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STATE OF CALIFORNIA
CALIFORNIA ENERGY COMMISSION

In the matter of:

Fountain Wind Project)
Opt-In Application for)
Certification) Docket No. 23-OPT-01
)
) RE: Fountain Wind Project
)

STAFF ASSESSMENT MEETING FOR THE PROPOSED
FOUNTAIN WIND PROJECT

In-Person and Remote

Red Lion Hotel, Redding
Sierra Room
1830 Hilltop Drive
Redding, CA 96002
REMOTE VIA ZOOM

TUESDAY, MAY 20, 2025

11:00 A.M.

Reported by:

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APPEARANCES

COMMISSIONERS

Noemi Gallardo, Lead Commissioner

CEC STAFF

Drew Bohan, Executive Director, CEC
Jared Babula, Staff Attorney, CEC
Mariah Ponce, Staff Attorney, CEC
Robert Chun, Chief of Staff, CEC
Ryan Young, Deputy Public Advisor, CEC

PRESENTERS

Dian Vorters, Deputy Director, Siting, Transmission, and Environmental Protection (STEP) Division, CEC
Kaycee Chang, Supervisor, CEQA Project Management Unit, CEC
Chris Huntley, Senior Wildlife Biologist, Aspen Environmental Group
Gabriel Roark, M.A., Supervisor, Cultural Resources Unit and Assistant Tribal Liaison, CEC
Brett Fooks, PE, Manager, Safety and Reliability Branch, CEC
Tatiana Inouye, MESM, Senior Land Use Planner, Aspen Environmental Group
Tim Keesey, Registered Professional Forester #3134, Registered Professional Forester, Aspen Environmental Group
Mark Hamblin, MPA, Planner II, Land Use and Public Services Unit, CEC
Mona Badie, Public Advisor, Office of the Public Advisor, Energy Equity, and Tribal Affairs, CEC

APPLICANT REPRESENTATIVES

Henry Woltag, Director of Development, Fountain Wind Project, Repsol
Anne E. Mudge, Attorney, Cox, Castle & Nicholson, Repsol

Shane Lauderdale, CEO, Principal Consultant, PyroAnalysis
APPEARANCES

PUBLIC COMMENTERS

Yatch Bamford, Chairman, Pit River Tribe
Steven Kerns, Commissioner, Shasta County Planning Commission
Susan Studer, Council Alternate, Atsugewi Band
Jim Chapin, Commissioner, Shasta County Planning Commission
Ryan Barron, Partner, Best Best & Krieger LLP
Adam Fieseler, Assistant Director of Resource Management, Shasta County
Nick Gardner, Public Relations, Shasta County
Shaleesha Ward, Madesi Cultural Representative, Pit River Tribe
Kevin Crye, Shasta County Supervisor, District 1
Corkey Harmon, Shasta County Supervisor, District 3
Agnes Gonzalez, Madesi Band Member, Pit River Tribe
Radley Davis, Tribal Citizen, Pit River Nation
Michelle C. Lee, Attorney, Member, Pit River Tribe
Awi Davis-Gustafson
Jessie Rouse, Ilmawi Cultural Representative, Pit River Nation
Peter Scales
Matt Zenick, New Forests
Stephen Fitch, Shasta County Fire Safe Council
John Gable, Moose Camp
Steve Johnson, Ranch Owner
Mike Quinn, Resident, Shasta County
Nancy Rader, CalWEA
Beverly Wakefield
John Lammers
Brent Lammers
Bradley Mckinney, Laborers Local 185
Gill Wright, California Pilots Association
Mary Rickert, Former Shasta County Supervisor, District 3
Eihnard Diaz
Bill Walker, Former Planner, Shasta County
Gregory Wolfin, Elected Representative, Ilmawi Band
Scott Swendiman
Brandy McDaniels, Madesi Band Cultural Representative Alternate, Pit River Nation
Louise Davis, Resident, Shasta County

Rachel Hatch

APPEARANCES

PUBLIC COMMENTERS (cont'd)

Monica Super, Cultural Representative, Hammawi Band
Marisella Cardenas Anguiano

Jeremy Smith, State Building and Construction Trades
Council

Tony Wilson Yiamkis, Illmawi Band Cultural Representative,
Pit River Tribe

Barbara Wolfin

Andrew Anguiano, Member, Pit River Tribe

Margaret Osa

AGENDA

1. Welcome and Introductions
2. CEC staff presentations of the Staff Assessment
 - a. Application overview
 - b. Engineering Evaluation, Environmental Impact Analysis, and Conformance with Laws, Ordinances, Regulations, and Standards (LORS) *
 - c. Opt-In requirements
 - d. Summary of public comments received
 - e. Next steps in the CEC process
3. Applicant remarks
4. CEC Office of the Public Advisor, Energy Equity, and Tribal Affairs Presentation on Public and Tribal Participation Opportunities.
5. Government Comment: California Native American tribes, government agencies, and elected officials
6. Public Comment
7. Closing Remarks

PROCEDINGS

11:04 a.m.

WEDNESDAY, MAY 20, 2025

4 MS. CHANG: Welcome, everyone. Thank you for
5 joining us here. I am Kaycee with the California Energy
6 Commission's Siting, Transmission, and Environmental
7 Protection Division, or as we like to say, STEP, and I
8 supervise the STEP division's CEQA project managers. So
9 thank you for attending today's CEC-hosted meeting of our
10 Staff Assessment of the Fountain Wind Project. Next slide,
11 please.

12 So first we'll go over some housekeeping items.
13 So the meeting is hybrid with attendees here in the room at
14 the Red Lion Hotel Redding and virtual attendees on Zoom.
15 The Zoom closed captioning has been enabled. Attendees can
16 use the service by clicking the live transcript icon and
17 then choosing either "show subtitle" or "view full
18 transcript." The closed captioning service can be stopped
19 by exiting out of the live transcript or selecting the
20 "hide subtitle icon." And for those participating in
21 person, please be mindful of speaking slowly and clearly
22 into the microphone for those participating online and for
23 our court reporter.

Finally, this meeting is being recorded. The meeting recording will be available on the California

1 Energy Commission's website. Next slide, please.

2 This slide provides an overview of today's
3 agenda. We will be sharing information with everyone, the
4 public here, presenting our project findings, which is
5 detailed in the Staff Assessment. There will be plenty of
6 opportunities for comments from California Native American
7 tribes, government agencies, elected officials, and
8 interested parties and members of the public. We also have
9 agendas posted at the edge of the rooms. And now I would
10 like to introduce our division deputy director, Dian
11 Vorters.

12 MS. VORTERS: All right. Good morning, everyone.
13 Thank you, Kaycee. I appreciate y'all joining us today,
14 both in person and online so that our technical staff and
15 the CEC's CEQA Environmental and Engineering branches can
16 present their findings on the Fountain Wind Project. Please
17 note that no decisions will be made today. CEC professional
18 staff are responsible for reviewing applications submitted
19 by developers seeking a license to build certain types of
20 energy generating facilities, including terrestrial wind.
21 Those staff then prepare environmental and engineering
22 assessments and other technical analyses of the projects.

23 We hear again from Kaycee Chang, our CEQA project
24 management supervisor, on the status of the Fountain Wind
25 Project and technical topic areas that our engineers,

1 scientists and environmental planners are required to
2 analyze. We're fortunate today to have our siting lead
3 commissioner, Noemí Gallardo, who you'll hear from shortly.
4 Also at the front tables we have CEC staff attorneys Jared
5 Babula and Mariah Ponce. We're also fortunate to have CEC's
6 public advisor, Mona Badie, who is in the back of the room.
7 And deputy public advisor, Ryan Young. And now I'd like to
8 introduce you to our executive director for the California
9 Energy Commission, Drew Bohan.

10 MR. BOHAN: Thank you, Dian. Let me also thank
11 everybody who came out and showed up today. We appreciate
12 everybody being here. I recognize some faces from this
13 process that's been going on for quite some time now and
14 we're grateful that you took some time out of your day to
15 show up. Specifically want to thank the applicant. I see
16 some of the representatives here in the front row, the
17 county, the tribal government, and all the members of the
18 public who made it today. I represent CEC staff and we've
19 been doing this for a while. We don't recommend and we
20 don't advocate for or against specific projects. We try to
21 look at each one objectively, call them like we see them,
22 and then apply the law to the facts of each case and then
23 arrive at a recommendation.

24 To approve this Fountain Wind Project, the CEC
25 would need to adopt a statement of overriding

1 considerations for 47 different significant and unmitigable
2 impacts under CEQA, the California Environmental Quality
3 Act. You'll hear CEQA a lot. Again, California
4 Environmental Quality Act. We would also have to override
5 the Shasta County Ordinances, the commission would. The law
6 that we're guided by, directs me as staff's representative,
7 to make a recommendation to the five-member commission. And
8 as Dian pointed out, that recommendation will be considered
9 by the commission of which Commissioner Gallardo is a
10 member, one of the five members, and they'll ultimately
11 decide.

12 But our job, my job, is to put forth a
13 recommendation. And for this project, staff recommends that
14 the CEC not certify the projects for the reasons you'll
15 hear today and recommends that the CEC not issue a
16 statement of overriding considerations under CEQA or
17 override the non-conformances with laws and ordinances
18 under the act that we're guided by, which is called the
19 Warren-Alquist Act.

20 This recommendation is specific to just this case
21 here. It's not intended as any sort of precedent for other
22 cases we may hear. We have a lot of applications that have
23 come into the Energy Commission, upwards of 20 gigawatts of
24 power through various applications from different
25 applicants. And this is just one case, we'll deal with each

1 of the other proposals on their merits as well.

2 And, again, I just want to underscore ultimately
3 it's the decision of the five-member commission to review
4 our recommendation and make whatever decision they will.
5 You already heard from Mona Badie in the background. She is
6 our public advisor and she and her team will discuss all
7 the opportunities that folks have to provide public input.
8 We look forward to continue hearing from everyone. With
9 that, let me pass it along to my boss, Commissioner
10 Gallardo.

11 COMMISSIONER GALLARDO: Good morning, everyone. I
12 am Noemí Gallardo, one of the five commissioners. Siting
13 power plants and clean energy facilities, also known as the
14 opt-in program or part of the policy portfolio that I
15 oversee. I also want to point out that we have a
16 representative here from the Chair's office, Chair David
17 Hochschild is the associate commissioner on these Siting
18 projects. So Robert Chun, who is the chair's Chief of Staff
19 is here. He's in the back.

20 I wanted to acknowledge him. It is great to be
21 back here in Redding to discuss the Fountain Wind Project
22 application. We had our information and scoping meeting
23 back in November of 2023. We had a robust discussion
24 between staff, the applicant, Shasta County, the Pit River
25 Tribe, community members and other organizations who took

1 their time out of their day to attend and be able to share
2 all their insight. So we appreciated that. It was very
3 productive and we're hoping that that will happen again
4 today.

5 So the staff will review the assessment and
6 there's a lot of information. So I do want to warn you.
7 Staff worked diligently. If you haven't noticed, the
8 assessment is 1200 pages. So it's a lot of work there, but
9 a lot of thought. And again, diligence went into it. Before
10 the presentations begin, I did want to express some
11 gratitude. So first I want to thank everyone who's here in
12 the room for joining us. We also have about 50 people
13 online. We want you to learn more about the project. We
14 want to be able to provide information to you. We won't be
15 able to answer all questions today, but we're hoping that
16 the information we provide will give you more certainty
17 about what's happening. I would also like to thank Shasta
18 County, the Pit River Tribe, and our partner state agencies
19 including CAL FIRE and the California Department of Fish
20 and Wildlife for taking the time to review the proposed
21 project and also providing us all the information we need
22 to do our analysis.

