commission
- Truckee Meadows Regional Planning Agency
- Reno-Tahoe Airport Authority
- Nevada Department of Transportation
- Nevada Division of Environmental Protection
 - Bureau of Water Pollution Control
 - Bureau of Mining and Reclamation
- Nevada Division of Forestry
- Nevada Division of Water Resources
- Nevada Department of Wildlife
- Nevada Historic Preservation Office
- Bureau of Land Management
- U.S. Army Corps of Engineers
- U.S. Fish & Wildlife
- U.S. Bureau of Indian Affairs
- Pyramid Lake Paiute Tribe
- National Resources Conservation Service
- Truckee Meadows Water Authority
- Southwest Gas and Paiute Pipeline
- AT&T, NV Energy, and Charter Communications

Several of the above-listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A **summary** of each agency's comments and/or recommended conditions of approval and their contact information is provided. The Conditions of Approval document is attached to this staff report and will be included with the Action Order if the application is approved by the Planning Commission.

- Washoe County Planning and Building Division addressed operational requirements in effect for the life of the project, decommissioning, setbacks, and other conditions applicable to both the overall energy project and the included monopoles.

Contact: Kelly Mullin, 775.328.3608, kmullin@washoecounty.us

- Washoe County Water Rights provided conditions related to groundwater rights necessary to support the proposed facilities.
Contact: Vahid Behmaram, 775.954.4647, vbehmaram@washoecounty.us
- Nevada Division of Water Resources provided comments related to water used on the site and waters of the State.
Contact: Steve Shell, 775.684.2836, sshell@water.nv.gov
- Washoe County Engineering and Capital Projects Division provided conditions related to grading, import/export of material, drainage, stormwater management, and access.
Contact: Leo Vesely, 775.328.2313, lvesely@washoecounty.us
- Nevada Department of Transportation offered recommended conditions of approval regarding any work or activity affecting the NDOT right-of-way.
Contact: Jae Pullen, 775.834.8300, jpullen@dot.state.nv.us
- Washoe County Health District, Environmental Health Services Division addressed water and septic requirements.
Contact: Wes Rubio, 775.328.2635, wrubio@washoecounty.us
- Nevada Department of Wildlife provided recommendations on design and operational components that may affect local wildlife.
Contact: Mark Freese, 775.688.1145, markfreese@ndow.org
- Nevada Division of Environmental Protection addressed potential permits needed on the property.
Contact: Patrick Mohn, 775.687.9419, pmohn@ndep.nv.gov
- Washoe-Storey Conservation District addressed drainage, wildlife and waters of the U.S.
Contact: Kevin Roukey, 775.857.8500, kevinjr_51@att.net
- US Army Corps of Engineers commented that they are currently reviewing a delineation of aquatic resources to make a jurisdictional determination.
Contact: Kristine Ceragioli, 775.784.5304, kristine.s.hansen@usace.army.mil
- US Fish & Wildlife Service provided comments regarding site run-off, weed management, and bird/bat safety, including the need for a Migratory Bird permit.
Contact: Tara Vogel, 775.861.6394, tara_vogel@fws.gov
- Nevada Division of Forestry (NDF) commented on the applicant's Biological Resources Report, which the applicant subsequently revised as a result of NDF's comments.
Contact: John Christopherson, 775.684.2507, jchrist@forestry.nv.gov

The Washoe County Sheriff's Office, Regional Transportation Commission, Reno-Tahoe Airport Authority, Nevada Bureau of Mining Regulation and Reclamation, and the Health District's Emergency Medical Services Program reviewed the application and indicated they had no comments or conditions of approval.

Staff Comments on Required Findings

Washoe County Code (WCC) Sections 110.810.30 and 110.808.25 require that findings #1-5 below be made to the satisfaction of the hearing body before granting approval of special use

permits and administrative permits. Additionally, WCC Section 110.324.30(b) requires that findings #6-7 below be made in order to allow a private communication tower to exceed 45-feet in height. Staff has completed an analysis of the special use permit and administrative permit applications and has determined that the proposal is in compliance with the required findings as follows.

Findings for Special Use Permit (WCC Section 110.810.30) and Administrative Permit (WCC Section 110.808.25)

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Truckee Canyon Area Plan.

Staff Comment: The proposed uses are consistent with the action programs, policies, standards and maps of the Master Plan and the Truckee Canyon Area Plan; and specifically with Policy TC.1.3, which seeks to preserve the visual qualities of the Truckee Canyon as viewed from Interstate 80. As identified in the viewshed map provided with the application, the project will not be visible from Interstate 80, nor from the town of Wadsworth.

2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.

Staff Comment: The site is accessed from Olinghouse Road off of State Route 447, northwest of I-80 and Wadsworth. There are three existing groundwater wells on-site, although they may require improvements to be used as a water source for project construction and operation. Because the site is an unmanned facility that will be operated remotely, the demand for public services is minimal.

3. Site Suitability. That the site is physically suitable for the type of development and for the intensity of such a development.

Staff Comment: The site is located in a rural area that abuts General Rural properties both federally and privately owned. None of the adjacent properties have been developed. The parcels are relatively level and are already crossed by high-voltage transmission lines that the project will connect to. Very little development has occurred within the identified viewshed, with much of it is comprised of federal land. Wadsworth is located over a mile and a half southeast of the project area and is screened by topography. The site is physically suitable for the proposed development.

4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

Staff Comment: The monopoles, substation, switching yard, energy storage center and portions of the solar field are proposed to be located adjacent to an existing high-voltage transmission line that traverses the northern parcel. The remaining solar field areas are adjacent to undeveloped rural properties, although some may have the possibility of being developed residentially in the future. With the recommended conditions of approval, it is believed that visual impacts will be mitigated to the extent possible. Per the recommended conditions, the applicant will be required to work with the Nevada Department of Wildlife and US Fish & Wildlife Service regarding any species which may have

habitat on or near the project parcels. The proposed uses are not anticipated to result in a significant detrimental impact to public health, safety or welfare.

5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Staff Comment: There are no military installations within the required 3,000 foot noticing distance to the subject property.

Findings for Additional Height for Private Communication Antenna (WCC Section 110.324.30)

6. Necessary Height. The height of the private communication antenna support structure is necessary to receive or transmit a signal that meets the applicant's needs; and

Staff Comment: As indicated on page 13 of this staff report, 90-foot-high antennas are necessary to establish direct line of sight to a communication hub in Fernley. Direct line of sight ensures reliable communications that will allow the facility to operate properly, including remote monitoring of the on-site equipment.

7. Federal Compliance. The height of the private communication antenna support structure shall be in compliance with all Federal Communications Commission (FCC) and Federal Aviation Administration (FAA) regulations.

Staff Comment: The application was provided to the Reno-Tahoe Airport Authority to review compliance with FAA regulations. The Airport Authority indicated they reviewed the project and had no conditions of approval. A recommended condition of approval has also been included requiring that the applicant provide evidence of FCC compliance prior to construction.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project or provided no comments. Therefore, after a thorough analysis and review, Special Use Permit Case Number WSUP17-0021 and Administrative Permit Case Number WADMIN17-0010 are recommended for provisional approval with conditions, subject to being found in conformance with the Truckee Meadows Regional Plan. Staff offers the following motion for the Commission's consideration.

Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission provisionally approve, with the conditions included as Exhibit A to this matter, Special Use Permit Case Number WSUP17-0021 and Administrative Permit Case Number WADMIN17-0010 for Dodge Flat Solar LLC, having made all five findings in accordance with Washoe County Code Sections 110.810.30 and 110.808.25, and the additional two required findings in accordance with Section 110.324.30. This approval is subject to the project being found in conformance with the Truckee Meadows Regional Plan.

Findings from Sections 110.810.30 and 110.808.25

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Truckee Canyon Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways,

and an adequate public facilities determination has been made in accordance with Division Seven;

3. Site Suitability. That the site is physically suitable for the type of development and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Findings from Section 110.324.30 (b)

6. Necessary Height. The height of the private communication antenna support structure is necessary to receive or transmit a signal that meets the applicant's needs; and
7. Federal Compliance. The height of the private communication antenna support structure shall be in compliance with all Federal Communications Commission (FCC) and Federal Aviation Administration (FAA) regulations.

Appeal Process

Planning Commission action will be effective 10 calendar days after the written decision is filed with the Secretary to the Planning Commission and mailed to the applicant, unless the action is appealed to the Washoe County Board of Commissioners, in which case the outcome of the appeal shall be determined by that Board. Any appeal must be filed in writing with the Planning and Building Division within 10 calendar days after the written decision is filed with the Secretary to the Planning Commission and mailed to the applicant.

xc: Applicant: Dodge Flat Solar, LLC, Attn: Jesse Marshall, 700 Universe Blvd., Juno Beach, FL 33408

Owners: New Nevada Lands, LLC, PO Box 805, Destin, FL 32540
Nevada Land & Resource Holdings, Inc., Attn: David Merrill, 3480 GS Richards Blvd., Suite 101, Carson City, NV 89703

Representatives: DUDEK, Attn: David Hochart, 605 3rd St., Encinitas, CA 92024
Eric Koster, 949 Twilight Ave., Henderson, NV 89012



Conditions of Approval

EXHIBIT A

Special Use Permit Case Number WSUP17-0021 and
Administrative Permit Case Number WADMIN17-0010

The project approved under Special Use Permit Case Number WSUP17-0021 and Administrative Permit Case Number WADMIN17-0010 shall be carried out in accordance with the Conditions of Approval granted by the Planning Commission on February 6, 2018. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act.

Unless otherwise specified, all conditions related to the approval of this Special Use Permit and Administrative Permit shall be met or financial assurance must be provided to satisfy the conditions of approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Building Division.

Compliance with the conditions of approval related to this Special Use Permit and Administrative Permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the Special Use Permit and Administrative Permit may result in the institution of revocation procedures.

Operational Conditions are subject to review by the Planning and Building Division prior to the renewal of a business license each year. Failure to adhere to the Operational Conditions may result in the Planning and Building Division recommending that the business license not be renewed until conditions are complied with to the satisfaction of Washoe County.

Washoe County reserves the right to review and revise the conditions of approval related to this Special Use Permit and Administrative Permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, “may” is permissive and “shall” or “must” is mandatory.