23 We know that each of those governments and
24 agencies have a lot on their plate, but your input is
25 extremely valuable and fundamental to our process. We

1 really appreciate that. I also want to thank the community
2 members and community organizations for their participation
3 either today or through the docket with the written
4 comments that have been shared. We don't take for granted
5 that you are all taking time out of your day to be here
6 with us and we hope that you continue reviewing the
7 materials and provide us additional insight if you have any
8 that you want to share. And I'd also like to thank the
9 applicant, Repsol, and their team for also being very
10 diligent in providing information to our staff. They've
11 been very collaborative throughout this process and Opt-In
12 does require collaboration, so we thank them for that.

13 Finally, I want to acknowledge our Energy
14 Commission staff. We have a lot of people working on these
15 proceedings. I won't go through the names of each
16 individual, but I will acknowledge all of the various
17 offices that we're working with. So first, the STEP
18 division, who you'll be hearing from, our Executive Office,
19 who Drew represents and has been involved in all of these
20 proceedings with me, our Chief Counsel's office, our office
21 of the Public Advisor, Energy Equity and Tribal Affairs,
22 and also Chair Hochschild's office. So thank you to all of
23 you for being so diligent.

24 And finally, I do want to acknowledge our
25 Information Technology team, today represented by Kris

1 Peters in the back. So everybody is working here. Big team
2 effort. Staff has put in an incredible amount of time. So
3 we will be going through the information today. We will
4 continue taking comments through the docket. So if you want
5 to put something in writing, feel free to do so that way.
6 We will continue looking at that.

7 We will be taking comments today live and I want
8 to remind everybody that we want to ensure that everybody's
9 respectful to each other and we know that this application
10 has generated a lot of sentiment and you all care about
11 your community. So we want to hear everybody's voice, but
12 we want to make sure that we're respectful of each other's
13 time as we provide that to each and every one of you. And
14 we'll stay here as long as it takes to get all of those
15 comments. So I will turn it over now to Mona, our public
16 advisor.

17 MS. BADIE: Thank you, everyone. So I just wanted
18 to briefly introduce these blue cards that you might've
19 seen when you walked in. This is how you're going to let us
20 know you'd like to comment later today. You don't have to
21 turn them in right away, but it is helpful if you turn them
22 in before the end of the lunch break so we can make sure
23 that we can get organized before we start the public
24 comment period. There'll also be instructions for how to
25 comment if you're joining by Zoom or by phone. So thank you

1 so much.

2 MS. CHANG: Thank you, Mona. Next slide, please.

3 So the goal of today's CEC meeting is to present
4 staff's assessment of the Fountain Wind Project and to
5 encourage public participation so that we can gather
6 information and feedback before the public comment period
7 closes on May 27th. The comments you provide today or in
8 writing to our project docket will be summarized, analyzed,
9 and included in our Updated Staff Assessment. Next slide,
10 please.

11 Fountain Wind is a proposed wind energy
12 generation facility on approximately 2,800 acres of private
13 leased working forest land in unincorporated Shasta County.
14 The project site is located approximately a mile west of
15 the existing Hatchet Ridge Wind Facility, six miles west of
16 Burney and immediately south of State Route 299 as shown in
17 the figure on the slide. The project would have a total
18 nameplate capacity of 205 megawatts with up to 48 wind
19 turbine generators, approximately 610 feet tall, an
20 overhead and underground electrical collector system, an
21 on-site substation to receive electricity from the turbines
22 and an on-site switching station to connect the project to
23 the existing regional grid operated by Pacific Gas and
24 Electric Company and associated infrastructure and
25 facilities. Next slide, please.

1 The applicant filed the Fountain Wind Project
2 application on January 11th, 2023. CEC staff reviewed the
3 data submitted and completed a series of requests for
4 information before deeming the application complete in
5 October 2023. We then held a public informational and
6 environmental scoping meeting in Shasta County in November
7 2023. In the days following the public meeting, we learned
8 that the applicant's water source for construction and
9 operations was not viable. Then over the course of several
10 months, CEC staff and the applicant exchanged information
11 requests and responses regarding the changes in water
12 source causing an adjustment to the CEC's 270 day review
13 schedule.

14 The CEC Staff Assessment was filed on March 25th
15 of this year, opening the 60-day public comment period,
16 which closes on May 27th, 2025. Today, we will share
17 information from the Staff Assessment and hear comments
18 from residents, governments, and interested members of the
19 public. Again, we want to make clear that there are no
20 decisions being made at this meeting. This project and the
21 CEC staff recommendation will be presented at a future
22 Business Meeting for a formal decision by the commission
23 and that Business Meeting will be formally noticed. Next
24 slide.

25 The CEC has received over 700 comments from the

1 public on this proposed project. Many comments were related
2 to the fire risk concerns in the high fire hazard zone
3 designation and the area's steep terrain, dense vegetation
4 and high tree mortality as conditions that could increase
5 ignition potential and fire spread. Potential impacts to
6 biological resources were also a common theme referencing a
7 risk to bird species due to turbine blade collisions and
8 loss of habitats and biodiversity.

9 Other common themes included forestry and visual
10 impacts, the Community Benefits Agreement and many comments
11 focused on the cultural and tribal land concerns such as
12 impacts to sacred sites and ceremonial areas. We continue
13 to consider public comments during this process and we'll
14 summarize as applicable in the Updated Staff Assessment.
15 Next slide, please.

16 The Staff Assessment has been prepared by a team
17 of CEC technical experts, including biologists, mechanical
18 engineers, air resources engineers, archeologists,
19 geologists, and more. Staff evaluated the potential
20 environmental effects of the construction and operations of
21 the Fountain Wind Project in compliance with the California
22 Environmental Quality Act (CEQA), the CEQA guidelines, the
23 Warren-Alquist Act, and the California Code of Regulations,
24 Title XX(20).

25 The areas shown on this slide are not included in

1 a typical environmental impact report. These engineering
2 topic areas are required to be analyzed per the
3 requirements of the Warren-Alquist Act and implementing
4 regulations in the California Code of Regulations, Title
5 XX(20). We evaluated the engineering aspects of the
6 proposed projects and concluded that the construction and
7 operations of the project would conform with all applicable
8 local, state, and federal laws, ordinances, regulations,
9 and standards, which we shortened to the acronym of LORS.
10 Should the project be certified, it can be reliably
11 operated.

12 For further specific details, we do encourage you
13 to download the Staff Assessment from our website. Part of
14 our later discussion describes how to find the project
15 documents on the CEC's website. Next slide, please.

16 This table summarizes staff's CEQA impact
17 conclusions for the environmental topic areas and the
18 project's conformance with LORS in these topic areas. You
19 can find the handout in the back with the public advisor's
20 office. A lot of the content of the Staff Assessment,
21 including the draft environmental impact report, comes from
22 what the applicant provides either initially in their
23 application or in response to our data requests. For
24 example, CEC staff does not conduct the surveys of the
25 proposed project like the biological, cultural, or

1 jurisdictional water surveys. The applicant has hired
2 credentialed, qualified experts to conduct these surveys.

3 Then our CEC team takes this information
4 independently, verifies it and includes objectively
5 reliable data into our Staff Assessment. In addition to
6 these topic areas, the Staff Assessment addresses public
7 benefits and environmental justice. The Staff Assessment
8 concludes the project provides public benefits including
9 economic, environmental, and reliability benefits. The
10 Staff Assessment also concludes potential disproportionate
11 impacts on the identified environmental justice population
12 for the topics of cultural and tribal cultural resources,
13 wildfire, and visual resources. For the proposed Fountain
14 Wind Project, we identified multiple significant and
15 unavoidable impacts on the environment and non-conformances
16 with LORS in the areas of biological resources, cultural
17 and tribal cultural resources, forestry resources, hazards,
18 hazardous materials and wildfire, land use and agriculture
19 and visual resources. These are the rows that are bolded in
20 the table in red. Red means the project does not conform
21 with LORS and that there are significant and unavoidable
22 impacts. We will now begin our presen -- oh, next slide,
23 please.

24 We will now begin our staff presentations on
25 environmental topic area presentations. I will now pass it

1 over to Chris Huntley.

2 MR. HUNTLEY: Thank you, Kaycee.

3 COMMISSIONER GALLARDO: Before you start, Chris,
4 I just want to let you know, people who are at the door,
5 please feel free to come in, there's plenty of space.

6 Go ahead.

7 MR. HUNTLEY: Good morning. Thank you for joining
8 us today. My name is Chris Huntley. I'm a senior wildlife
9 biologist with Aspen Environmental Group, and I'll be
10 providing a brief overview of the baseline conditions,
11 environmental considerations taken account during the
12 analysis, environmental impacts, mitigation measures, and
13 how the project aligns with permitting requirements under
14 AB 205. Next slide, please.

15 The proposed project is located on privately
16 owned managed timberlands made up of a mixture of young and
17 older stands or groups of Ponderosa pine, some recently
18 harvested areas where the trees have been removed for
19 timber production and patches of native Chaparral
20 communities. Portions of the site had been subject to
21 historic wildfires and approximately 50 percent of the
22 project site burned during the 1992 Fountain Fire. This
23 area was re-planted and now consists of approximately 30
24 old stands of conifers or pine trees. The project site also
25 contains a variety of riparian or stream associated

1 vegetation that is a present along the small ephemeral,
2 intermittent, and perennial drainages and streams across
3 the area. In addition, wetlands, meadows, seeps, springs
4 also support wetland vegetation. There's no critical
5 habitat or essential fish habitat that's been identified by
6 United States Fish and Wildlife Service or the National
7 Marine Fisheries Service in the project area. Next slide,
8 please.

9 Under CEQA, potential impacts on wildlife
10 movement corridors or areas used by animals to move from
11 one area to another must be evaluated as part of the impact
12 assessment for biological resources and the project type is
13 not located in a known important movement corridor for
14 terrestrial wildlife. However, the site does support a
15 variety of woodland communities and is used as fawning
16 habitat for black-tailed deer. It also likely supports a
17 variety of other resident species that move through the
18 area. Over a two-year period, the applicant conducted avian
19 studies concluding that the project site is not in an
20 important migratory pathway for most species of birds, but
21 it's important to note that the Fall River and upper
22 McCloud, important bird areas, were identified within 20
23 and 28 miles respectively during our independent
24 evaluation. Important bird areas are areas that are
25 identified using international agreed upon set of standards

1 that identify areas as being globally important to the
2 conservation of bird populations.

3 There were also low numbers of bald and golden
4 eagles observed in the project area, which are fully
5 protected under the -- pardon me, are protected under the
6 Bald and Golden Eagle Protection Act, and golden eagles are
7 also a state fully protected species.

8 The site is next to an important mapped migratory
9 corridor that you can see on the slide for Greater Sandhill
10 Crane, which is a California fully protected and state
11 listed threatened species. The migratory was discovered by
12 university researchers who placed GPS tags on some numbers
13 of Sandhill Cranes to track their migratory movements. This
14 discovery was important because of the loss of suitable
15 breeding habitat for these birds. The Intermountain West
16 Joint Venture led this study of greater sandhill crane
17 migration with researchers from the University of Montana,
18 Louisiana State University, Texas Tech University, and
19 various state and federal Wildlife agency.

20 And again, you can see on the slide the annual
21 movement cycles. The air color in green is the one that's
22 relatively close to the Fountain Wind site. And so GPS
23 tagged greater sandhill cranes have been recorded
24 immediately adjacent to the project site and could fly over
25 the area. Surveys conducted by the applicant also

1 identified several hundred sandhill cranes flying over the
2 site during their avian surveys. However, it's not possible
3 to discern which subspecies were based on the altitude. And
4 at nearby Hatchet Ridge Farm, a potential crane carcass was
5 recorded during avian mortality surveys, although it was
6 too decomposed to identify the subspecies.