Conditions of Approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some “Conditions of Approval” are referred to as “Operational Conditions.” These conditions must be continually complied with for the life of the project or business.

The Washoe County Commission oversees many of the reviewing agencies/departments with the exception of the following agencies.

- **The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health.**
- **The REGIONAL TRANSPORTATION COMMISSION (RTC) is directed and governed by its own board. Therefore, any conditions set by the Regional Transportation Commission must be appealed to that Board.**
- **The NEVADA DEPARTMENT OF TRANSPORTATION (NDOT) is directed and governed by its own board. Therefore, any conditions set by the Nevada Department of Transportation must be appealed to that Board.**

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Building Division

1. The following conditions are requirements of the Planning and Building Division, which shall be responsible for determining compliance with these conditions.

Contact: Kelly Mullin, 775.328.3608, kmullin@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit and administrative permit.
- b. The applicant shall submit complete construction plans and building permits shall be issued within two years of the date of a finding of conformance by the Truckee Meadows Regional Planning Commission. The applicant shall complete construction within the time specified by the building permits.
- c. The applicant shall attach a copy of the action order approving this project to all administrative permit applications (including building permits) applied for as part of this special use permit and administrative permit.
- d. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

- e. The applicant shall submit an updated decommissioning plan prior to the issuance of a grading and/or building permit. The decommissioning plan will specifically

address the removal of the racking/mounting system and all panels, the removal of all inverters, the removal of all/any structural foundations, and all other associated appurtenances that include the entire solar project, and provide for revegetation. The decommissioning plan will contain a cost estimate for all aspects of the site reclamation, and a financial assurance in the amount of the cost estimate, which shall be provided to the Planning and Building Division. The amount for the salvaged materials shall not be part of the consideration in the decommissioning cost estimate. The applicant shall be required to secure a letter of credit or other form of security sufficient to cover the obligations under the decommissioning plan.

- f. All grading associated with this special use permit shall comply with the standards within Washoe County Code Section 110.438.45, including, but not limited to maximum slope ratios of 3:1 and varying curvilinear slopes.
- g. The ornamental landscaping standards found within Washoe County Code Chapter 110, Article 412, *Landscaping*, are waived as part of this approval. However, prior to the issuance of any building or grading permit, the applicant shall provide a revegetation plan addressing stabilization and erosion control for all disturbed areas that will not be covered by an impervious surface. This plan shall be to the satisfaction of the Planning & Building and Engineering & Capital Projects Divisions and created in consultation with the Washoe-Storey Conservation District.
- h. The parking and paving standards within Article 412, *Parking and Loading* for parking areas, driveways and maneuvering areas have been waived as part of this approval.
- i. On-site private communication antennas shall be of a non-reflective neutral or earth-toned color to mitigate the visual impact to the greatest practicable extent. The color choice shall be approved by the Planning & Building Division.
- j. Prior to the issuance of a building permit for the private communication antennas, the applicant shall provide evidence that the antennas are in compliance with all applicable Federal Communications Commission (FCC) regulations.
- k. The total height of the private communication antennas, including all antennas or any other apparatuses, shall not exceed 90 feet from finished grade.
- l. Setbacks for the General Rural regulatory zone shall be maintained for all components of the project, including but not limited to structures, solar panels and facilities associated with the substation, switchyard and energy storage system. This includes 30-foot front yard setbacks, 30-foot rear yard setbacks, and 50-foot side yard setbacks. Additionally, no solar panels shall be placed within 50-feet of any property line abutting privately-owned parcels not part of this special use permit. That buffer shall be increased to 100-feet when the privately-owned parcel is less than 40-acres in size. Grading and fencing setbacks shall be governed by the provisions of the Development Code.
- m. For areas where the project abuts privately-owned property not part of this special use permit, the applicant shall construct a chain-link fence with visual screening slats. This fencing shall be placed between the project components and the property line in a location best-suited to provide screening of the project. The slats will not be required adjacent to private properties where the applicant provides

- documentation verifying the property owner does not desire screening of the project.
- n. Solar panels shall utilize an anti-reflective coating or other anti-reflective technology.
 - o. Support structures for solar panels located along the perimeter of each solar field shall be of a non-reflective neutral or earth-toned color.
 - p. The following **Operational Conditions** shall be required for the life of the business:
 - i. This special use permit and administrative permit shall remain in effect until or unless it is revoked or is inactive for one year.
 - ii. This special use permit and administrative permit shall remain in effect as long as the use is in operation and maintains a valid business license.
 - iii. Failure to comply with the conditions of approval shall render this approval null and void.
 - iv. The applicant and any successors shall direct any potential purchaser/operator of the site and/or these permits to meet with the Planning and Building Division to review conditions of approval prior to the final sale of the site and/or these permits. Any subsequent purchaser/operator of the site and/or these permits shall notify the Planning and Building Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

Water Rights Conditions

Contact: Vahid Behmaram, 775.954.4647, vbehmaram@washoecounty.us

- q. The applicant and County personnel shall estimate the projected ground water demand for this facility to the satisfaction of Washoe County. If future consumption data proves this estimate to be insufficient, both the State of Nevada and Washoe County will require additional water rights to be acquired to support the project demand. Without additional water rights, the State of Nevada will limit the water consumption to the amount of existing water rights.
- r. Adequate ground water rights per the estimate in the prior condition shall be transferred to one or more appropriate ground water well on the parcels associated with this application. Transfer of these water rights will require filing of applications with the Nevada State Engineer.
- s. The water rights shall be in conformance with Washoe County Code Chapter 110, Article 422, *Water and Sewer Resource Requirements*, and in conformance with the Truckee Canyon Area Plan.
- t. All water rights must have appropriate permits and approvals by the State Engineer.

Nevada Division of Water Resources

- 2. The following conditions are requirements of the Nevada Division of Water Resources, which shall be responsible for determining compliance with these conditions.

Contact: Steve Shell, 775.684.2836, sshell@water.nv.gov

- a. Water use is expected to be 250 acre-feet annually. The lands of the proposed project do not lie within any municipal service area. Any water used on the described lands should be provided by an established utility or under permit issued by the State Engineer's Office.
- b. All waters of the State belong to the public and may be appropriated for beneficial use pursuant to the provisions of Chapters 533 and 534 of the Nevada Revised Statutes (NRS), and not otherwise.
- c. Any water or monitor wells, or boreholes that may be located on either acquired or transferred lands are the ultimate responsibility of the owner of the property at the time of the transfer and must be plugged and abandoned as required in Chapter 534 of the Nevada Administrative Code. If artesian water is encountered in any well or borehole it shall be controlled as required in NRS § 534.060(3).

Washoe County Engineering and Capital Projects Division

3. The following conditions are requirements of the Engineering and Capital Projects Division, which shall be responsible for determining compliance with these conditions.

Contact: Leo Vesely, 775.328.2313, lvesely@washoecounty.us

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMPs) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. All grading shall comply with Washoe County Code Chapter 110, Article 438, *Grading Standards*. Silts shall be controlled on-site and not allowed onto adjacent property.
- b. The owner/developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.
- c. The owner/applicant shall complete and submit the Construction Permit Submittal Checklist, the Performance Standards Compliance Checklist, and pay the construction stormwater inspection fee prior to obtaining a grading/building permit.
- d. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- e. If the import or export of materials is required, the applicant shall indicate on the plans where the exported material will be taken or where the imported material will be coming from, and a grading permit shall be obtained for the import/export site.
- f. Estimated total earthwork volumes and area of disturbance shall be indicated on the grading plans.

- g. Prior to the issuance of the grading permit, applicant shall demonstrate they have legal access to their parcels including access to all portions of Olinghouse Road (Tribal land, private property, and BLM).
- h. Access roads serving the project shall be all-weather and shall be surfaced with a minimum of six (6) inches of Type 2 Class B aggregate road base or approved equal and shall be provided with adequate roadside drainage and cross drainage consistent with County standards.
- i. A hydrology/hydraulic report prepared by a registered engineer shall be submitted to the Engineering Division for review and approval. The report shall include the locations, points of entry and discharge, flow rates and flood limits of all 5- and 100-year storm flows impacting both the site and offsite areas and the methods for handling those flows. The report shall include all storm drain pipe and ditch sizing calculations and a discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties.
- j. Any increase in storm water runoff resulting from the development of the site shall be detained on site to the satisfaction of the County Engineer.

Nevada Department of Transportation (NDOT)

- 4. The following conditions are requirements of the Nevada Department of Transportation, which shall be responsible for determining compliance with these conditions.

Contact: Jae Pullen, 775.834.8300, jpullen@dot.state.nv.us

- a. Existing occupancy permits are personal; however, the upkeep and repair responsibilities shall transfer to the property owner's successor. Actual work being performed in the NDOT Right-of-Way cannot be transferred without prior written approval from NDOT. If the property changes use, the new property owner will need to apply for a new occupancy permit for access to the state highway.
- b. An occupancy permit is required for facilities within the NDOT Right-of-Way. Please see the Terms and Conditions Relating to Right of Way Occupancy Permits booklet available online at nevadadot.com. Contact the Permit Office at (775) 834-8330 for more information regarding an occupancy permit.
- c. The applicant is encouraged to coordinate with the Permit Office early for any required occupancy permit (access management, hydraulic design and drainage facilities, maintenance memo of understanding (MOU), roadway abandonment, intersection control evaluation, leases, etc.). NDOT's permit processing time may vary based on project complexity; however, the processing time is approximately 45 working days. This does not include any revision time needed to make necessary changes in the design.
- d. For any non-permanent activities or temporary traffic control such as placement of cones, static signs, and portable electronic signs within NDOT Right-of-Way will require a temporary permit. Please submit temporary permit applications at least 4 weeks prior to the scheduled activity or work. Contact the Permit Office for more information.

- e. Prior to any grading adjacent to NDOT Right-of-Way, a Drainage Report, including a grading plan, and a Drainage Form must be submitted to the Permit office. Please contact the Permit Office at (775) 834-8330 for more information.
 - i. A Drainage Report shall be submitted for any development or construction that impacts flow to or within NDOT Right-of-Way.
 - ii. Please contact the Permit Office to coordinate with NDOT's Hydraulic Design Division. It is beneficial to the developer to work with the Hydraulic Design Division early in the design process to answer questions and give guidance.
 - iii. The Drainage Information Form shall be stamped by a professional engineer, unless waived at the discretion of the District Engineer. To request for a waiver, please submit the following:
 - Submit a signed letter addressed to the District Engineer on official letterhead describing the development or construction activities and provide supporting reasons to approve the waiver.
 - Include FEMA flood maps pertaining to the proposed project location.
 - Include construction plans or any other supporting documentation.
- f. Applicant is responsible for mitigating any project site drainage within the property. Drainage facilities within NDOT Right-of-Way is not recommended. Any proposal with facilities within the NDOT Right-of-Way will require a license or lease.
- g. A temporary traffic control plan (TCP) shall be prepared and signed by an American Traffic Safety Services Association (ATSSA) Traffic Control Supervisor or a Professional Traffic Operations Engineer, certified by ITE.
- h. Any truck haul operations that access the state highway system will require a temporary permit and coordination with NDOT District Permit staff at (775)834-8330.
- i. A minimum onsite stacking length of 50 feet or as required by NDOT and an adequately sized turnaround outside the gate is required prior to any locked gate. Vehicle stacking at a gate shall not back up into the adjacent street Right-of-Way.
- j. The Nevada Revised Statutes (NRS) prohibits advertising within NDOT Right-of-Way. Please refer to NRS 405.110 Unlawful advertising on or near a highway or on bridge. Signs for advertising will not be allowed within NDOT Right-of-Way. Please ensure sign base, post and sign edge is outside of NDOT Right-of-Way.
- k. The property owner must provide adequate parking on the property or in the vicinity. NDOT does not issue permits for long term parking for business use. If needed, NDOT will post NO PARKING signs to mitigate any parking concerns. NDOT recommends not depending on State Right-of-Way to accommodate parking.

Washoe County Health District (WCHD)

5. The following conditions are requirements of the Washoe County Health District, which shall be responsible for determining compliance with these conditions. The District Board of Health has jurisdiction over all public health matters in the Health District. Any conditions set by the Health District must be appealed to the District Board of Health.

Environmental Health Services Program Conditions

Contact: Wes Rubio, 775.328.2635, wrubio@washoecounty.us

- a. If on-site wells are proposed, any new well proposed to be drilled will require permitting through WCHD.
- b. If municipal water is proposed for the site, a complete Water Project must be submitted to WCHD for review and approval prior to any proposed construction.
- c. If a permanent restroom facility is required, the building plans will require a commercial septic approval from the State of Nevada, Division of Environmental Protection, Bureau of Water Pollution. WCHD will require a copy of the approved plans to be submitted to verify against the building plans for any building permit approval.

Air Quality Management District (AQMD) Condition

Contact: Michael Wolf, 775.784.7206, mwolf@washoecounty.us

- d. A dust control permit and acceptable dust control plan shall be submitted by the applicant and approved by AQMD prior to construction commencing.

Nevada Division of Environmental Protection (NDEP)

6. The following conditions are requirements of the NDEP which shall be responsible for determining compliance with these conditions.

Contact: Patrick Mohn, 775.687.9419, pmohn@ndep.nv.gov

- a. The application stated that the solar facility will be unmanned, but that maintenance personnel may be on-site periodically. The application did not specify what types of toilet facilities will be provided for maintenance workers. If it is determined that an on-site sewage disposal system (OSDS) is necessary to serve maintenance employees, then the developer will need to get a permit from the NDEP for a commercial OSDS (probably a General Permit depending on the size of the system). Prior to issuance of a building permit, the developer shall identify whether an OSDS or portable toilets will be provided for intermittent employees. Portable toilets will need to be pumped regularly by a licensed septage hauler.
- b. An air quality permit may also be required if the solar facility will have emergency generators on site for back-up power.

Nevada Department of Wildlife (NDOW)

7. The following conditions are requirements of NDOW, which shall be responsible for determining compliance with these conditions.

Contact: Mark Freese, 775.688.1145, markfreese@ndow.org

- a. Transmission lines and all electrical components shall be designed, installed, and maintained in accordance with the Avian Power Line Interaction Committee's (APLIC's) Suggested Practices for Avian Protection on Power Lines (APLIC 2006) and Reducing Avian Collisions with Power Lines (APLIC 2012) to reduce the likelihood of large bird electrocutions and collisions.
- b. The Dodge Flats solar facility site lies between many important bird areas, including but not limited to the Carson Sink, Humboldt Sink, Pyramid Lake, and Truckee River. Water birds utilize these important bird areas as migratory stop-overs, breeding, nesting, foraging and roosting. It has been hypothesized that some birds may mistake solar panels for a lake (i.e. termed "Lake Effect") and attempt to land. No studies exist to support or refute this hypothesis. Kagan et al. (2014) analyzed avian mortality at a photovoltaic solar power plant in California and documented mortalities for an array of water bird species, with the primary cause of death being blunt trauma (birds colliding with structures associated with the solar facility). Due to the potential risk of attracting water birds, the applicant shall develop a monitoring plan to detect such impacts and a contingency plan to respond to these potential impacts. These plans shall be developed in coordination with and acceptable to NDOW.
- c. Increased development typically results in increased scavengers and predators. To prevent this and the subsequent imbalance in predators and prey in this area, trash and food shall be stored in closed and secured containers, which shall be removed as necessary, to reduce the attractiveness to scavengers and predators, particularly ravens. We also suggest promptly removing road-killed and incidentally killed wildlife within the project area.
- d. All surface disturbing activities should occur outside of the migratory bird nesting period (February 1 to August 15 for raptors and April 15 to July 15 for all other avian species). If surface disturbing activities are to occur during this period, the applicant shall perform pre-construction avian surveys in appropriate habitats by qualified biologists prior to surface disturbing activities commencing. The exact area to be surveyed would be based on the scope of the surface-disturbing work. If ground disturbing activities do not take place within 14 days of the survey, the areas would need to be resurveyed. If nesting migratory birds are present, appropriate buffers determined by the NDOW, in coordination with the USFWS, would be applied until an approved biologist determines the young have fledged or the nest has failed.
- e. To prevent entrapment of wildlife, all steep-walled trenches, auger holes, or other excavations shall be covered at the end of each day or when long breaks in construction activity are expected.
- f. Maintain public access routes.

US Fish & Wildlife Service (USFWS)

8. The following conditions are requirements of USFWS, which shall be responsible for determining compliance with these conditions.

Contact: Tara Vogel, 775.861.6394, tara_vogel@fws.gov, Project ID 2018-CPA-0011

- a. All new power poles constructed as part of this project shall be eagle-safe. This is both a biological issue and an important issue for Native American cultural concerns. If a power pole kills an eagle, it can also become a law enforcement issue. The applicant should consult with USFWS ahead of construction to ensure this requirement is met to their standards.
- b. The owners shall apply for a utility permit from the USFWS Migratory Bird permit office in Sacramento, CA. In part, this permit authorizes the owner to pick up road-killed birds so they do not become food for common ravens.
- c. Prior to any ground-disturbing activity, the applicant shall develop a Bird and Bat Conservation Strategy (BBCS) document in coordination with USFWS. That document shall address issues including, but not limited to: removal of road-killed birds; removal of raven nests before such nests have eggs; and tight controls on garbage and water sources so that the common raven population is not provided with supplemental food and water (subsidies).

Washoe-Storey Conservation District

9. The following condition is a requirement of the Washoe-Storey Conservation District, which shall be responsible for determining compliance with this condition.

Contact: Kevin Roukey, 775.857.8500, kevinjr_51@att.net

- a. Prior to the issuance of any grading or building permit, the applicant shall prepare a Jurisdictional Determination to be submitted to the U.S. Army Corps of Engineers for approval of the delineated waters of the U.S. and the surveyed Stream Environment Zone.

Truckee Meadows Fire Protection District

10. The following condition is a requirement of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with this condition.

Contact: Denise Reynolds, 775.326.6079, dreynolds@tmfpd.us

- a. The project shall comply with all applicable fire codes, including Washoe County Code Chapter 60.

**** END OF CONDITIONS ****



East Truckee Canyon Citizen Advisory Board

DRAFT: Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB. Minutes of the regular meeting of the East Truckee Advisory Board held October 4, 2017 at the Stampmill Volunteer Fire Station (400 Stampmill Road, Wadsworth)

1. *CALL TO ORDER/ DETERMINATION OF QUORUM –

Members present: Ann Owen, Carrie Silas, Robert Coupe

Absent members: Marci Duncan, Shirley Gutierrez (Excused), David Gallegos (excused).

2. *PLEDGE OF ALLEGIANCE - Commissioner Hartung led the pledge.

3. *PUBLIC COMMENT –

Nate Kusha spoke about the Truckee Meadow Regional Planning Agency. Updating the plan every 5 years; public input process is now.

4. APPROVAL OF AGENDA FOR THE MEETING OF OCTOBER 4, 2017– Anne Owen asked to moved item 7A after item 8A. Carrie Silas moved to approve the agenda for the meeting of **OCTOBER 4, 2017** with suggested changes. Anne Owen seconded the motion to approve the agenda with changes. The motion carried unanimously.

5. APPROVAL OF THE MINUTES FOR THE MEETING OF FEBRUARY 3, 2016 – Carrie Silas made a motion to approve the meeting minutes with **FEBRUARY 3, 2016**. Anne Owen seconded the motion to approve the minutes. The motion carried unanimously.

6. ELECTION OF OFFICERS – Citizen Advisory Board members will select and appoint members for Chair and Vice Chair. Officer positions are one year terms. Officers will assume their role immediately after appointment.

Chair

MOTION: Carrie Silas nominated Anne Owen for chair. Robert Coupe second the motion. Motion passed unanimously. Anne accepted

Vice Chair

MOTION: Anne Owen nominated Robert Coupe for vice chair. Carrie Silas seconded the motion. Motion passed unanimously. Robert accepted.

7.*PUBLIC OFFICIAL REPORTS

A.*Washoe County Commissioner – (Item 7A MOVE TO AFTER 8A) Commissioner Hartung may be available to provide updated information on discussions and actions by the Board of County Commissioners (BCC). Commissioner Hartung can be reached at (775) 328-2007 or via email at vhartung@washoecounty.us (This item is for information only and no action will be taken by the CAB.