7 There are also a variety of other sensitive
8 species including monarch butterflies, potentially Crotch's
9 bumblebee, northern pit roach, Pacific tailed frog, pond
10 turtles, fishers, ringtail, and various birds including the
11 spotted owl that appear in the project area. And these
12 species range from federal and state candidates to species
13 of special concern, some of which are also fully protected
14 species. Next slide, please.

15 Based on the site's long history of managed
16 timberland, no state or federal listed plants are expected
17 to occur, and none were found during surveys conducted by
18 the applicant. The state has a California rare rank -- rare
19 plant rank system that helps identify and rank which native
20 plants are rare or at risk and are considered in
21 conservation planning and environmental assessments. There
22 are approximately 30 other sensitive species with the
23 potential to occur on or near the project site, most likely
24 in uplands, wet meadows, seeps, and riparian areas, and the
25 plant species range from highly threatened and rare to

1 those needing more data or considered of limited
2 distribution or watch list species. Next slide, please.

3 As presented in the previous slides, our
4 biological resource evaluation included reviewing the
5 applicant's information; conducting independent research
6 and literature reviews to assess the occurrence of
7 sensitive species; collaborating with other regulatory
8 agencies, including the California Department of Fish and
9 U.S. Fish and Wildlife Service; and participating in a one-
10 day site visit with the applicant. The result of this
11 effort led to the development and recommendation of 31
12 species specific mitigation measures. These measures would
13 be implemented by the project owner with CEC oversight
14 through the life of the project should the proposed project
15 be approved by the Commission. And pursuant to state law,
16 if a CEC license is issued, additional mitigation
17 considerations would include incidental take authorization
18 under the California Endangered Species Act, which is
19 normally issued by the California Department of Fish and
20 Wildlife.

21 Our analysis presented two distinct types of
22 impacts, first during construction and then during the
23 ongoing operations of the wind farm if it's approved. We
24 concluded that the construction related implementation of
25 mitigation measures for plants and wildlife would be

1 reduced to less than significant levels and would comply
2 with the California and Federal Endangered species acts and
3 other laws, ordinances, regulations, and standards, or
4 LORS. However, during the life of the proposed wind farms
5 operation, we concluded there would be significant,
6 unavoidable impacts to more than a dozen protected species,
7 including most birds such as sandhill crane, a variety of
8 bats including horary bats which are at risk with
9 collisions of wind farms, monarch butterflies, and other
10 insects from collisions with the turbines, or in the case
11 of bats, the risk of barotrauma. Barotrauma occurs when
12 bats fly near spinning turbine blades and there's a sudden
13 drop in air pressure and it causes injuries and death to
14 the bats.

15 Further significant unavoidable impacts would
16 also occur to more than 30 different species of terrestrial
17 and aquatic wildlife that are considered rare or otherwise
18 protected should the project result in the initiation and
19 or spread of wildfires. Now, while wildfires can be
20 beneficial to many plants and wildlife uncontrolled high-
21 intensity, fires can destroy forested areas, degrade water
22 quality, and result in the loss of many species of
23 wildlife. And if fire should spread to the adjacent
24 national forest lands, it could also displace other species
25 that rely on some of those old growth habitats that remain

1 in those locations. Next slide, please.

2 The Staff Assessment identifies the full list of
3 LORS impacted by this project, and you can see on the
4 slide, there's a variety of various regulations and
5 standards that we have to comply with. And during the
6 operation phase, the proposed project would not conform
7 with numerous LORS including those listed on the slide,
8 either due to wildlife collisions with the wind turbines
9 and/or the risk of uncontrolled wildfires that spread to
10 adjacent lands, including the Shasta and Lassen National
11 Forests. This would lead to impacts on sensitive species
12 individuals and their habitat, along with the migratory
13 pathways of some protected species. Detailed information
14 and analysis of what we've been talking about today are
15 found in the Staff Assessment. And with that, I will pass
16 the presentation over to Gabriel Roark.

17 MR. ROARK: Good morning, everybody. Thank you
18 for being here. My name is Gabriel Roark. I'm an
19 anthropologist and the cultural resources supervisor at the
20 CEC. Over the next few minutes, I will summarize the
21 conclusions of our cultural and tribal cultural resources
22 section in the Staff Assessment may we have the next slide,
23 please.

24 CEQA requires lead agencies to assess potential
25 impacts on significant cultural and tribal cultural

1 resources. Before we move on, we need to define what
2 cultural and tribal cultural resources are and what
3 criteria can make them significant. Cultural and tribal
4 cultural resources are physical aspects of our collective
5 heritage or history. Under CEQA, these resources include
6 objects, buildings, structures, sites, et cetera, as shown
7 on the slide. Generally, they should be about 50 years old
8 to be considered as cultural resources. Any of these types
9 of resources can have one or more significant historical or
10 cultural associations for people living today. In the case
11 of tribal cultural resources, such significance relates
12 specifically to California Native American tribes. Our
13 Staff Assessment identified 32 cultural and tribal cultural
14 resources in the project area.

15 Many types of cultural and tribal cultural
16 resources are found in the Fountain Wind Project area.
17 Represented are structures, sites, objects and area and a
18 landscape. As you can see on the slide here, we have
19 historic roads, a transmission line, water conveyance
20 ditch, Native American archeological site, historic logging
21 sites, isolated or individual Native American and historic
22 artifacts, logging features such as yarder and donkey
23 mounds. For the area we have Hatchet Ridge, Bunchgrass
24 Mountain, which is Shasta County in 2007 or 2008,
25 determined as a historical resource for the purposes of

1 CEQA. And then we also have a cultural landscape that we'll
2 speak more about in a few minutes. Next slide, please.

3 (SNEEZE IN AUDIENCE)

4 Bless you.

5 We concluded that with implementation of
6 conditions of certification, the proposed project appears
7 to be consistent with all applicable state LORS, or laws,
8 ordinances, regulations, and standards, but not local LORS.
9 Specifically, the proposed project would not conform to
10 Shasta County's general plan heritage objectives HER-1 and
11 policy HER-A right there on the slide.

12 Objective HER-1 has the goal of protecting
13 significant Native American and historic cultural
14 resources. Policy HER-A requires that development projects
15 in areas of known heritage value shall be designed to
16 minimize degradation of these resources. Where conflicts
17 are unavoidable, mitigation measures which reduce such
18 impacts must be implemented. The proposed project would
19 result in significant and unavoidable impacts on the tribal
20 cultural resource and historical resource, which will
21 detail on later slides. And as already mentioned by Chris,
22 the project would not conform to the Shasta County Code,
23 which prohibits the development of large wind energy
24 systems and unincorporated portions of Shasta County. Let's
25 have the next slide, please.

1 Thirty-two cultural and tribal cultural resources
2 were found in the project area, but not all cultural
3 resources are considered significant under CEQA. That act
4 has specific terms to identify cultural resources that are
5 significant. They're right there. Historical resource,
6 unique archeological resource, and tribal cultural
7 resource. So that you understand how the staff came to its
8 conclusions, we're going to go through those criteria one
9 by one on subsequent slides. Next one, please.

10 First, we'll tackle historical resources. To
11 qualify as such, a cultural resource must be listed on the
12 national or state register. Also, qualifying are California
13 historical landmarks of a certain number. They're numbered
14 in sequence, and I think it's landmarks 760 onward that
15 qualify as historical resources. Finally, a lead agency can
16 determine that a cultural resource is a historical resource
17 if it meets the California Register criteria.

18 Next slide, please.

19 For unique archeological resources. Should an
20 archeological site not meet the criteria for historical
21 resource, it might meet the criteria for unique
22 archeological resource. Unique archeological resources need
23 to meet one of three criteria. It needs to, one, have
24 important scientific information that is in the public
25 interest, and must have a special quality such as the

1 oldest known site or best example of a site type, or needs
2 to have a direct association with an important event or
3 person in archeological study. Next slide, please.

4 Now, the newest of the bunch, tribal cultural
5 resources. They can be sites, features, places, cultural
6 landscapes, places, and objects of cultural value to a
7 California Native American tribe, and that are included in
8 or eligible for the California Register, included in a
9 local register of historical resources, or by lead agency
10 determination that the resource meets the California
11 Register significance criteria. Agency determinations in
12 this regard need to be based on substantial evidence in the
13 record and have to consider significance specifically to
14 tribes. Next slide, please.

15 In total, staff concluded that five out of the 32
16 tribal and cultural resources in the proposed project area
17 qualify as significant. They are a historic transmission
18 line, a historic logging archeological site, a California
19 Native American archeological site, which is also part of a
20 cultural landscape. The Hatchet Ridge Bunchgrass Mountain,
21 which as I stated earlier, Shasta County has already
22 determined is a historical resource, and the Montgomery-
23 Hatchet Creek Tribal Cultural Landscape. We identified this
24 landscape based on substantial evidence in the record and
25 attestation by the Pit River Tribe. Next slide, please.

1 We concluded that the proposed project would have
2 less than significant impacts on the historic transmission
3 line. Impacts on the logging and California Native American
4 archeological sites would be less than significant with the
5 implementation of four mitigation measures. These
6 mitigation measures that we call them conditions of
7 certification, CUL-1 through four require archeological
8 excavation to recover and document the cultural and
9 scientific information that makes these sites significant.
10 The conditions also define a monitoring program to prevent
11 and minimize inadvertent impacts on cultural resources
12 during construction. The conditions also require that
13 California Native American personnel contribute to
14 mitigation and monitoring plans if they so wish, as well as
15 to monitoring in the field. Staff concludes that the
16 project would cause significant and unavoidable impacts on
17 two resources, Hatchet Ridge Bunchgrass Mountain, and the
18 Montgomery-Hatchet Creek Tribal Cultural Landscape. Next
19 slide, please.

20 We concluded the project would completely alter
21 the Hatchet Ridge Bunchgrass Mountain's southwestern
22 viewshed and connections to other Pit River Tribal
23 resources. The proposed project would require tree removal,
24 grading the contours of the project area, and building up
25 to 48 large structures visible above the forest. The wind

1 turbines, if built, could not be hidden and the character
2 of the land would be greatly changed, rendering these
3 impacts unavoidable. Next slide, please.

4 We'll conclude with the Montgomery-Hatchet Creek
5 Tribal Cultural Landscape. Significant impacts that we
6 identified include destruction of sacred sites through wind
7 turbine replacement, tree removal, excavation, including
8 damage to archeological resources and human remains,
9 recontouring of existing topography, and prominent
10 incompatible visual intrusions. Impacts identified for the
11 cultural landscape are similar to those Hatchet Ridge
12 Bunchgrass Mountain, but would occur directly in the center
13 west of the cultural landscape.

14 Impacts on the Montgomery-Hatchet Creek Tribal
15 Cultural Landscape are uncommonly severe because of the
16 proposed placement of wind turbines on sacred places, the
17 importance of which to the Pit River Tribe extends from
18 time immemorial to the present day. Construction and
19 operation of wind turbines on sacred places is incompatible
20 with the characteristics necessary for their traditional
21 use, which require serene natural viewsheds, physical
22 isolation, and a natural soundscape. In short, construction
23 on the sacred places and their surroundings would disrupt
24 their use minimally for the life of the proposed project if
25 it were approved. Barring avoidance, that is no project,

1 the scale of impacts on the Hatchet Ridge Bunchgrass
2 Mountain and the Montgomery-Hatchet Creek Tribal Cultural
3 Landscape is significant and unavoidable.

4 All right, Brett, it's your go. Thank you.

5 MR. FOOKS: Good afternoon, everyone. My name is
6 Brett Fooks and I manage the safety and reliability branch
7 here at the CEC. Over the next few minutes, I will briefly
8 outline the analysis and conclusions of our hazards,
9 hazardous materials, and wildfire section in the Staff
10 Assessment with an emphasis on wildfire. Next slide,
11 please.