Commissioner Hartung, gave an update:

- He said it's rare to go a long time without meeting. He said we will see additional development project applications for this area. He said a private individual purchased land west of here and wants to put in housing west of this neighborhood. He said we won't let them build the houses with septic tanks; the developer would be required to build a sewer treatment facility. If he were to build 320 houses, the sewer plant would be \$25million. He said there are huge hurdles; he doesn't have water. If they got an approval, you would see things new things in your neighborhood – waste treatment facility, a new school. It's not for a long long time. He said they must transfer waters rights. There are no more water rights. He will have to import water. The developer would have to install a new access to the freeway. He spoke about the Feather River proposal. The Commissioner said there are benefits to new development; the housing values go up

with a development in the area. However, it's cost prohibitive. He said they have an entitlement to build 325 houses. Commissioner said he would follow up with Robert's question and have Mr. Green call him.

- **Alex Kukulus, a Representative from TMFPD – gave an overview:**
- Washoe County – 330,000 acres have burned in the County this summer. 243 fires in the last four months; average of two a day.
- Please continue to be careful
- Prevention/fuels maintenance: There will be open burning in October if we have the opportunity for wet weather. Might not have a fall burn. Open burning is closed due to air quality control November 1 – March 1st.
- Commissioner Hartung said Waste Management offers 4 free dump days anytime you want – show up with your ID. Free dump days two days out of the year – May and October. If you can't burn your debris, there is another way to haul it away. Anne asked there could be free dumpster out here. It's a problem to haul it out.
- Alex Kukulus spoke about getting a burn box; working on the permit for the burn box.
- Robert said the neighbors are fire hazards. There are some tumbleweeds are 10 feet high. The fire representative said yes, if it is visible from right-a-way, then the fire district will come out. He encouraged Robert to call 326-6000X1, the prevention bureau.
- A public member said our neighborhood watched that fire to come over the hill, it grew. She said they were on volunteer evacuation. She said they watched three planes fight it and the fire fighters work hard on it. She asked about a fire break, defensible space near her home. Alex said it's a 30 feet; the prevention bureau can speak to that enforcement. Commissioner said there are no teeth in the nuisance code to do weed abatement. He said it's hard to enforce. A public member said we need the burn box to help with fire prevention. Commissioner said we can work with Waste Management about dumpsters, but the County doesn't provide dumpsters. She said having a dumpster just a few times a year would be helpful. Commissioner said Commissioner Lucey a lot of area in his District with pine and forest. The residents want someone to haul off the debris off the forest floor. There has to be solution.
- **Don Pelt, Pyramid Lake Fire Department, gave an update:**
- He said they have a Mutual/automatic aid with REMSA to take over your community EMS services. He said they are the primary fire and EMS ambulance services over REMSA. He said you could get 3-4 ambulances in the neighborhood. The agencies will be dispatched depending on the emergency. He said we have been at this station for 3 years. He said they are renewing automatic aid with TMFPD. We have been happy with the outcome. We will still be in this station; operated by Pyramid Lake Fire, but owned by TMFPD. We Pyramid Lake fire department offers a similar ambulance saver program – \$45 a year to cover what your insurance won't cover. Get silver saver and ambulance saver to cover. North Lyons to honor their ambulance saver. Hopefully you will get their service without paying the bill. If you are a tribal member with non-tribal members in the house, it is \$25. It will renew on calendar year. Renew now and you will get a couple of months for free.
- The station sign outside is peeling and aging. Pyramid Fire will replace the sign. He said they have been busy with the fire season. The sign with reflect the agencies' logos. He said they have been dealing with fires and floods. He said they received 630 calls this year. He said people are getting to know their quality service. He said they are here if you have questions or concerns.
- Anne said there are issues in the neighborhood. Anne said she handed out a notice of the CAB meeting. There are issues amongst the neighbors. Commissioner Hartung said the sheriffs need to be called. Hartung said we can get an address and get someone out here to pay a visit

B. *County Update – A representative from the Office of the County Manager will provide an update on County services. Staff will be available to answer questions and concerns. Please feel free to contact cab@washoecounty.us or (775) 328- 2000. To sign up to receive email updates from the County visit www.washoecounty.us/cmail. (This item is for information only and no action will be taken by the CAB).

Dave Solaro, Assistant County Manager, gave an update:

- The County utilizes the CAB as a tool to get public input on development project. This is a different format for the CAB; won't have different agencies come out to speak, rather specifically focusing on development and development related items. He said this is a great resource to understand and educate rules and regulations. He said the regional planning agency is part of the development. There are open meeting laws with rules and regulation within running these meetings. He said he understands there are other needs, and they are working on tools to address those needs; those may be in the form of community forums.
- Washoe County 311 – a information line for the County with an after hour call centers. There is a website through www.washoecounty.us.
- Commissioner Hartung congratulated Dave Solaro for his recent position as Assistant County Manager. Mr. Hartung said the CABs were all about planning when he first was on the CAB. He said they are moving it back that direction. Dave said we are transitioning over the next 3 months. Dave said he will be reaching out to the CAB members to get input about training, etc. He said we have dedicated Alice McQuone to CAB. He said it's a positive change. Commissioner Hartung said it's a planning function. CAB members are citizen planners, and the first step of planning before planning commission. He said that should not take away from having other discussions. It's part of the manager's office.

8. DEVELOPMENT PROJECT

8.A. *Dodge Flat Solar, LLC (200MW Solar Energy Center with a 1,200-acre Solar Field) – This presentation has been requested by the developer to provide an overview of the proposed project before the formal application is submitted. (This item is for information only and no action will be taken by the CAB). Special Use Permit Project Description: A solar generation facility that would include a substation, energy storage facility, switching station, and a solar field up to 1,200-acres in size on four parcels located at or near 2505 State Route 447.

Applicant/ Property Owner: Dodge Flat Solar, LLC/David Merrill

Location: 2505 State Route 447

Assessor's Parcel Number: 079-150-29, 079-150-11, 079-180-16 and 079-180-14

Staff: Planner Kelly Mullin, 777-328-3608, kmullin@washoecounty.us

- Jesse Marshall, Dodge Flat Solar Representative, gave an overview of solar and energy storage:
- Dodge Flat Energy center off of highway 447, Olinghouse Road. North East of Wadsworth, past the dump.
- He said its private land.
- He introduced his colleagues: Eric H., David H., John
- 200 MW facility. Single axis trackers that track the sun across the sky.
- Solar panels
- Inverters; convert power from solar panels from DC power to AC power.
- 1,200 acres
- KB lines going through the property and tying them into the electrical grid
- 200 MW storage for batteries
- NV energy substation to be constructed

He gave an overview of the company:

- Outside of Primm and North Las Vegas
- Solar, wind, gas
- Long term owner and operators of these utilities.
- Lot of experience building facilities similar to this.
- New technology: Solar and battery
- Very good at running power lines.
- Have operations all over the country

Project:

- We've been working on this project for a while: environment, engineering, agency permitting process. He said they are getting good feedback. It's a good location. No big environmental concerns out there.
- He gave an overview of the map: Location; Map of before and after
- Water rights – exploring the existing wells for project. Water for dust and construction. After the construction, there is little to no water use.
- Minimal power lines would be put in for towers. It will feed into the new NV energy substation.
- No utility corridor planned. Using existing infrastructure.
- In close proximity to the industrial center – Tesla, Apple. Apple already agreed to purchase 200 MW of solar from NV Energy. Jesse said we can be competitive and an attractive opportunity to the users. There are benefits to stay local. Companies can show the facility up the street from the data center.
- These are expensive projects; we need the power purchase agreement.

Questions:

- Robert Coupe asked about the lane that goes into Olinghouse Road. He showed the other access road. Jesse said there are existing rights for access. He said they are working with the Paiute Tribe for easement to use Olinghouse Road for main access. It's a wide access road of off 447. Robert said this road down the street is emergency access road.
- Ms. Gutierrez asked how the community will be benefiting from this project. Jesse said the sell of power output is wholesale to NV Energy. He said where the power goes from there is up to them. He said because of the scale, there is no way to split the project to a local community. It's a large scale; large energy users. The power output would power 50,000 homes. It will have impact on community during construction. The power purchase agreement is 20-25 years. The life of equipment is beyond that. Jesse said they want to be good neighbors. He said they want ideas to help community out. He said they can help to install a small facility to power something for the community. He said they are willing to make commitments.
- Tammy said she grew up across from that proposed project location. She said they will live there for many more years. She said she is concerned about the construction. She said other projects happen out there and the developers always made promises and never kept their promises. She said she wants something sustainable. The representative said they will send technicians out to maintain the road. There won't be too much traffic after the constructions. The operation is below County codes on noise generation. He said he wants to have dialogue with neighbors and have solid commitments.
- A public member asked about job creation – 15 jobs will be required to run the daily operation. There will be a peak of 500 workers during construction.
- Commissioner Hartung said this is part of the Governor's goals of renewable resources – Renewal Portfolio Standard, which is a certain percentage from renewable resources. This will help with that. Commissioner Hartung said we want those power purchase agreements to be memorialized in writing in the development code. Jesse said we want this to be on the list of the community's priority and help with priority projects. Commissioner Hartung said we have had numerous meetings and they wanted to get the feedback from the community by attending the CAB. Commissioner Hartung said John Berkage was the interim County Manager and Assistant County Manager and is now on their team. Commissioner Hartung said they want to be good community partners. He said you won't hear them; they won't make any noise, any reflectors, no towers. Commissioner Hartung said if there is adjacent land, you can have your own solar field.
- Jesse said they are working with BLM to gain more access roads. He said the current land has mining tailings. It's been worked over by mining. There are several entities involved: Washoe County, BLM, public utilities commission.
- Carrie Silas asked when is this going to take place. Jesse said we have to go through permitting. It could be 2019. Tax credits are provided for solar companies by the federal government. People try to take advantage of the lowest price of supplies and fullest tax credit. Technology alignment, tax credit the highest, while prices are low – all aligned. It's a long process.
- A public member asked about approval and construction. Jesse said construction will be 12 months to build the facility.
- Robert Coupe asked about security. Jesse said it will be fenced and monitored.