12 Wildfire is a natural component in the evolution
13 of vegetation in Shasta County. Vegetation in the
14 watersheds is characterized by grass and undestroyed
15 vegetation, forest, and hardwood litter and chapperal
16 brush. We compared the proposed project's location to CAL
17 FIRE's Hazard Severity Zone lands. CAL FIRE identifies and
18 maps areas of significant fire hazards based on fire
19 history, existing and potential fuel, which can include
20 natural vegetation, predicted flame length, blowing embers,
21 terrain, typical fire weather for the area, and other
22 relevant factors. These maps identify this information as a
23 series of Fire Hazard Severity Zones, which are
24 progressively ranked in severity, as unzoned, moderate,
25 high, and very high. The project's located within a very

1 high Fire Hazard Severity Zone.

2 We also reviewed the project location against the
3 California Public Utility Commission's High Fire Threat
4 District Map. The HTFD maps identify three tiers for fire
5 threat and risks. The project is located primarily within a
6 tier two designation, which outlines where there's a higher
7 risk, including the likelihood and potential impacts on
8 people and property from utility-related wildfires. Next
9 slide, please.

10 Shasta County has experienced several major fires
11 over the last 30 years. Some of the largest fires in
12 California history have occurred within or included
13 portions of Shasta County. The Dixie Fire, which started on
14 July 13th, 2021, resulted from a tree falling on PG&E's
15 electrical distribution lines and resulted in one death,
16 destroyed 1,311 structures, and burned more than 963,000
17 acres in multiple counties.

18 The Carr Fire, which started on July 23rd, 2018,
19 near the Carr Powerhouse Road along Highway 299 in the
20 Whiskeytown National Recreation Area, due to sparks from a
21 flat tire, the fire burned 221,651 acres, destroyed 1,614
22 structures, and resulted in eight deaths.

23 The August 1992 Fountain Fire, which occurred in
24 the proposed project area, was a fast-moving fire that
25 burned the northwestern half of the proposed project site

1 and burned 60,290 acres. The fire destroyed 272 homes and
2 489 other buildings. Next slide, please.

3 Next, we reviewed how the project would impact
4 the emergency response. We analyzed the emergency response
5 based on how the ground and aerial firefighting services
6 would respond.

7 For the ground-based emergency response, the
8 project would construct additional on-site access roads
9 that would allow for egress and ingress of emergency
10 personnel through other parts of the project. These access
11 roads would also serve as fire breaks to slow down on-site
12 wildfire. Additionally, the roads could be used for staging
13 locations for firefighting equipment and personnel. Staff
14 concluded that the impact of the ground-based emergency
15 response would be less than significant.

16 For the aerial-based emergency response, several
17 factors such as turbine spacing, fire conditions, and smoke
18 would determine to what extent aerial assets could be used
19 to help to fight a wildfire on-site. The project's layout
20 would only allow for a few locations for fixed-wing aerial
21 resources to be used. Though helicopters could potentially
22 be used to fight a wildfire on the project, they would be
23 subject to the same hazardous air conditions from a
24 wildfire that would only be able to drop smaller loads of
25 fire retardant. Before any aerial assets could be used,

1 terrain, fire and weather conditions involved would have to
2 be analyzed to determine if the aerial assets could be
3 deployed safely.

4 Due to the fact that local firefighting agencies
5 could not provide a full suite of firefighting assets in
6 the event of a wildfire project site, staff has determined
7 that the project would create a potentially significant and
8 unavoidable impact. Next slide, please.

9 The impacts from hazards and the hazardous
10 materials will be less than significant with the
11 implementation of the 10 conditions proposed in the Staff
12 Assessment. However, we have concluded that the project's
13 impact on an emergency response plan and the ability of the
14 fire department to deploy effective aerial firefighting
15 resources are significant and unavoidable. The proposed
16 project would also not conform with all applicable LORS,
17 including Shasta County's municipal code 1788335, which
18 bans the installation of large-scale wind projects. I will
19 now pass this to Tatiana Inouye.

20 MS. INOUYE: Next slide, please.

21 Next slide, please.

22 Hi, my name is Tatiana Inouye. I'm the senior
23 land use technical specialist in charge of the land use and
24 agricultural Staff Assessment for this project. Next slide.

25 The Fountain Wind Project's proposed site would

1 be constructed on 37 parcels in unincorporated Shasta
2 County that are currently used for commercial timber
3 harvesting operations. The site has a land use designation
4 of timber in a zoned timber production. The county's timber
5 production zone is equivalent to a timberland production
6 zone or TPZ, as defined under California's Timberland
7 Productivity Act of 1982, which will be discussed in
8 further detail next in forestry resources.

9 To determine if there are any agricultural lands
10 that may be potentially affected by the project, the land
11 use team reviewed the Department of Conservation data and
12 determined that there is no prime farmland, unique
13 farmland, or farmland of statewide importance within the
14 project site. We also confirmed that the proposed project
15 site does not contain any lands currently enrolled in a
16 Williamson Act contract. Next slide, please.

17 We reviewed all applicable local, regional, and
18 state LORS pertaining to land use in order to determine
19 whether the project would conflict with any LORS. There are
20 three potential conflicts that were identified in the
21 analysis.

22 First, the applicant's current lease for the 37
23 parcels for the proposed project site will expire in 2047.
24 That means the applicant only has site control for another
25 22 years, which would not cover the operating life of the

1 project expected to occur over a 35-year timeframe.

2 Second, the proposed project would conflict with
3 Shasta County Ordinance number SCC 2022-04, which amended
4 the Shasta County Municipal Code to prohibit large wind
5 energy systems in all zone districts.

6 Third, the proposed project would conflict with
7 the site's zoning regulations and standards for a timber
8 production zone. Permanent land uses within a timber
9 production zone must promote the growing and harvesting of
10 timber, consistent with the county's municipal code
11 requirements. In 2021, Shasta County determined that large
12 wind energy systems have the potential to damage natural
13 resources and are not compatible with timber production
14 zones. Next slide, please.

15 As a result, we recommend one condition of
16 certification for land use and agriculture. Known as the
17 land one condition in the Staff Assessment, the applicant
18 must provide proof of lease extensions for the 37 parcels
19 within the proposed project site. This condition of
20 certification will ensure that the applicant has site
21 control throughout the life of the project.

22 Even with implementation of the land one
23 condition, the proposed project would continue to have a
24 significant and unavoidable impact due to its non-
25 conformance with the Shasta County Municipal Code sections

1 that ban large wind energy systems in all zone districts.
2 Furthermore, Shasta County does not consider large wind
3 energy systems as compatible with timber operations. And
4 therefore, the proposed project would be out of conformance
5 and a prohibited use in a timber production zone. I will
6 now pass it over to Tim Keesey.

7 MR. KEESEY: Hello, my name is Tim Keesey and I
8 am a California registered professional forester in charge
9 of preparing the Forestry Resources Staff Assessment for
10 this project. Next slide, please.

11 The project site consists of existing timberlands
12 owned by Shasta Cascade Timberlands. Shasta Cascade
13 Timberlands acquired the property in 2017 from Roseburg, a
14 commercial timber company. The project site is located
15 adjacent to other commercial timberlands and forest
16 resources managed by the Lassen National Forest. In 1992,
17 the Fountain Fire burned approximately 700 acres of the
18 project site at high severity. These areas were reforested
19 at a very high density. Reforested areas post-Fountain
20 Fire, and even aged silviculture within the project site
21 has created a patchwork of even aged dense early seral
22 stands of Sierra and mixed confer.

23 The California Board of Forestry classifies the
24 productivity of timberland into five site classes based on
25 a site's ability to produce wood growth on trees. Site

1 class one is the best timber ground and site class five is
2 not. Based on a review of past timber harvests within the
3 project site, timberlands are primarily class one and class
4 two within the project site. Basically, this is great place
5 to grow timber.

6 As previously mentioned by Tatiana, the
7 Timberland Productivity Act of 1982 allows counties to
8 create timberland production zones or TPZs. Oh, next slide.

9 And then the California -- Oh, okay. Sorry about
10 that.

11 As previously mentioned by Tatiana, the
12 Timberland Productivity Act of 1982 allows counties to
13 create timberland production zones or TPZs. These zones are
14 intended to preserve forest resources by restricting uses
15 to growing and harvesting timber. And as also mentioned
16 during the land use section, the project site is within a
17 TPZ.

18 The California State Board of Forestry regulates
19 commercial timber operations on privately owned land for
20 the Z'berg-Nejedly Forest Practice Act is of 1973.
21 Typically, this act and the Timber Productivity Act are
22 implemented by CAL FIRE through its forest practice rules.
23 Under these rules, a timber harvest plan must be prepared
24 by a registered professional forester for any proposed
25 commercial timber harvesting operations on private lands,

1 and the timber harvest plan must be approved by the
2 director of CAL FIRE. In this case, the elements of a THP
3 or timber harvest plan are contained within the Staff
4 Assessment and not issued as a separate document.

5 The act also establishes the state board's
6 authority to regulate timber conversion. If an alternative
7 to timber growth and production is proposed, such as an
8 industrial wind energy facility, a timber conversion permit
9 application must be submitted to CAL FIRE for review and
10 approval by the director. In this case, the CEC's
11 certification would incorporate the timber conversion
12 permit. Next slide, please.

13 The proposed project would result in the
14 permanent conversion of 510 acres of timberland that is
15 within a TPZ and the temporary disturbance of 540 acres of
16 high-quality timberland. The State Board of Forestry policy
17 emphasizes the goal to maintain timber growing land in
18 California as a permanent source of timber, and, according
19 to state board policy, titled Maintenance of Timber Supply,
20 it is in the public interest to oppose conversion of a TPZ
21 unless the public values to be achieved by the conversion
22 exceed the public values from timber growing.

23 Next slide, please.

24 Two conditions of certification were recommended
25 by staff. To address the permanent conversion of 510 acres

1 of prime timberland within a TPZ, forest one would require
2 the project owner group to provide a fee payment to a land
3 trust to acquire and preserve similar quality timberlands
4 at a ratio of one-to-one within Shasta County. Forest two
5 requires that the project owner reforest 548 acres of
6 temporarily disturbed areas, including treatment of
7 competing vegetation and planting of conifer seedlings.
8 Significant and unavoidable impacts to forestry resources
9 from the proposed project include the fact that the
10 proposed activity is prohibited within a TPZ under current
11 Shasta County zoning. In addition, 510 acres of high-
12 quality timberland within a TPZ would be permanently
13 converted to a non-timbered use.

14 I will now pass it to Mark Hamblin. Next slide.

15 MR. HAMBLIN: Are we on?

16 MR. KEESEY: Yeah, we are.

17 MR. HAMBLIN: Thank you, Tim. My name is Mark
18 Hamblin and I am the Planner II with the California Energy
19 Commission. I prepared the visual resources section for the
20 Staff Assessment.

21 As discussed and explained in the visual
22 resources technical section, the proposed project would
23 create a significant effect on the environment under CEQA
24 guidelines, appendix G, environmental checklist I,
25 aesthetics, subsections A, C, and D, and would be in non-

1 conformance with identified state and local laws,
2 ordinances, regulations, and standards pertaining to
3 aesthetics and visual resources.

4 Next slide.

5 The 2,855 acre project has historically been used
6 for commercial growing and harvesting of timber that meets
7 the requirements of the California Timberland Productivity
8 Act and for uses that were compatible for growing and
9 harvesting of timber. Shasta County General Plan Scenic
10 Highways Element identifies the segment of SR 299 from
11 Bella Vista to summit of Hatchet Ridge as a corridor in
12 which natural environment is dominant. The California
13 Energy Commission, in its certification approval for a
14 number of power plant projects has used as the definition
15 for scenic vista, a distant view of high pictorial quality
16 proceed through and along a corridor or opening. An example
17 of a scenic vista in a rural landscape is to view through
18 and along the Yosemite Valley a scene from the Wawona
19 Tunnel Outlook overlook in Yosemite National Park.