- Commissioner Hartung asked about fire suppression. Jesse said it depends largely on the vendors. The fire suppression looks different depending on the vendor. He said on smaller facilities, there are shipping containers that have HVAC and suppression. On this size, it would be an entire building. Or a series of refrigerators as the fire suppression. It will prevent spread of fire.
- Don Pelt said there are several fire departments working in conjunction; they will work together to get training on the solar panel on this property. Jesse said we will develop a plan.
- Truckee Meadow Fire Protection District representative, Alex Kukulius, said they have had some experience with solar panels, but not of this size. He said we will be trained on this facility. The lines are underground, so we don't have the same issue we do as with the lines above. Jesse said we have contractual obligations and ensure there weren't problems.
- Commissioner Hartung asked about dust mitigation. Jesse said they meet all requirements with a dust mitigation plan. Eric said they are working with County staff. He said we will grade roads and substation on this site. Dust control during construction. County staff indicated the issues and concerns of dust.
- Kelly Mullen, Staff Planner, Washoe County introduced herself. She said please contact her with question, concern, comments that will be included in

9.*CHAIRMAN/BOARD MEMBER ITEMS – No announcements or future agenda items.

10.*PUBLIC COMMENT – No Public Comments.

11. ADJOURNMENT – Ann Owen adjourned the meeting at 7:45pm.

Respectfully submitted by: Misty Moga, Administrative Recorder

Number of CAB members present: 5

Number of Public Present: 14

Presence of Elected Officials: 1

Number of staff present: 1



WASHOE COUNTY
COMMUNITY SERVICES
INTEGRITY COMMUNICATION SERVICE

P.O. Box 11130
Reno, Nevada 89520-0027
Phone: (775) 328-3600
Fax: (775) 328-3699

October 24, 2017

TO: Kelly Mullen, Planner, CSD, Planning & Development Division
FROM: Vahid Behmaram, Water Management Planner Coordinator, CSD
SUBJECT: Special Use Permit Case Number WSUP17-0021 (Dodge Flat Solar)

Project description:

The applicant is proposing a 200 MW solar energy center. The project site consists of four parcels totaling ±1,616-acres. Approximately 1,200-acres would be developed to include a photovoltaic solar field, substation, switchyard, 200 MW energy storage system, and ancillary facilities. The project would connect to an existing 345 kV transmission line that crosses the subject property..

The Community Services Department (CSD) recommends approval of this project with the following Water Rights conditions:

- 1) The applicant and County personnel shall estimate the projected ground water demand for this facility to the satisfaction of Washoe County. If future consumption data proves this estimate to be insufficient, both the State of Nevada and Washoe County will require additional water rights to be acquired to support the project demand. Without additional water rights, the State of Nevada will limit the water consumption to the amount of existing water rights.
- 2) Adequate ground water rights per the estimate in item # 1 shall be transferred to one or more appropriate ground water well on the parcels associated with this application. Transfer of these water rights will require filing of applications with the Nevada State Engineer.
- 3) The water rights shall be in conformance with article 422 of the Washoe County development code and in conformance with the Truckee Canyon Area Plan.
- 4) All water rights must have appropriate permits and approvals by the State Engineer.



**DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES**

901 South Stewart Street, Suite 2002
Carson City, Nevada 89701-5250
(775) 684-2800 • Fax (775) 684-2811
<http://water.nv.gov>

October 23, 2017

RE: Comments on Special Use Permit WSUP17-0021

To: Roger Pelham
Washoe County Community Services Department
1001 East Ninth Street, Building A
Reno, NV 89512

Name: Dodge Flat Solar, LLC

County: Washoe County – U. S. Highway 80 and Nevada State Highway 447

Location: A portion of Township 21 North, Range 23, 24, and 25, East, MDB&M.

Plat: Tentative: Four lots totaling approximately 2,078 acres and being Washoe County Assessor's Parcel Number's 079-150-11, 079-150-29, 079-180-14, and 079-180-16.

Water Service Commitment

Allocation: No water is committed at this time.

Owner-Developer: Dorothy A. Timian-Palmer
3480 GS Richards Boulevard, #101
Carson City, NV 89703

Engineer: David Hochart
Dudek
605 Third Street
Encinitas, CA 92024

Water Supply: Truckee Meadows Water Authority

General: There are three active water right appurtenant to the described lands in this proposed project. Permits 85241, 85242, and 85243 are intended for industrial use and have a total combined duty of 1,428 acre-feet annually. These permits are in the name of Nevada Land & Resource Holdings. The lands of the proposed project do not lie within any municipal service area. Any water used on the described lands should be provided by an established utility or under permit issued by the State Engineer's Office.

Water use is expected to be 250 acre-feet annually.

All waters of the State belong to the public and may be appropriated for beneficial use pursuant to the provisions of Chapters 533 and 534 of the Nevada Revised Statutes (NRS), and not otherwise.

Any water or monitor wells, or boreholes that may be located on either acquired or transferred lands are the ultimate responsibility of the owner of the property at the time of the transfer and must be plugged and abandoned as required in Chapter 534 of the Nevada Administrative Code. If artesian water is encountered in any well or borehole it shall be controlled as required in NRS § 534.060(3).

Action: No comment on Dodge Flat Solar, LLC.

Best regards,

Steve Shell

Steve Shell
Water Resource Specialist II



WASHOE COUNTY

COMMUNITY SERVICES DEPARTMENT

Engineering and Capital Projects Division

"Dedicated to Excellence in Public Service"

1001 East 9th Street PO Box 11130 Reno, Nevada 89520 Telephone: (775) 328-2040 Fax: (775) 328-3699

INTEROFFICE MEMORANDUM

DATE: November 03, 2017

TO: Kelly Mullin, Planning and Development Division

FROM: Leo R. Vesely, P.E., Engineering and Capitol Projects Division

SUBJECT: **WSUP17-0021**
APN 079-150-11 & 29, 079-180-14 & 16
DODGE FLAT SOLAR

I have the referenced special use permit and have the following conditions:

1. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. All grading shall comply with County Code Article 438, Grading Standards. Silts shall be controlled on-site and not allowed onto adjacent property.
2. The owner/developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.
3. The owner/applicant shall complete and submit the Construction Permit Submittal Checklist, the Performance Standards Compliance Checklist, and pay the construction stormwater inspection fee prior to obtaining a grading/building permit. The County Engineer shall determine compliance with this condition.
4. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
5. If the import or export of materials is required, the applicant shall indicate on the plans where the exported material will be taken or where the imported material will be coming from, and a grading permit shall be obtained for the import/export site.
6. Estimated total earthwork volumes and area of disturbance shall be indicated on the grading plans.
7. Prior to the issuance of the grading permit, applicant shall demonstrate they have legal access to their parcels including access to all portions of Olinghouse Road (Tribal land, private property, and BLM).

WSUP17-0021 & WADMIN17-0010
EXHIBIT C

8. Access roads serving the project shall be all-weather and shall be surfaced with a minimum of six (6) inches of Type 2 Class B aggregate road base or approved equal and shall be provided with adequate roadside drainage and cross drainage consistent with County standards.
9. A hydrology/hydraulic report prepared by a registered engineer shall be submitted to the Engineering Division for review and approval. The report shall include the locations, points of entry and discharge, flow rates and flood limits of all 5- and 100-year storm flows impacting both the site and offsite areas and the methods for handling those flows. The report shall include all storm drain pipe and ditch sizing calculations and a discussion of and mitigation measures for any impacts on existing offsite drainage facilities and properties.
10. Any increase in storm water runoff resulting from the development of the site shall be detained on site to the satisfaction of the County Engineer.

LRV/lrv



STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION

District II
310 Galletti Way
Sparks, Nevada 89431
(775) 834-8300 FAX (775) 834-8319

October 24, 2017

BRIAN SANDOVAL
Governor

RUDY MALFABON, P.E., Director

Washoe County
Planning and Development Division
P.O. Box 11130
Reno, NV 89520-0027

WSUP17-0021 (Dodge Flat Solar)
200 MW Solar Energy Center
2505 SR 447/Wadsworth

Attention: Ms. Kelly Mullin:

Dear Ms. Mullin:

Nevada Department of Transportation (NDOT), District II has reviewed the request to approve a 200 MW solar energy center.

The site consists of four parcels totaling $\pm 1,616$ acres. Approximately 1,200 acres would be developed to include photovoltaic solar field, substation, switchyard, 200 MW energy storage system and ancillary facilities. The project would connect to an existing 345 kV transmission line that crosses the subject property. The request includes disturbing an area of approximately 1,200 acres in size, with grading of approximately 307,000 cubic yards of cut and 264,000 cubic yards of fill. The proposal will require a conformance review with the Truckee Meadows Regional Plan for a Project of Regional Significance and will, if provisionally approved by the Washoe County Planning Commission, require subsequent action by the Washoe County Board of Commissioners to sponsor an amendment to the Truckee Meadows Regional Plan to identify the location of the new substation on the Regional Utility Corridor Map of the Truckee Meadows Regional Plan.

District has the following comments:

1. Existing occupancy permits are personal; however, the upkeep and repair responsibilities shall transfer to the property owner's successor. Actual work being performed in the NDOT Right-of-Way is cannot be transferred without prior written approval from NDOT. If the property changes use, the new property owner will need to apply for a new occupancy permit for access to the state highway.
2. An occupancy permit is required for facilities within the NDOT Right-of-Way. Please see the *Terms and Conditions Relating to Right of Way Occupancy Permits* booklet available online at nevadadot.com. Contact the Permit Office at (775) 834-8330 for more information regarding an occupancy permit.
3. The applicant is encouraged to coordinate with the Permit Office early for any required occupancy permit (access management, hydraulic design and drainage facilities, maintenance memo of understanding (MOU), roadway abandonment, intersection control evaluation, leases, etc.). NDOT's permit processing time may vary based on project complexity; however, the processing time is approximately 45 working days. This does not include any revision time needed to make necessary changes in the design.

4. For any non-permanent activities or temporary traffic control such as placement of cones, static signs, and portable electronic signs within NDOT Right-of-Way will require a temporary permit. Please submit temporary permit applications at least 4 weeks prior to the scheduled activity or work. Contact the Permit Office for more information.
5. Prior to any grading adjacent to NDOT Right-of-Way, a Drainage Report, including a grading plan, and a Drainage Form must be submitted to the Permit office. Please contact the Permit Office at (775) 834-8330 for more information.
 - a. A Drainage Report shall be submitted for any development or construction that impacts flow to or within NDOT Right-of-Way.
 - b. Please contact the Permit Office to coordinate with NDOT's Hydraulic Design Division. It is beneficial to the developer to work with the Hydraulic Design Division early in the design process to answer questions and give guidance.
 - c. The Drainage Information Form shall be stamped by a professional engineer, unless waived at the discretion of the District Engineer. To request for a waiver, please submit the following:
 - Submit a signed letter addressed to the District Engineer on official letterhead describing the development or construction activities and provide supporting reasons to approve the waiver.
 - Include FEMA flood maps pertaining to the proposed project location.
 - Include construction plans or any other supporting documentation.
6. Applicant is responsible for mitigating any project site drainage within the property. Drainage facilities within NDOT Right-of-Way is not recommended. Any proposal with facilities within the NDOT Right-of-Way will require a license or lease.
7. A temporary traffic control plan (TCP) shall be prepared and signed by an American Traffic Safety Services Association (ATSSA) Traffic Control Supervisor or a Professional Traffic Operations Engineer, certified by ITE.
8. Any truck haul operations that access the state highway system will require a temporary permit and coordination with NDOT District Permit staff at (775)834-8330.
9. A minimum onsite stacking length of 50 feet of as required by NDOT and an adequately sized turnaround outside the gate is required prior to any locked gate. Vehicle stacking at a gate shall not back up into the adjacent street Right-of-Way.
10. The Nevada Revised Statutes (NRS) prohibits advertising within NDOT Right-of-Way. Please refer to NRS 405.110 Unlawful advertising on or near a highway or on bridge. Signs for advertising will not be allowed within NDOT Right-of-Way. Please ensure sign base, post and sign edge is outside of NDOT Right-of-Way.
11. The property owner must provide adequate parking on the property or in the vicinity. NDOT does not issue permits for long term parking for business use. If needed, NDOT will post NO PARKING signs to mitigate any parking concerns. NDOT recommends not depending on State Right-of-Way to accommodate parking.
12. The state defers to municipal government for land use development decisions. Public involvement for Development related improvements within the NDOT Right-of-Way should be considered during the municipal land use development public involvement process. Significant public improvements within the NDOT Right-of-Way developed after the municipal land use

development public involvement process may require additional public involvement. It is the responsibility of the permit applicant to perform such additional public involvement. We would encourage such public involvement to be part of a municipal land use development process.

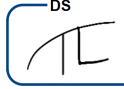
13. No other comments at this time.

Thank you for the opportunity to review this development proposal. NDOT reserves the right to incorporate further changes and/or comments as the design review advances. I look forward to working with you and your team and completing a successful project. Please feel free to contact me at (775)834-8300, if you have any further questions or comments.

Sincerely,


DC6D2FB6D946439, 10/24/2017
Jae Pullen, PE, PTOE
Engineering Services Manager

JEP/rmo

cc: Thor Dyson, NDOT District Engineer
Richard Oujevolk, NDOT District Traffic
Kelly Mullin, Washoe County Community Services
Katy Stark, Washoe County Community Services
File  10/24/2017

**WASHOE COUNTY
HEALTH DISTRICT**
ENHANCING QUALITY OF LIFE

November 14, 2017

Kelly Mullin, Planner
Washoe County Community Services
Planning and Development Division
PO Box 11130
Reno, NV 89520-0027

RE: Dodge Flat Solar; APN 079-150-29
Special Use Permit; WSUP17-0021

Dear Ms. Mullin:

The Washoe County Health District, Environmental Health Services Division (WCHD) has reviewed the above referenced project. Approval by the WCHD is subject to the following conditions:

1. WCHD has reviewed the above proposed special use permit and has the following comments regarding the proposal:
 - a. If on-site wells are proposed, any new well proposed to be drilled will require permitting through WCHD.
 - b. If municipal water is proposed for the site, a complete Water Project must be submitted to WCHD for review and approval prior to any proposed construction.
 - c. If a permanent restroom facility is required, the building plans will require a commercial septic approval from the State of Nevada, Division of Environmental Protection, Bureau of Water Pollution. WCHD will require a copy of the approved plans to be submitted to verify against the building plans for any building permit approval.

If you have any questions or would like clarification regarding the foregoing, please contact Wes Rubio, Senior Environmental Health Specialist at wrubio@washoecounty.us regarding all Health District comments.

Sincerely,



James English, REMS, CP-FS
EHS Supervisor
Waste Management/Land Development Programs

JE:wr



From: Patrick Mohn
To: [Mullin, Kelly](#)
Cc: [Stark, Katherine](#)
Subject: SUP Dodge Flat
Date: Monday, November 13, 2017 9:11:06 AM

Kelly,

As requested, the NDEP reviewed the SUP application for Dodge Flat Solar and have the following comments:

Permits that may be required for the solar facility (not meant to be comprehensive)-

- Construction Stormwater Permit
- Dust Control Permit
- The SUP application stated that the solar facility will be unmanned, but that maintenance personnel may be on-site periodically. The application did not specify what types of toilet facilities will be provided for maintenance workers. If the developer decides that an on-site sewage disposal system (OSDS) is necessary to serve maintenance employees, then the developer will need to get a permit from the NDEP for a commercial OSDS (probably a General Permit depending on the size of the system). The developer should specify in the SUP application whether an OSDS or portable toilets will be provided for intermittent employees. Portable toilets will need to be pumped regularly by a licensed septage hauler.

Pat



Patrick A. Mohn, M.Sc., P.E.
UIC Compliance Coordinator
Bureau of Water Pollution Control (BWPC)
Nevada Division of Environmental Protection
901 South Stewart Street, Suite 4001
Carson City, NV 89701
p: 775.687.9419 fax: 775.687.4684
pmohn@ndep.nv.gov

From: Mark Freese
To: [Mullin, Kelly](#)
Subject: Dodge Flats Solar Project
Date: Friday, January 05, 2018 9:53:08 AM
Attachments: [December Agency Review Memo.pdf](#)

Ms. Mullin,

We offer the following recommendations to avoid and minimize impacts to wildlife, while preserving wildlife recreation opportunities:

- Transmission lines and all electrical components should be designed, installed, and maintained in accordance with the Avian Power Line Interaction Committee's (APLIC's) Suggested Practices for Avian Protection on Power Lines (APLIC 2006) and Reducing Avian Collisions with Power Lines (APLIC 2012) to reduce the likelihood of large bird electrocutions and collisions.
- The Dodge Flats solar facility site lies between many important bird areas, including but not limited to the Carson Sink, Humboldt Sink, Pyramid Lake, and Truckee river. Water birds utilize these important bird areas as migratory stop-overs, breeding, nesting, foraging and roosting. It has been hypothesized that some birds may mistake solar panels for a lake (i.e. termed "Lake Effect") and attempt to land. No studies exist to support or refute this hypothesis. Kagan et al. (2014) analyzed avian mortality at a photovoltaic solar power plant in California and documented mortalities for an array of water bird species, with the primary cause of death being blunt trauma (birds colliding with structures associated with the solar facility). Due to the potential risk of attracting water birds, we recommend developing a monitoring plan to detect such impacts and a contingency plan to respond to these potential impacts.
- Increased development typically results in increased scavengers and predators. To prevent this and the subsequent imbalance in predator's and prey in this area, we recommend storing trash and food in closed and secured containers, which would be removed as necessary, to reduce the attractiveness to scavengers and predators, particularly ravens. We also suggest promptly removing road-killed and incidentally killed wildlife within the project area.
- All surface disturbing activities should occur outside of the migratory bird nesting period (February 1 to August 15 for raptors and April 15 to July 15 for all other avian species). If surface disturbing activities are to occur during this period, we recommend performing pre-construction avian surveys in appropriate habitats by qualified biologists prior to surface disturbing activities commencing. The exact area to be surveyed would be based on the scope of the surface disturbing. If ground disturbing activities do not take place within 14 days, the areas would need to be resurveyed. If nesting migratory birds are present, appropriate buffers determined by the NDOW, in coordination with the USFWS, would be applied until an approved biologist determines the young have fledged or the nest has failed.
- To prevent entrapment of wildlife, all steep-walled trenches, auger holes, or other

excavations would be covered at the end of each day or when long breaks in construction activity are expected.

- Maintain public access routes.

Let me know if you have any questions.

Mark Freese, Habitat Biologist
Nevada Department of Wildlife
1100 Valley Road
Reno, Nevada 89512
(775) 688-1145
markfreese@ndow.org

Support Nevada's Wildlife...Buy a Hunting and Fishing License

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From: Tara Vogel
To: [Mullin, Kelly](#)
Cc: [Justin Barrett](#); [Stark, Katherine](#)
Subject: RE: Dodge Flat Solar Energy Center
Date: Friday, January 05, 2018 4:05:18 PM

Hi Kelly-

We received the original request from Washoe Co. on October 23, 2017 for the solar energy center review and an addendum on 12/18/2017 regarding the two telecommunication towers. We coordinated with the FWS Regional Office and we have comments regarding this project for your consideration as follows:

1. All power poles need to be eagle safe. This is a biological issue, but it is also a big issue for Native American cultural concerns. If a power pole kills an eagle, it can become a law enforcement issue.
2. The owners should apply for a utility permit from the Migratory Bird permit office in Sacramento, CA. Among many things, the permit would authorized the owner to pick up road-killed birds so they do not become food for common ravens.
3. It is always the policy of our region to ask that a Bird and Bat Conservation Strategy (BBCS) document be developed. That document should address many issues, including removal of road-killed birds, removal of raven nests before such nests have eggs, and tight controls on garbage and water sources so that the common raven population does not get supplemental food and water (subsidies). Asking for a BBCS is an important request considering the large lake nearby and that managing raven subsidies will also benefit agricultural businesses.
4. If there is not a weed management plan for this project, please consider development of a plan, or other weed abatement strategy for the project area.
5. Finally, please considere appropriate project site run-off planning.

Please feel free to contact me if you have any questions, or need contact information for the Sacramento office. Reference Project ID: 2018-CPA-0011. Thank you.