20 The physical change to the condition of the
21 existing object of aesthetic significance in the area, an
22 existing physical environment, caused the proposed project
23 --

24 (PAPER SHUFFLING)

25 Hold on. Let me try. I've got to check something

1 there. Jumped one too many. Jumped one too many folks,
2 sorry.

3 The site plan for the project shows seven wind
4 turbines spanning a topographical saddle or shallow valley
5 between Fuller Mountain in Carberry Mountain, on the west
6 side of Carberry Mountain, and four turbines crossing the
7 saddle on the east side of Carberry Mountain. These sizable
8 components of the project would physically change, obstruct
9 a scenic vista as defined. The spatial dominance of the
10 structures would be dominant. The 48 wind turbine
11 generators would require a 2.5 acre clearing of timber
12 around each wind turbine for fire protection within the
13 scenic vista. The color, form, texture, scale, and motion
14 by the wind turbines, other structures and equipment, for
15 the project would have an adverse effect on the scenic
16 vista and create a significant effect on the environment.

17 Next slide.

18 The question asked, the CEQA question asked,
19 would the project in a non-urbanized area substantially
20 degrade the existing visual character or quality of public
21 views of the site and its surroundings? An adaptive
22 descriptive inventory methodology, formal aesthetic model
23 was used to evaluate the physical change introduced by the
24 project to the existing environment. The evaluation focused
25 on project prominence and visual absorption capability. The

1 physical change to the condition of the existing object of
2 aesthetic significance in the area and the existing
3 physical environment caused by the proposed project, the
4 project effect, from the KOP was evaluated. In this
5 analysis, a key observation point is used. A key
6 observation point is a fixed position in a publicly
7 accessible location where a public view of the project is
8 analyzed and evaluated in the landscape.

9 The applicant provided six photographs showing
10 the existing physical environment, including the project
11 site prior to alteration from a KOP existing condition, and
12 six photorealistic simulations of the proposed project
13 components in the existing environment from the same KOP,
14 existing condition plus the proposed project as part of
15 this analysis. The KOP evaluation conducted for KOP four
16 and KOP five determine, given the existing physical
17 environment, the color, form, texture, scale, and motion of
18 wind turbines, along with other tall structures and
19 equipment, cannot be effectively mitigated by camouflage
20 disguise screen or treated with exterior surface coatings,
21 colors, or finishes, nor setbacks to be less than
22 significant.

23 Next slide.

24 CEQA question, appendix GI aesthetics D, would
25 the project create a new source of substantial light or

1 glare, which would adversely affect day or nighttime views
2 in the area? The 2,855-acre project site has been
3 historically used for commercial growing and harvesting of
4 timber. Given the existing physical environment, it's
5 expected, during nighttime, there would be little admission
6 of artificial light and low reflectance during daylight.
7 The World Atlas Night Sky Brightness Interactive Map shows
8 the location of the project site in a low to moderate
9 brightness area. The map delineates physical radiance
10 brightness homogeneously over the area from the approximate
11 site location by color.

12 The Federal Aviation Administration, FAA, would
13 require the project's 51 structures and equipment exceeding
14 200 feet above the ground to have FAA approved air
15 navigation, safety, and obstruction marking and lighting.
16 You could refer to FAA advisory circular 70/760-1M Change
17 1, effective on October 29th, 2024. The Federal Aviation
18 would appear to require lighting at this point.

19 The FAA approved air navigation obstruction
20 lighting admits artificial light three nautical miles, 3.3
21 regular miles, alerting pilots to obstructions on the
22 property. The spilling of unwanted light or intrusive light
23 onto surrounding properties would constitute light trespass
24 that cannot be effectively mitigated to less than
25 significant.

1 Next slide.

2 This slide is from the World Atlas Night Sky
3 Brightness Map. It shows the brightness at night emitted
4 from Redding, Montgomery Creek, Burney, and surrounding
5 area in Shasta County.

6 Next slide.

7 Regarding the laws, ordinances, regulations, and
8 standards, the Shasta County General Plan shows the land
9 use designation on the project site, timberland. The
10 proposed project involves a use that was not listed and
11 therefore did not have visual requirements. The Shasta
12 General Plan Scenic Highways Element, figure SH-1
13 specifically identifies the segment of SR 299 from Bella
14 Vista to the summit of Hatchet Ridge as a corridor in which
15 natural environment is dominant. The Shasta County zoning
16 map shows the project site in the timber production zone,
17 and the proposed project is not listed as a permitted or
18 conditional use.

19 I will now pass this back to Kaycee.

20 MS. CHANG: Thank you, Mark. I'll now go over the
21 opt-in requirements and next steps in the CEC process. Next
22 slide, please.

23 As part of the opt-in program, there are
24 mandatory requirements that projects must meet. We are
25 highlighting three of particular interest today. So for

1 labor, we conclude that the construction of the project is
2 not a covered project subject to public works. The
3 applicant has committed to provisions of the labor code, to
4 paying prevailing wages, and to using a skilled and trained
5 workforce.

6 Next slide, please.

7 We also assess the net economic impact on the
8 local government that would otherwise have had permitting
9 authority over the project had the application not been
10 filed with the CEC, which would've been in Shasta County.
11 We recreated the gross economic impacts using the National
12 Renewable Energy Laboratories' Jobs and economic
13 development model and the IMPLAN) economic modeling
14 software, and considered potential gross negative economic
15 impacts. We developed three scenarios for cost to Shasta
16 County related to Fountain Wind and found these listed on
17 the slide.

18 So for the base low fire risk scenario, the
19 economic output of construction and operation phases would
20 result in an estimated \$63 million annually. This assumes
21 no fire occurs around or near the project during its
22 construction or operations. This case does assume negative
23 economic impacts to Shasta County from reduced timberlands
24 production.

25 The middle is the high fire cost scenario, which

1 includes increased mitigation and suppression cost. This
2 scenario assumes fires may occur at or around the project
3 site, but were not started because of Fountain Wind
4 activities. This case assumes it will cost more to suppress
5 and mitigate wildfires because of the turbine heights of
6 over 600 feet. This case also assumes negative impacts to
7 the timber industry. The economic output of both phases
8 would result in estimated \$50 million annually.

9 And for the stress case, the far right, the high
10 fire property damage scenario. This case assumes that along
11 with the negative impacts to the timber industry and
12 increased mitigation and suppression costs, there are
13 additional costs to the county from wildfires caused by
14 Fountain Wind activities. This assumes Fountain Wind
15 activities can increase the probability of wildfire
16 igniting and damaging property and infrastructure that the
17 county is responsible for. In this case, we estimated these
18 direct negative impacts to Shasta County. The economic
19 output of both construction and operation phases would
20 result in \$36 million annually. Thus, the project shows a
21 net positive economic impact for Shasta County.

22 Next slide, please.

23 For the requirement that the applicant enter into
24 one or more legally binding and enforceable agreements with
25 or to benefit a community-based or organization, the

1 applicant submitted an executed agreement with the
2 Northeastern California Building and Construction Trades
3 Council. The Trades Council is an organization that
4 represents workers in Shasta and nearby counties, is
5 located within Shasta County, and is comprised of local
6 labor union affiliates.

7 The applicant has agreed to provide the
8 Northeastern California Building and Construction Trade
9 Council \$175,000 for workforce training and development
10 purposes. Additionally, the agreement requires a portion of
11 the funds to support conducting job fairs for the project
12 in both Redding and Burney, and provide at least two month
13 long multi-craft core curriculum trainings in Redding and
14 Burney on or before commencement of the project's
15 commercial operations.

16 Next slide, please. Under the California
17 Environmental Quality Act, or CEQA, if an agency identifies
18 significant and unavoidable environmental impacts from the
19 project, the agency cannot approve the project unless the
20 agency finds specific economic, legal, social,
21 technological, or other considerations, including region-
22 wide or statewide environmental benefits outweigh the
23 adverse environmental effects.

24 Separate from the CEQA consideration, the CEC
25 must also make required findings to approve a project that

1 is inconsistent with local zoning laws. Specifically, the
2 CEC must find that the facility is required for public
3 convenience and necessity, and that there are not more
4 prudent and feasible means of achieving public convenience
5 and necessity.

6 In making the determination, the commission shall
7 consider the entire record of the proceedings, including
8 but not limited to the impacts of the facility on the
9 environment, on consumer benefits, and on electric system
10 reliability. In arriving at a recommendation for the CEC to
11 deny the project for both environmental impacts and
12 inconsistencies with zoning laws, we set forth a detailed
13 assessment considering the project's contribution to state
14 renewable energy and greenhouse gas reduction goals, grid
15 reliability, the local and regional economy against
16 environmental impacts, land use policies, tribal concerns,
17 the stated purpose of the local zoning and land use laws,
18 public safety, and feasibility of alternatives.

19 Next slide, please.

20 Currently, we intend to complete the CEQA process
21 by considering all comments and publishing an updated Staff
22 Assessment, which would be presented to the CEC at a
23 business meeting that would be formally noticed for
24 consideration.

25 Next slide, please.

1 We will now break for lunch. Please return in one
2 hour at 1:15 p.m. When we return, we will hear remarks from
3 the applicant and a public participation in tribal
4 consultation overview from the CEC. Thank you, everyone.

5 COMMISSIONER GALLARDO: Just a quick change,
6 we're actually going to do lunch in 45 minutes, so be back
7 here at 1:00, if that's okay.

8 MS. CHANG: One o'clock.

9 COMMISSIONER GALLARDO: One o'clock.

10 (OFF THE RECORD AT 12:16 P.M.)

11 (ON THE RECORD AT 1:06 P.M.)

12 MS. CHANG: All right. Hi, everyone. Welcome back
13 from lunch. Next up, the applicant will be making remarks
14 so I'd like to introduce Henry Woltag.

15 MR. WOLTAG: Okay. Good afternoon, Commissioner
16 Gallardo, CEC staff, and members of the public. My name is
17 Henry Woltag. I am the Director of the Fountain Wind
18 Project for Repsol and I appreciate the opportunity to
19 speak before you today. I'm joined here by Anne Mudge and
20 Shane Lauderdale, members of the project team, who will be
21 speaking after me, and we appreciate the Commission's
22 review of this project under CEC's opt-in permitting
23 pathway AB 205.

24 When AB 205 was originally passed, it was a
25 testament to the State of California's commitment to

1 combating climate change in addressing perhaps what is the
2 most urgent issue of our lifetime. With SB 100, which was
3 passed in 2018, the State has committed itself to 100
4 percent renewable energy by 2045. This is one of the most
5 aggressive carbon reduction goals in the world.

6 Based on the latest draft plan to meet these
7 goals, the CPUC concluded that California will need to add
8 an additional 12,000 megawatts of wind energy in or near
9 California by 2045.

10 This is the equivalent of 60 Fountain Wind
11 Projects, and this is in addition to the nearly 100,000
12 megawatts of clean energy resources that are needed,
13 including out-of-State wind, offshore wind, solar, and
14 energy storage. Again, that is 12,000 megawatts of new wind
15 that needs to be cited, permitted, and built, which is in
16 California a decades-long process. AB 205 was passed in an
17 effort to address the urgency of needing to add all of this
18 renewable energy in the face of increasing difficulty in
19 obtaining local permits. The CEC was tasked with ensuring
20 this critical delay in approving projects would be
21 resolved. Therefore, we find it almost impossible to
22 understand how the draft EIR in the preliminary Staff
23 Assessment can conclude that this project does not meet --
24 the standard of public convenience and necessity. Fountain
25 Wind is effectively a shovel-ready project and has been so

1 for the last four years. It has the potential to provide
2 power to more than 80,000 homes in the State of California,
3 which is essentially the same as providing power to the
4 entire city of Redding.