Tara Vogel
Fish and Wildlife Biologist

U.S. Fish and Wildlife Service | Reno Fish & Wildlife Office
1340 Financial Blvd., Suite 234 | Reno, Nevada 89502

Office: 775.861.6394
Fax: 775.861.6301
Email: tara_vogel@fws.gov



**Washoe-Storey
Conservation
District**

**Natural Resource
Conservation Service
1365 Corporate Blvd.
Reno, NV 89502**

**Tel: (775) 857-8500
ext. 131
Fax: (775) 857-8525**

Board of Supervisors:

**Bret Tyler
Chairman**

**James Shaffer
Secretary
County Appointee**

**Kevin Roukey
Director**

**Tory Friedmen
Supervisor**

**Spencer Scott
Supervisor**

**John Muntin
Supervisor**

**OPEN
City Appointee**

**Julee Olander, Planner
Kelly Mullin, Senior Planner
Roger Pelham, Senior Planner
Washoe County Community Services Department
Planning and Development Division
1001 E. Ninth St., Bldg. A
Reno, NV 89512**

November 3, 2016

**Subject: October Agency Review – Case Nos. – WAB17-0005 (Ketchikan Court);
WSUP17-0021 (Dodge Flat Solar); TM17-001 (Pebble Creek Estates)**

Julee, et al,

Thank you for providing us the May Agency Reviews III and the opportunity to review and provide comments. We have reviewed the subject proposed projects as requested and we have the following comments:

Abandonment Case Number AB17-0005 (Ketchikan Court)

The proposed project is to approve the abandonment of the entire length of Ketchikan Court, +/- 37,598 square feet from Butch Cassidy Drive to the terminus of Ketchikan Court. The project is located in portions of Sections 30 and 31, T18N, R20E, MDBM, APN 144-232-11, in Washoe County. We have the following comments on this proposed project:

1. **General Comments** - The project does not appear to require any construction or development that would require implementation of conservation actions.

Special Use Permit Case Number WSUP17-0021 (Dodge Flat Solar)

The proposed project is to approve a 200 MW solar energy center. Approximately 1,200 acres would be developed to include a photovoltaic solar field, substation, switch yard, 200 MW energy storage system, and ancillary facilities. The project is located in portions of Sections 23 and 25, T21N, R23E, and Sections 19 and 31, T21N; R24E MDBM in Washoe County (APNs 079-150-29; 079-150-11; 079-180-16 and 079-180-14). We have the following comments on this proposed project:

1. **General Comments** – We are available to provide any coordination efforts we can with regards to conservation efforts, to the applicant once the project moves through the remaining County and Regional reviews.
2. **General Comments** - The project area is within an area that is known to have wild horses that frequent this area. We did not see any mention of mitigation methods for removing this acreage from their habitat.
3. **Storm Water** – The site contains several ephemeral washes that appears they will be filled as part of the overall project. Sheet C-16, Drainage Basin Map indicates Tiger Canyon; Olinghouse Canyon and Frank Flat Canyon. The plans submitted with the application do not indicate any type of storm water interceptor channel to control storm waters around the project site.
4. **Supplemental Information - Item 7** – What will you do to minimize the anticipated negative impacts or effects your project will have on adjacent properties? - The applicant does not address any of the potential impacts to the Hydrological Resources (ephemeral drainages) on the project site. The ephemeral drainages on the project site are direct connect tributaries to Gardella Canyon, which has a direct connection to the Truckee River. As such these drainages are potential waters of the United States and may be t.

These tributaries are identified on the USFWS National Wetland Inventory Map as R4SB C,

Riverine and tributary to the Truckee River. Therefore, we recommend the County condition the approval to require the applicant to prepare a Jurisdictional Determination to be submitted to the USACE for approval of the delineated waters of the U.S. and the surveyed Stream Environment Zone.

Development Agreement for Case Number Tentative Subdivision Map TM14-001 (Pebble Creek Estates)

This project is now locate to approve an ordinance approving a Development Agreement regarding Tentative Subdivision Case Number TM14-001 (Pebble Creek Estates) which approved development of an 83-lot, single-family residential subdivision. Lots range in size from 35,025 to 53,072 square feet. This agreement extends the deadline for filing the first in a series of final subdivision maps from July 1, 2018 to July 1, 2020; and, if approved, schedule a public hearing for second reading and possible adoption of the ordinance for January 9, 2018 at 6:00 p.m. The proposed project is located in Sections 11 and 14, T20N, R21E MDM in Washoe County. It is further located at the western terminus of Pebble Creek Drive, approximately ¼ mile west of its intersection with Pyramid Highway.

General Comments - We have previously reviewed applications for this development and as this application is for simply extending a deadline we have no further comments at this time.

These are our comments and recommendations for the subject projects. We appreciate the opportunity to provide comments and recommendations on projects that may have impacts on our natural resources. Should you have any further questions please contact Kevin J. Roukey by phone at 775-232-1571 or email kevinjr_51@att.net.

Sincerely,

Kevin J. Roukey, District Director
Washoe/Storey Conservation District



STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
NEVADA DIVISION OF FORESTRY

2478 Fairview Drive
Carson City, Nevada 89701
Phone (775) 684-2500 Fax (775) 684-2570

October 23, 2017

Kelly Mullin, Senior Planner
Washoe County Community Services Dept.
P.O. Box 11130
Reno, NV 89520-0027

RE: Review Comments-Dodge Flat Solar (Special Use Permit Case #WSUP17-0021)

Dear Ms. Mullin,

I have reviewed the application for the above referenced project and based on the information contained in the application, I have no comments relative to our agency's position on the advisability or acceptability of the project.

However, the consultant responsible for preparing the application, Dudek, has not done an adequate job with respect to ensuring compliance with State laws. Specifically, Attachment D5-Biological Resources Report does not include the requirements of NRS 527.260-270, which address State-listed endangered plants. The consultant discusses existing federal laws (Endangered Species Act, Migratory Bird Treaty Act), and references "jurisdictional areas as defined by ... the Nevada Department of Wildlife" (NDOW); the report makes no further mention of NDOW jurisdictional areas.

The Literature Review and Agency Outreach section does not include any reference to the Nevada Natural Heritage Program, the agency responsible for documenting and maintaining records of sensitive species in Nevada. The only consults identified are with NDOW and USFWS, and both agencies were apparently only consulted for the occurrence of wildlife species in the project area. The Special-Status/Regulated Resources section only focusses on wildlife species; no mention is made of plant species.

Inquiries regarding occurrence, or likelihood of occurrence, of Nevada State sensitive plant species should be addressed to Mr. Eric Miskow with the Nevada Natural Heritage Program.

Sincerely,

A handwritten signature in blue ink that reads "John Christopherson".

John Christopherson
Natural Resource Program Manger

From: Joe Sawyer
To: [Mullin, Kelly](#)
Subject: WSUP17-0021 Dodge Flat Solar
Date: Wednesday, October 25, 2017 4:03:33 PM

Kelly,

In regards to the referenced mining areas in the Dodge Flat Solar SUP # WSUP17-0021 there are no known modern mining (post 1989) areas of concern that would relate to our program.

Please let me know if you need any additional information,
Joe Sawyer



Joe Sawyer, P.E. , Chief
Bureau of Mining Regulation & Reclamation
Nevada Division of Environmental Protection
901 South Stewart Street, Suite 3002
Carson City, NV 89701
p: 775.687.9397 f: 775.684.5259
jsawyer@ndep.nv.gov
www.ndep.nv.gov

From: Ceragioli, Kristine S CIV USARMY CESPCK (US)
To: [Mullin, Kelly](#)
Subject: RE: ACE interest in 200 MW solar field?
Date: Monday, October 30, 2017 9:55:40 AM
Attachments: [image003.png](#)

Kelly-

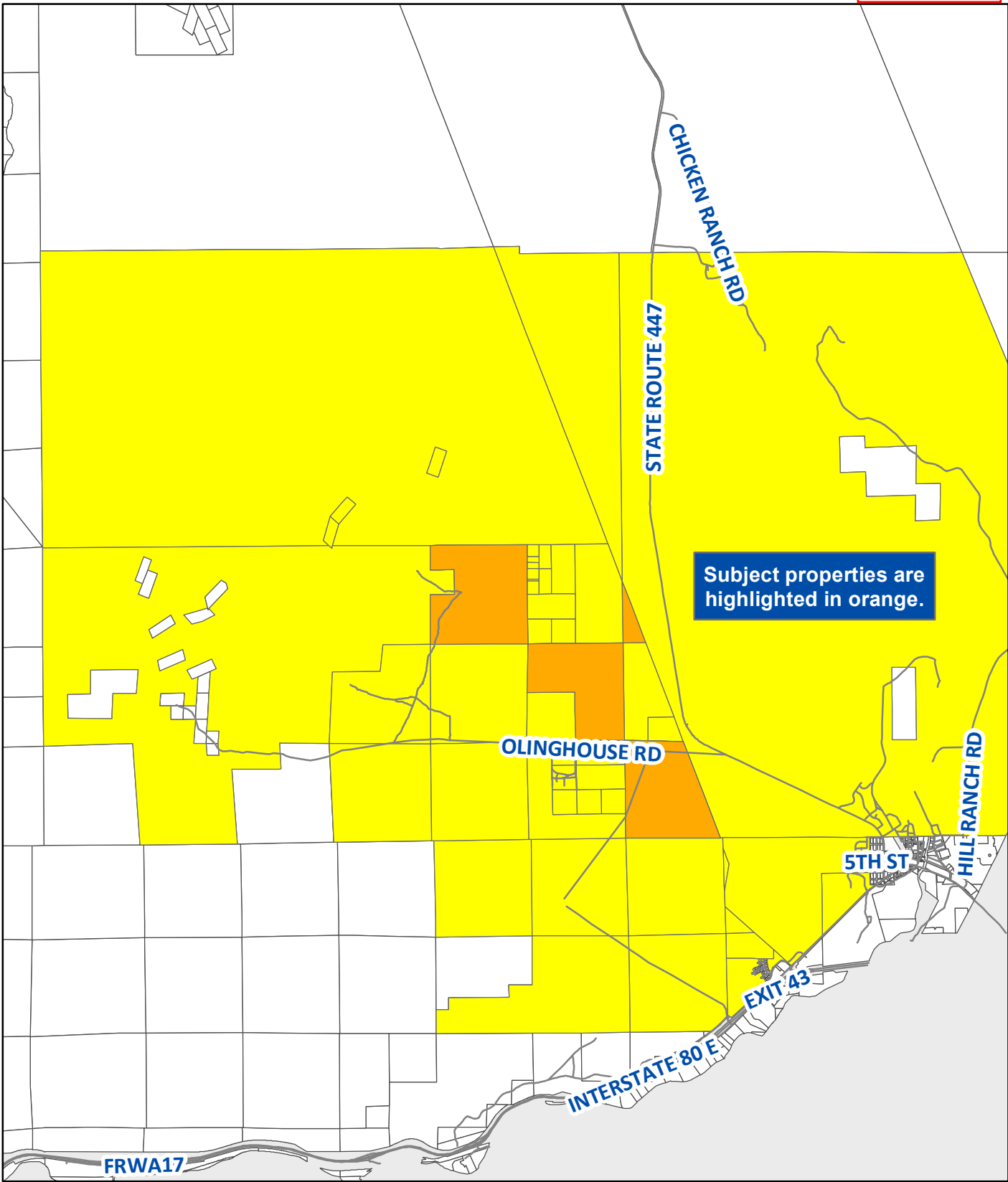
We are currently reviewing a delineation of aquatic resources to determine jurisdiction of waters of the U.S. We anticipate receiving an application for work once the Jurisdictional Determination is completed.

Kristine Ceragioli
Senior Project Manager
US Army Corps of Engineers, Sacramento District
Reno Regulatory Field Office
300 Booth Street, Room 3050
Reno, Nevada 89509-1361
(775) 784-5304 fax: (775) 784-5306

Kristine.S.Hansen@usace.army.mil

Customer Service Hours: M-F 9:00am-3:00pm

I will be available to answer phone calls, return phone calls and respond to e-mail during these hours.

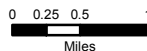


Public Notice Map

Special Use Permit Case Number WSUP17-0021
(Dodge Flat Solar)

*Provided with notice: 31 owners of 54 parcels
within a distance of 7000 feet of the project site.*

Source: Planning and Building Division



Date: September 22, 2017

Community Services
Department



Post Office Box 11130
Reno, Nevada 89520 (775) 328-3600

DODGE FLAT SOLAR LLC

MEMORANDUM

To: Kelly Mullin, Senior Planner – Washoe County
From: David Hochart, Project Manager – Dudek
Subject: Dodge Flat Solar Energy Center– Adjacent Private Landowner Screening
Date: December 21, 2017

Attachment(s): A – 100-ft Landscape Buffer Figure

It is our understanding that Washoe County would like to take additional measures beyond the standard 50-ft property buffer to address potential visual concerns with adjacent private landowners to the proposed Dodge Flat Solar Energy Center (the “Project”). It was proposed by the County that a 100-ft buffer be incorporated into the project design to address this issue; however, after analyzing the impact of the additional buffer to the project, this change would have significant impacts to the commercial viability of the project.

A detailed re-design of the site would be needed to calculate exact impacts from re-configuration of roads, collection system, etc. However, a basic analysis was completed by applying the 100-ft buffer to the current design and evaluating panel impacts. The attached figure shows areas where panels would be lost. This increased buffer would result in not only a decrease in the size of the Project, but also an increase in ground cover ratio (higher ratio means a decrease in space between panel rows, which increases shading) and decrease in DC/AC ratios (due to reduction in number of panels), both of which cause a substantial reduction in the Project’s overall energy output. Our analysis indicates the Project would have an overall 10-12% reduction in size. We are actively marketing the Project for Power Purchase Agreements (“PPA”) as a 200 MW project and the reduction in size due to the implementation of a 100-ft buffer would not allow us to meet PPA obligations as currently marketed.

While placement of a 100-ft buffer around the Project is not a commercially viable option, we do understand the County’s concerns related to visual impacts to adjacent private landowners. Therefore, we would like to propose the following condition of approval be added:

Dodge Flat Solar, LLC shall include a 50 foot setback from property line to edge of panel for portions of the Project site that are located adjacent to private land. Within the setback area a chainlink fence with visual screening slats will be

Memorandum

Subject: Dodge Flat Solar – Private Landowner Screening

constructed. The setback and chainlink fence described above will not be required in the event Dodge Flat Solar, LLC provides documentation verifying the adjacent private property owner does not desire to have a fence with slats and associated buffer along the property line shared with the Project.

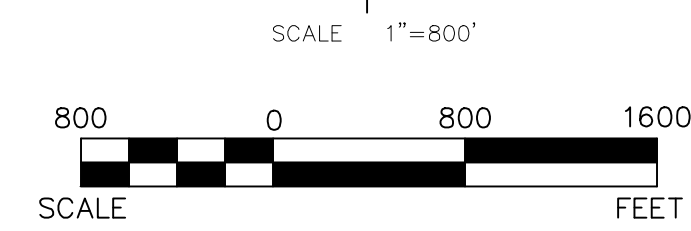
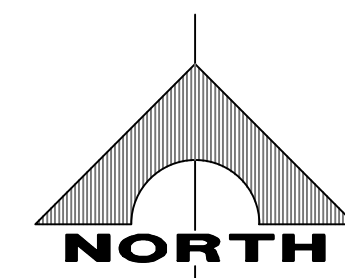
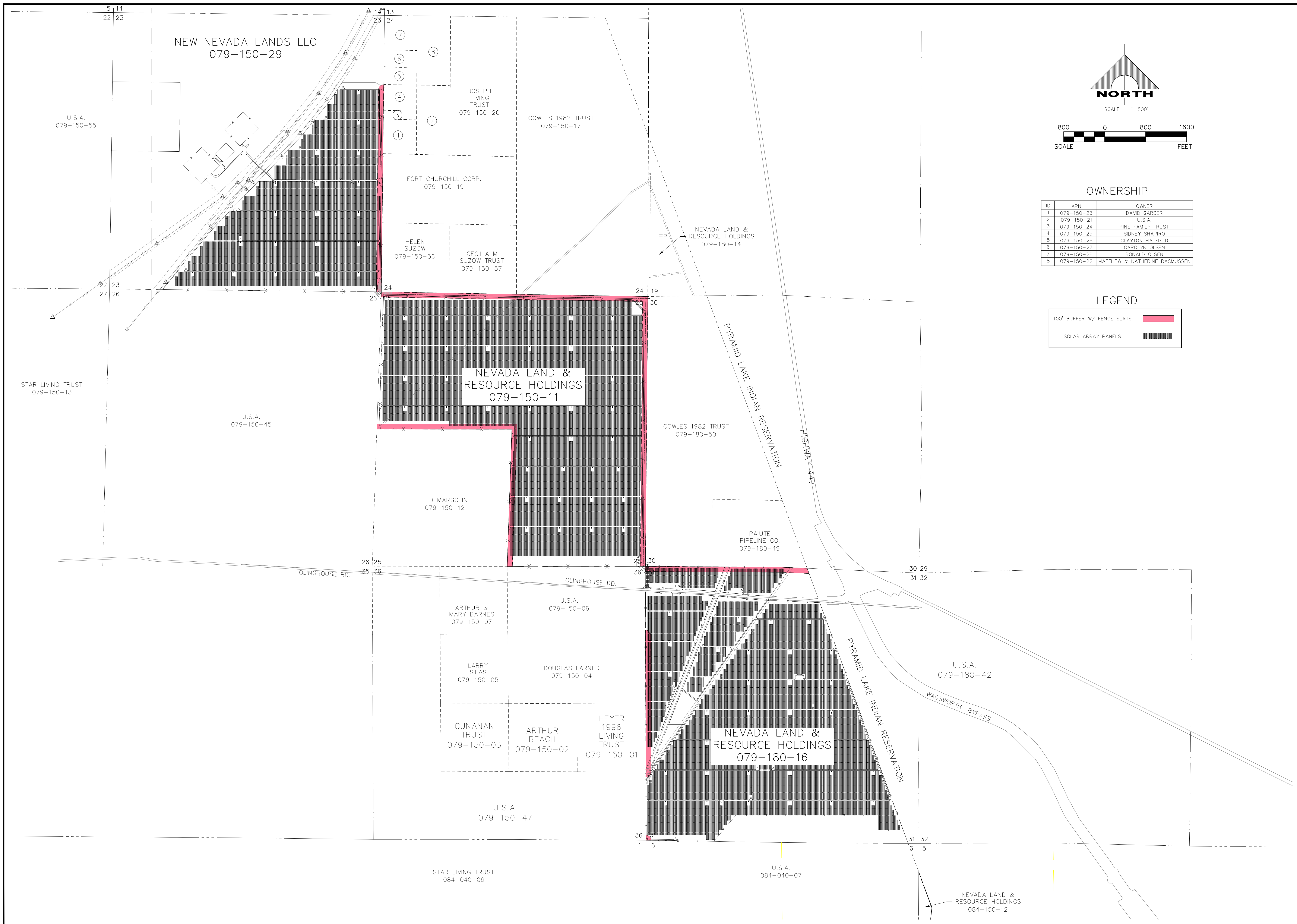
This condition meets requirements set under Section 110.412.45 part d of the County code that addresses screening for adjoining residential uses. This section states that when any industrial or agricultural use adjoins a residential use (adjacent properties are not currently being used for residential purposes), a solid decorative fence at least 6 feet high, but no more than 7 feet high should be erected along the entire length of the common property line.

We feel that the proposed condition addresses the County's concern while still maintaining the Project's commercial viability.

Memorandum

Subject: Dodge Flat Solar – Private Landowner Screening

Attachment A
100-ft Buffer Along Adjacent Private Landowner Property



OWNERSHIP

ID	APN	OWNER
1	079-150-23	DAVID GARBER
2	079-150-21	U.S.A.
3	079-150-24	PINE FAMILY TRUST
4	079-150-25	SIDNEY SHAPIRO
5	079-150-26	CLAYTON HATFIELD
6	079-150-27	CAROLYN OLSEN
7	079-150-28	RONALD OLSEN
8	079-150-22	MATTHEW & KATHERINE RASMUSSEN

LEGEND

- 100' BUFFER W/ FENCE SLATS
- SOLAR ARRAY PANELS

PROJECT NO. 876-002	DESIGN DRAWN CHECK PLOT DATE: 12-21-17 PLOT TIME: 09:04:19	GCW ENGINEERS & SURVEYORS 1555 S. RAINBOW BLVD. LAS VEGAS, NV 89146 T: 702.804.2000 F: 702.804.2299 gcwengineering.com			
NEXTERA ENERGY RESOURCES	DODGE FLAT SOLAR	100' LANDSCAPE BUFFER			
DRAWING LB					
1 OF 1 SHTS					