5 That power doesn't only come when the sun is
6 shining like with solar, but it also is generated during
7 the evening and overnight hours, which is the most critical
8 time of need for the grid in a future renewable energy
9 penetration world. We need 60 wind projects of this size
10 and there are practically zero waiting in the pipeline in
11 California. A conclusion that this project does not meet
12 the public convenience and necessity is not only *prima
facie* false, but such a conclusion will all but ensure no
13 future wind projects materialize to meet this urgent need.
14 In addition to providing reliable, clean, and renewable
15 energy, the project has a long list of major benefits. Over
16 the two-year construction phase, there would be up to 200
17 well-paying local union jobs during peak construction. The
18 project would provide well over \$50 million in property tax
19 revenues to Shasta County over the life of the project,
20 which would make Fountain Wind one of the largest property
21 taxpayers within the county.

22
23 And we've also executed over \$2 million in
24 binding community benefits agreements focused on education
25 and workforce development. This includes \$2 million

1 dedicated to establishing a fund with the Shasta College
2 Foundation and 175,000 committed to the Northeastern
3 California Building and Construction Trades. And I will add
4 that both of those agreements are part of the record and on
5 the docket, so I know only one of them was mentioned and I
6 would encourage staff to research if they're not aware of
7 the agreement with Shasta College. There are clearly
8 demonstrated needs in the communities of Eastern Shasta
9 County, and without this project tens of millions of
10 dollars will never reach those communities. Again, for
11 these hosts of reasons, it is hard for us to understand how
12 a recommendation of denial of the project could be reached
13 in light of the overwhelming need and benefits. While it is
14 true that at face value, the EIR has identified multiple
15 significant and unavoidable impacts. Upon closer
16 evaluation, we find glaring discrepancies, errors, and
17 omissions that come to the surface.

18 And before digging into the details of the EIR's
19 1,200 some odd pages, one can simply look at the existing
20 project in the same location to discover a project that has
21 been safely operating for over 15 years. And none of these
22 speculative impacts that have been outlined in the EIR have
23 come to pass. This process seems to have bypassed looking
24 at real-life experience in favor of speculation and the
25 development of worst-case scenarios that take on a life of

1 their own until they crystallize in significant and
2 unavoidable impacts in the document. But we believe the
3 facts on the ground and part of the record show the
4 opposite. Anne?

5 MS. MUDGE: Good afternoon. My name is Anne
6 Mudge. I'm a partner at Cox, Castle & Nicholson, a law firm
7 in San Francisco, and I've been working with Repsol on this
8 project since 2021 and before.

9 The need for wind energy in California is
10 critical. We need a diversity of renewable energy sources.
11 Not just solar. Not just battery storage. Not just
12 geothermal. Not just hydro, but we also need wind energy.
13 We need Fountain Wind. We cannot get to the goals that we
14 have set for ourselves with just repowering. Fountain Wind
15 is one of the only wind energy projects that is in the
16 permitting pipeline. The preliminary Staff Assessment lists
17 a number of wind projects that they claim are in the
18 permitting pipeline, but those projects are either
19 repowers, they're already built, they're dead, or they're
20 in Baja.

21 Fountain Wind is the only project that is
22 currently being considered to be built in California, that
23 is a new wind energy project. The last wind energy project
24 that California built was the 100megawatt Strauss Wind
25 Energy Project in Santa Barbara. That's five years ago.

1 This 200 megawatt wind project is about an average size for
2 a wind project. The Staff Assessment decries it as too
3 small. But if this is too small, we'll be not approving any
4 wind projects in California. The project is well sited. It
5 is on commercial timberland. It has a good wind regime.
6 Unlike solar, you can't just build wind anywhere. You have
7 to have commercial grade of wind. These ridges here in
8 Shasta County are blessed with a commercial grade of wind.

9 The project has immediate access to transmission.
10 That's a rarity here in California. There are innumerable
11 renewable energy projects that are stuck because they can't
12 get access to transmission. This project has access to
13 transmission and that transmission is not readily available
14 to other projects. In other words, it's stranded. This
15 project does not require discretionary federal permits. In
16 today's atmosphere with the federal government, which has a
17 strong antipathy to wind, if you need to build a wind
18 project on federal land or need discretionary federal
19 permits, you're going to be waiting a very long time. I've
20 helped permit at several thousand megawatts of wind energy
21 over my 30-year career in California, and this project has
22 fewer environmental impacts than most wind energy projects.
23 Every renewable energy project has some form of
24 environmental footprint, but this one has fewer than most.
25 But you wouldn't know that from the Staff Assessment.

1 I find the Staff Assessment to be exaggerated,
2 speculative, and not based on good data. It ignores the
3 history of the Hatchet project, immediately adjacent, which
4 has successfully operated for the past 15 years, and it
5 ignores the fact that there are hundreds of megawatts of
6 wind energy in Canada and the U.S. that are built in
7 forested landscapes, that are very successfully operated.
8 The purpose of AB 205 was to bring you the hard projects.
9 Not the easy projects, but the hard and controversial
10 projects. The projects that are subject to loud, local
11 opposition. This is one of those. It was intended to
12 provide a neutral forum and to approve as many renewable
13 energy projects as quickly as possible. And we're very
14 disappointed with what we believe to be a one-sided and
15 exaggerated environmental assessment.

16 So with respect, we strongly disagree that the
17 environmental impacts of this project cannot be mitigated.
18 Let's talk about what they are. Actually, I'm going to
19 start with a couple that I do agree with. There are some
20 environmental impacts of the project that can't be
21 mitigated. The first one is visual. Wind energy projects
22 are big. They take skyline. You can't hide them. You can't
23 build wind energy projects underground. It's interesting
24 though, a lot of companies use wind energy turbines in
25 their marketing materials because they're also majestic and

1 they suggest our zero emissions-free energy future. Whether
2 you like them or dislike them is subjective, but because
3 you can see them is not a good reason to deny wind energy.
4 Land use, and the inconsistency with the Shasta County
5 ordinance.

6 In 2021, when the Board of Supervisors denied
7 this project, they immediately followed up with the
8 adoption of an ordinance shutting the door on all utility
9 scale wind energy in all of the timberland in Shasta
10 County. People said to me at that hearing, "We like
11 renewable energy, just not here." That's a problem. If this
12 project is denied by the Commission, I predict that will
13 encourage other jurisdictions around California to try to
14 do exactly the same thing as Shasta County did and adopt
15 ordinances saying not here somewhere else. We urge the
16 Commission, when it comes time to make a decision on the
17 project, to override the local inconsistency. These kinds
18 of zoning moratoria and prohibitions are going to get in
19 the way of our ability to achieve our climate change goals.
20 The suggestion on forestry, I find ironic that turbines are
21 going to get in the way of commercial timber harvesting.

22 That sounds like an odd environmental impact to
23 me. It's not been known to me that we have a shortage of
24 harvestable timber or that the loss of 500 acres is a
25 significant and unavoidable environmental impact. Species,

1 all renewable energy projects have some impact on habitat
2 and the environment. It's impossible not to. What I find
3 extraordinary about this assessment is the conclusion that
4 those impacts are unmitigable. Let's take an example. The
5 sandhill crane, it's a migratory water bird. It's known
6 specifically to avoid collision with wind turbines. There
7 have been multiple studies -- avian post-construction
8 studies that count birds that collide with wind turbines.
9 Thousands of birds collide with wind turbines. It is an
10 unfortunate fact. It's not something that wind developers
11 like at all. We do all kinds of things to avoid that, but
12 they do collide. And in the thousands of birds that have
13 been found dead on the ground -- thousands, two have been
14 sandhill cranes.

15 So this suggestion that there is a significant
16 unavoidable impact to sandhill cranes is rather
17 extraordinary based on the data. The supposition is that
18 they are migratory species and they may fly over the
19 turbines in inclement weather, low cloud cover, lose their
20 way and collide with the wind turbines. Unlikely, but
21 possible. Nonetheless, what other renewable energy
22 companies do and other projects do, and what other
23 developers do is they enter into agreements with the
24 California Department of Fish and Wildlife, and here
25 through the CEC, to avoid, minimize and compensate for

1 those losses. And here there is no discussion of the
2 project entering into an incidental take agreement or
3 incidental take authorization. No discussion of what
4 compensatory mitigation might look like or what adaptive
5 management might look like. What might adaptive management
6 look like here? It might look like temporary curtailment of
7 the turbines during inclement weather during the migratory
8 bird season. But there's no discussion of that. There's
9 simply a conclusion that the impact is significant and
10 unavoidable, not based on data.

11 Fire. These are completely unique findings in my
12 experience. I've never seen an environmental impact report
13 find that a wind project anywhere in California would have
14 a significant and unavoidable impact on fire. Not one.
15 Shasta County's own EIR for this project in 2021 did not
16 reach that conclusion. And the conclusion about hampering
17 aerial firefighting is simply incorrect. Our expert, Shane
18 Lauderdale, is going to address that in some detail when I
19 conclude my remarks. The conclusions about fire in this
20 document are almost apocalyptic. That CAL FIRE is going to
21 be incapable of suppressing and containing fires because it
22 cannot use aerial firefighting. That's not how CAL FIRE
23 suppresses and contains fires. Shane's going to talk to you
24 more about that. At the very least, we would like the
25 Commission to direct its staff to go back and reevaluate

its conclusions on fire. They're just wrong.

The final impact with which we do agree with the Commission is significant unavoidable, our impacts to tribal cultural resources. The Pit River Tribe has taken the position that these are -- they're California ancestral homelands and they're sacred to them. And we do not dispute that. We also do not dispute that wind turbines in that environment could have a significant and unavoidable impact on that landscape. The project sponsor has repeatedly attempted to reach out to the tribe to discuss various mitigation measures knowing that nothing it can do can fully mitigate that impact. If, however, we deny projects on the basis that they will have an impact on tribal cultural landscapes that were once part of ancestral homelands, we may never ever reach our climate change goals because the entire State of California was once an ancestral homeland. So we ask that the staff re-evaluate its conclusions. They're not supported by substantial evidence and they're wrong. Thank you.

MR. LAUDERDALE: Good afternoon, Commissioner, members of CEC staff, and the public. My name is Shane Lauderdale. I'm the founder and CEO of Pyroanalysis, fire and emergency management consultants. But more importantly, I'm a firefighter. In fact, I started my career here in Shasta County, 39 years ago as a firefighter. I worked 24

1 years with the city of Redding Fire Department before I
2 moved to the city of Chico where I promoted to the fire
3 chief of the city of Chico. So I think it's fair to say I
4 have dedicated my life, and confirm I have now will
5 continue to dedicate my life to protecting communities and
6 individuals from hostile fire, especially wildfire. And in
7 my role as a CAL FIRE Operations Section Chief, I traveled
8 the entire State fighting some of the most catastrophic,
9 devastating deadly fires in California's history, including
10 the Camp Fire, the Thomas Fire, the Fawn Fire right here,
11 and so many more. I could go on and on. But my last fire,
12 it was this year in Malibu in December.

13 So it's from that lens that I'm speaking to you
14 today. A lens that truly believes that we need to make our
15 communities more resilient to fire. And as I read the Staff
16 Assessment, I'll be honest, I was pained because it's clear
17 that I did not do a good job of educating your staff on
18 exactly what the impacts of Fountain Wind are as it relates
19 to fire.

20 And regrettably, that resulted in an
21 understanding that -- by Staff Assessment, that the impacts
22 would actually exacerbate fire from what it is presently,
23 as a logging land use, to one that has Fountain Wind
24 Project. And I tried to understand why that conclusion
25 could have been reached. And what I understood is that

1 there was not credible evidence for you to evaluate. That
2 there was lack of experience with the evaluators. And that
3 most importantly, there was a company that Shasta County
4 hired to provide information that the assessors used that
5 was not qualified to do the work that Shasta County had
6 them do.

7 That company is Reax. And what is Reax? Well,
8 Reax is an extremely respected fire protection engineering
9 company. They design systems like the sprinkler system,
10 alarm systems, smoke control systems, all kinds of systems
11 for protection of buildings. They're also experts in fire
12 code application and fire investigation. However, they are
13 not fire control experts. They are not fire behavior
14 analysts. And they do not have the certification nor the
15 qualifications to make the assessment they made. Let me
16 explain.

17 As an example, when Shasta County asked them to
18 specifically evaluate the aerial firefighting impacts, they
19 chose to study the use of VLATs in fighting fires in
20 Eastern Shasta County. For those of you that don't know
21 what a VLAT is, it's a DC-10. They're impressive. There's
22 four in the United States, and they do not belong to CAL
23 FIRE. They belong to contractors, and they could be on any
24 fire, anywhere in the United States when a fire breaks in
25 Eastern Shasta County. But instead of modeling the aircraft

1 that CAL FIRE uses, that sit right here on Redding's Air
2 Base, S-2s, which are nimble aircraft made for immediate
3 initial attack and are extremely effective in the wildland
4 and mountainous terrain of Shasta County and California's
5 fleet of the most advanced firefighting helicopters in the
6 world, they chose DC-10s. Right there, the credibility of
7 that company becomes extremely concerning. But it's worse.

8 Fire models are designed to study fire behavior
9 and to give information to experts in fire behavior, to
10 tweak the model, to understand what will probably happen on
11 a fire. They do not consider, never were designed to and
12 never will, at least in the short term here. I don't know
13 what AI will change. Never will be able to consider
14 suppression activity. In other words, I cannot go and model
15 before I fight a fire, what suppression activity will do.
16 Let alone what aircraft will do. And yet Reax, knowing
17 that, had their modelers not fire behavior analysts create
18 a model for Shasta County that illustrated a DC-10 dropping
19 retardant and the fire went out. And that's the analysis
20 they provided. What's wrong with that? Well, that's not how
21 it works. That's absolutely not how it works.

22 Aircraft do not drop fire suppressant. They drop
23 fire retardant. And the reason it's called retardant is
24 because it slows the path of the fire. Hopefully takes the
25 fire, especially in Eastern Shasta County, out of the

1 canopy and onto the ground. And firefighters then have to
2 be inserted to the fire's edge where they build a line with
3 either hose lays, hand lines, or bulldozers to control the
4 fire. I just want to repeat that. Aircraft are amazing.
5 They do not control fires. Firefighters do. And in order to
6 control a fire, the faster firefighters can get to that
7 fire edge, the faster they are able to control the fire.
8 The Fawn Fire was not controlled as quickly as it could
9 have been because there was no access to the southern and
10 eastern sections of that fire. That access had to be built
11 with bulldozers. If there had been the access that Fountain
12 Wind provides, as you see on the maps, access could
13 immediately been made by firefighters on the ground to that
14 location.

15 And last and most incredibly, not only do they
16 assume that ground crews are not used in the models they
17 do, but they assume that the models are going to be read by
18 people that do not understand how models are used, which to
19 me is misleading. So this, I believe, is why there are --
20 There's a lack of understanding in the report that has led
21 to a bad conclusion. So the bad science led to a bad
22 analysis. So what is the truth? Well, here's the truth. The
23 truth is that the Hatchet Ridge Project has operated since
24 2010. There's not been one fire reported at the Hatchet
25 Ridge Project. We have had fires in the area. None of those

1 fires have been impacted in a way where aerial aircraft
2 could not be used. The truth is aerial aircraft, the right
3 aerial aircraft, can very effectively work in and around
4 those turbines. There is all kinds of evidence to support
5 that.

6 The truth is that the mitigations that are
7 proposed as part of this project, in particular, the road
8 systems that have 200 feet of shaded fuel breaks on each
9 side of the road, provide not only quick access for
10 firefighters, but a safe location for firefighters to
11 anchor a fire from. In other words, it's a place where the
12 fire will not have a crown run that will kill firefighters.
13 That's firefighter safety. The project also includes water
14 tanks throughout the project for a rapid refill of fire
15 engines if there's a fire there. And there will be ongoing
16 monitoring due to the presence of the turbines, so any
17 fires that do happen are reported more quickly.

18 But what about the part of the assessment that
19 said that shaded fuel breaks would actually exacerbate fire
20 problems? That it would increase the growth of grass
21 causing a more rapid fire growth and spread? I really don't
22 know what to tell you. Right now California is spending
23 billions of dollars on building shaded fuel breaks. Fuel
24 breaks on ridge lines and access roads to protect our
25 communities from fires. The experts in fire behavior, the

1 experts in fire mitigation, your fire chiefs throughout
2 California in the west and CAL FIRE all came together to
3 support shaded fuel breaks in areas just like the Fountain
4 Wind Project to protect our communities. Why was that not
5 clearly spoken to in this report? So the truth is the
6 Fountain Wind Project, if you evaluate what's been done
7 with the shaded fuel breaks and the other access things
8 that are added, is a net benefit to the fire protection of
9 the communities around Eastern Shasta County.

10 MR. WOLTAG: So I'll close. There's a few final
11 remarks. First, I'll reiterate what Anne mentioned, that
12 there are virtually no other wind developments being
13 brought forward elsewhere in the State of California. The
14 last project that was built was the Strauss Wind Energy
15 Project, just south of Lompoc. And that project, I remember
16 reading an article once it came online that it would've
17 been old enough to walk into a bar and buy a drink. It took
18 over 20 years from inception through final operations of
19 that project. And if California can't rely on projects like
20 this readily shovel-ready project, which is an extension of
21 an existing facility, then what wind project would the CEC
22 approve?

23 A perfect project with no significant and
24 unavoidable impacts simply does not exist. And if the CEC
25 doesn't approve this project now, then when would another

1 wind project come forward? The answer simply put is that
2 they won't. In the face of anti-wind sentiment that has
3 been stoked by the current political environment, including
4 the complete halt of the development of offshore wind, for
5 who knows how long, the CEC needs to take bold action now
6 more than ever. At the end of the day, if the main concern
7 of Commission staff is that this project would exacerbate
8 wildfire risk, it is almost unconscionable that staff does
9 not recognize just how important this project is to
10 combatting climate change and that it is not part of the
11 climate problem, but part of the solution. And with that,
12 I'll close my remarks. Thank you very much.

13 MS. CHANG: Thank you. We'll next move on to Mona
14 Badie with the public advisor.

15 MS. BADIE: Hi, everyone. I am the last
16 presentation for today and I'm going to be short because we
17 also want to hear from all of you. I've got the blue cards
18 here. If anyone else has not filled out a blue card and you
19 want to comment today, I do ask that you do that now so we
20 can make sure we're prepping everything. I see one more
21 blue card. And yeah, the blank cards are at the back table
22 and you can turn them in the back table. I'll pull them up
23 later. All right.

24 So I'm Mona Badie. I'm the public advisor for the
25 California Energy Commission, and today I'm just going to

1 be describing how to participate. This is for the public.
2 This is also for California Native American tribes that
3 wish to do consultation or have been doing consultation.
4 Just doing another overview.

5 Next slide, please.

6 All right. Just taking a brief step back and
7 introducing the Energy Commission. So we're the California
8 Energy Commission. We're a State agency, also called the
9 CEC, and we were created in 1974. We're the State's primary
10 energy policy and planning agency and we have a variety of
11 functions and work closely with other energy related
12 agencies. So siting is just one of the many things that we
13 do. We do State energy policy, energy efficiency and
14 reliability, and of course clean energy transition planning
15 and infrastructure. Next slide.

16 I'm with the Office of the Public Advisor, Energy
17 Equity and Tribal Affairs. Part of our mission is to
18 facilitate public and tribal engagement and consultation in
19 CEC programs and policies. We are a free resource available
20 to anyone that funds to participate in these proceedings,
21 including the Fountain Wind proceeding. I'm going to share
22 our contact information on the last slide.

23 All right. Next slide, please.

24 So there's multiple ways for members of the
25 public and for tribes to participate in our proceeding. One

1 is just to follow the proceeding, right, just get
2 information, come to the events. The second is to comment
3 and the third is tribal consultation. That is open to
4 California Native American tribes, and I'm going to be
5 going into each of one a little more detail. Next slide.

6 So I'm just going to describe some of the ways
7 that you can follow up proceeding. One of the most popular
8 ways to participate is just to follow the proceeding. You
9 can review materials on our website, signing up for email
10 updates and attending events like the one here today. On
11 the left side of my screen is a snapshot of the CEC web
12 page for the proposed project. It has information on the
13 project, the project status. It has a link to sign up for
14 the listserv, the email listserv, and it has a link to the
15 project proceeding docket, which I'll explain in a moment.

16 And there's also a link you can submit comments
17 directly on our website. So what is a docket? The CEC has
18 publicly accessible online dockets for its proceedings and
19 you'll a snapshot of the Fountain Wind one on the right
20 side of my slide. This is basically a place where all the
21 application materials, public comments, notices, agendas,
22 and other documents are filed and available online with few
23 exceptions. And then, let's see, they're all available for
24 download and free to view. The only exception is if they
25 receive confidentiality status from the energy Commission

1 under the law. And also attending events is another way you
2 can follow the proceeding. Our website has a calendar of
3 events and our events are noticed via our dockets and
4 emailed to everyone on the email list. And our events are
5 almost always hybrid or fully virtual via Zoom so the
6 public can attend our events from anywhere with a phone or
7 internet connection.

8 Next slide, please.

9 So another way to participate is to comment. As
10 in all of our programs and policies, any person can comment
11 verbally at one of our events or in writing. So just note
12 that public comments do become part of the public record
13 and they are accessible via internet search engine. So to
14 comment verbally, you're just going to attend the event.
15 I'm going to provide the instructions at our other events.
16 There might be other folks providing instructions. And if
17 there's a hybrid event, you can comment in person or via
18 Zoom online or Zoom by phone. And right after this
19 presentation, we're going to open the public comment. You
20 can also submit written comments. So I've stated before
21 that the CEC website, we have what's called a docket for
22 each project proceeding and written comments can be
23 submitted at any time. The most effective time is the set
24 public comment period for that particular item.

25 So right now the comment period for the Staff

1 Assessment closes on May 27th. And so for the most impact
2 for your comments on the Staff Assessments for
3 consideration, you'd want to docket those or file those,
4 submit those, whatever the verb you want to use there by
5 May 27th. And in the notice we have email and also snail
6 mail options for comments as well. But the website is very
7 easy to click on the link, enter, just type your comments
8 out and submit. And if you need any assistance you can
9 contact our office as well. All right. Next slide. So the
10 CEC invites tribal consultations and this and other opt-in
11 proceedings. CEC has been conducting tribal consultations
12 for this project. We have Gabriel Roark from the CEC site
13 division with us today in person and also Sierra Graves,
14 CEC's Director of Tribal Affairs and Tribal Liaison here
15 with us today in person. And I've got Gabriel's contact
16 information on here for inquiries and other communications
17 with California Native American tribes. Next slide.

18 Thank you for attending the meeting and your
19 interest in this proceeding. We're here to serve the State
20 of California and your participation helps us do our job. I
21 put my contact information on this slide. And again, our
22 office is here to assist anyone who wants to participate in
23 the proceeding in all the ways that I mentioned here today.

24 And with that I'd like to move on to our public
25 comment period. So what we're going to do is we're going to

1 start with the blue cards for folks that I've identified
2 that they're here with a tribe or a government entity and
3 then we'll move on to general public comment. For the
4 tribal and other government comments, we're not going to
5 have a timer on the screen, but we are asking if you can
6 limit to five minutes or less. And then for public comment,
7 we are doing a timer for three minutes or less. That just
8 makes it so that everyone who's here today can speak and we
9 can hear from everybody. All right. One moment. All right.

10 UNIDENTIFIED SPEAKER: (INDISCERNIBLE)

11 MS. BADIE: Thank you. Yeah. Any more blue cards?
12 Okay. And then we're asking for folks to come up to the
13 podium and we're going to start with folks in the room and
14 then we're going to transition over to Zoom. So in the room
15 if you could come up and approach the podium, we do ask
16 that folks state and spell their name for the record and
17 announce their affiliation for the government and for the
18 tribal speakers as well. So first we have Chairman Yatch
19 Bamford, if you're still with us. Thank you so much.

20 MR. BAMFORD: Thank you very much. My name is
21 Yatch Bamford, the spelling Y-A-T-C-H B-A-M-F-O-R-D, and
22 I'm the chairman of the Pit River Tribe. On behalf of the
23 Pit River Tribe, I am here to express our full support for
24 the denial recommendation of the Fountain Wind Project.

25 From the onset, the Pit River Tribe has stood in

1 firm opposition to this project. The proposed development
2 site lies within a landscape of deep, cultural, spiritual,
3 and ecological importance to our people. These lands are
4 not simply geographic spaces. They are living places
5 intertwined with our history, practices, and
6 responsibilities as caretakers of the natural world. The
7 irreversible harm this project would cause to sacred sites
8 and ancestral lands and the delicate ecosystem of the
9 region is unacceptable. No mitigation measures, financial
10 compensation or development incentives can offset or
11 justify such permanent damage. The values at stake are not
12 for sale. We urge the Commission to uphold the
13 recommendation to deny the Fountain Wind Project and to
14 affirm the protection of tribal cultural resources,
15 traditional territories, and the ecological integrity of
16 the land. Respectfully, Yatch Bamford, Chairman of the Pit
17 River Tribe. Thank you guys.

18 MS. BADIE: Thank you. Next, we're going to hear
19 from Steve Kerns and then after Steve, we'll hear from
20 Susan Studer. And just a reminder, let us know your
21 affiliation as well, Steve. Thanks.

22 MR. KERNS: Yeah. Members of the Commission,
23 staff, thank you very much for allowing me to share. My
24 name is Steve Kerns. I'm a resident of the Intermountain
25 area up there that was burned back in 1992 and I'm on the

1 Shasta County Planning Commission. Shasta County is an
2 amazing county. We have Shasta Lake, Shasta Dam, Shasta
3 Caverns, the McCloud, the Pit, the Sacramento River, Hat
4 Creek, Burney Falls, Castle Crags. We have forest
5 resources, mining resources, ranching resources and farming
6 resources all in our county. But the most important
7 resource we have in all that is our people and our desire
8 to take care of the people. In the Shasta County Planning,
9 there's a little clause that we look at a project we have
10 to consider this that if a project would be detrimental to
11 the health, safety, peace, morals, comfort, and general
12 welfare of the persons residing or working in our
13 neighborhood.

14 In my nine years on the Planning Commission, I've
15 never seen a project that violates that any more than the
16 Fountain Wind Project. I have the distinction of being a
17 firefighter on the Fountain Wind Project or the Fountain
18 Wind Fire. And I witnessed what a fire can do in our
19 neighborhood firsthand, the way it can burn through there
20 and just wreak destruction and then it was replanted, but
21 the destruction in terms of what it did to lives for years
22 after and the rebuilding process cannot be overstated.

23 It was just a process that went on and on and on.
24 Now the ban has been mentioned this morning by the Shasta
25 County Board of Supervisors put a ban on industrial

1 windmills and unincorporated areas, and I think your staff
2 got it exactly right why that ban was put there. It says in
3 the purpose of the Shasta County Ordinance section CC 2023-
4 1, the Stated purpose of the ordinance is to protect and
5 promote the public health, safety and general welfare of
6 the county's citizens. As testimony has been, we are in a
7 severe fire climax ecosystem throughout our whole county.
8 How do we protect our citizens? And for those that are in
9 government, that is the absolute key aspect of everything
10 else. We can talk about how much power it generates, all
11 this kind of stuff, but can a project protect our citizens?
12 And this project cannot do that and that's why our Board of
13 Supervisors put the ban in place to protect our citizens.
14 Thank you very much.

15 MS. BADIE: Thank you. After Susan, we'll hear
16 from Jen Chappin.

17 MS. STUDER: My name is Susan Studer, S-U-S-A-N
18 S-T-U-D-E-R. I'm counsel alternate for the Itsatawi Band,
19 which our area is Hatchet Mountain and we've seen the
20 devastation and we oppose. I would like to read something
21 from President Trump. He says wind energy is one of the
22 fastest-growing, cheapest forms of electricity in the
23 United States. The president calls it garbage, so do I.
24 That's all.

25 MS. BADIE: Jim Chapin, are you still with us?

1 MR. CHAPIN: I am.

2 MS. BADIE: Thank you. And after Jim, we hear
3 from Ryan Baron.

4 MR. CHAPIN: Good afternoon, chairman and the
5 committee, the planners and the people on the Commission.
6 My name is Jim Chapin. You were close. I have a few
7 comments written down, but while I'm thinking about it, I
8 need to respond a little bit to what's been said before me.
9 I'm also on the Shasta County Planning Commission with
10 Steve and I want to make sure that you understand that my
11 comments and probably Steve's -- that we're not
12 representing the county. We're representing ourselves as a
13 planning Commissioner. The second thing I'd like to say,
14 I'm extremely pleased and proud of the staff. The staff
15 work has been very professional and I agree wholeheartedly
16 with their conclusions.

17 Some of the comments that have been made by the
18 developer I disagree with. I don't think we have the time
19 to go through all of them that I disagree with, but Shasta
20 County voted against this project because the millions of
21 dollars that supposedly it was going to bring to the county
22 are not as important as our environment and our people. So
23 the money isn't important. We want to protect the resources
24 and our people. The other thing is that the person that
25 talked about fire control, there's been at least three or

1 four active pilots, aircraft pilots that have made
2 Statements to the Commission about the problems with
3 fighting fire around a wind project where the towers are
4 this tall. It's not that we're concerned about them, the
5 towers starting the fires, it's being able to suppress the
6 fire if they happen to be near the towers. It could be
7 lightning fires or hunter fires or any kind of fire. They
8 cannot safely work around those tall towers until the fire
9 gets out away from the towers. By then it could be several
10 hundred acres. So I'll go ahead with my written comments.

11 I'm a registered professional forester since 1980
12 and before that I worked for 24 years for the Forest
13 Service in fire control and forest management. So I have a
14 lot of experience in both of those things. I'm also on the
15 Shasta County Planning Commission. I have been for probably
16 12 or 13 years and I'm also the chairman of the Shasta
17 County Fire Safe Council. So I feel my experience speaks a
18 lot. This area being proposed for the Fountain Wind Project
19 was burned by the Fountain Fire in 1992. It's just now
20 starting to recover from the fire into a productive forest.

21 The area is very thick and young conifer growth
22 and brush that have been replanted after the fire and the
23 fire hazard is very, very high. I fully agree with the CEC
24 staff conclusions that the project has several significant
25 and unmitigable impacts on cultural resources, forest

1 resources, wildfire risks, and several other environmental
2 resources listed in the staff report. I strongly recommend
3 that CEC reject the project based on the Staff report and
4 on the Shasta County Board of Supervisors decisions to
5 reject the project. It's simply the wrong project and the
6 wrong location for a myriad of reasons, which has been
7 pointed out by the staff.

8 This project's been studied for over six years
9 and all the conclusions from the County Planning
10 Commission, the County Board of Supervisors have been to
11 recommend that the project should not be approved. It's
12 time to put this project to bed for good. Thank you.

13 MS. BADIE: Thank you, Jim. After Ryan, we will
14 hear from Joe Lamour.

15 MR. BARON: Thank you. Good afternoon,
16 Commissioner Gallardo, executive director Bohan, members of
17 the professional staff. My name is Ryan Baron. I'm a
18 partner at Best Best and Krieger. We're outside counsel of
19 the county of Shasta and a full-service law firm to local
20 governments throughout California. I was hoping that our
21 other groups, members of the county would speak first. So
22 I'm not going to get to the substantive comments but leave
23 that for supervisors Crye and Harmon to speak as well as
24 assistant resource director Adam Fieseler, who also be
25 speaking on the draft EIR and the Staff Assessment.

1 I will say a couple of words, though, since I do
2 have a few minutes here. We're not going to refute point by
3 point the topics that the applicant raised. We will be
4 filing detailed comments on the draft EIR and the Staff
5 Assessment on May 27th. I will say we do support the
6 recommendation to deny the project and hope that
7 Commissioner Gallardo and her colleagues on the Commission
8 do that in the coming months as well.

9 I will say that we don't believe that the project
10 is shovel ready. There's no water supply. There's 47 items
11 in there that have to be subject to a Statement of
12 overriding considerations, including an override of the
13 county's ordinance, et cetera, that that has to occur in
14 order for the project to go forward and it just simply
15 isn't ready. And I think that's clear from the county's
16 comments and it's clear from the draft assessment. This is
17 not a threat to all wind. In my world, we call that a
18 rhetorical fallacy, right, a slippery slope. This is an
19 issue with regard to this project. It's not a threat to all
20 wind in the State of California or the Western U.S. or
21 wherever. Shasta is not an anti-wind, it's anti-fire. In
22 terms of alternatives and the public convenience and
23 necessity, I admit that that public convenience and
24 necessity standard is someone who's practiced in
25 administrative law for a long time.

1 It's nebulous. It's been there for about a
2 hundred years. It's a policy decision by the Commission in
3 part. You can find that there are project alternatives.
4 There's about 850 megawatts of operational and planned
5 capacity in the Shasta region, either through planned
6 battery storage or operational biomass facilities. Although
7 the applicant States that there is enough power to power
8 Redding, power's not going to Redding, right? There's
9 municipal utilities in this area. There's no congestion,
10 there's no reliability issues in this region. And if you
11 look in the CAISO Interconnection Queue based on our
12 comments, there's a lot of projects in those clusters that
13 are coming online that represent sort of a multiverse of
14 renewable projects. We don't believe that you should
15 reevaluate the fire assessment. We just further believe
16 that kicks the can down the road. To delay this project, it
17 recirculates the EIR and just issue basically a doom loop
18 of never-ending analysis.

19 The project's been around for about nine years.
20 It was denied by the Shasta County Planning Commission that
21 that was upheld by the Shasta Board of Supervisors on
22 appeal. That project was essentially recycled and
23 repackaged to the Commission and we've sort of objected to
24 that on jurisdictional grounds. But we believe that this
25 process needs some finality needs to stop and not just

1 simply reopening up the EIR to allow further comments,
2 further analysis. The time for the application submittals
3 has passed the deadlines after the notice that it was
4 deemed completed past. It's time for some finality.

5 As to the county's fire analysis, I would just
6 say that Reax Engineering, the individuals that have
7 supported the county looked at this in a very objective
8 fashion. They have a PhD in combustion. They have a master
9 of science and focus on wildfire risk assessments, which is
10 in their bios and in the curriculum vitae that was
11 submitted.

12 While I very much respect first responders and
13 when I was in-house for a large county used to support them
14 as their lawyer, I don't think it takes someone just with a
15 badge and be with CAL FIRE to be an expert on this issue. I
16 don't think there's anyone with that background on the
17 Commission staff and certainly others that are specialized
18 in this area and have that expertise knows what the
19 modeling says and that can be supported. The one issue I
20 would like to just touch upon briefly is cost
21 reimbursement. We filed a letter a couple of days ago into
22 the docket. The county had a budget approved for
23 approximately half a million dollars as part of its review
24 and comment obligations on the application. We filed that
25 budget back in 2023. Those eligible activities were

1 approved in November of 2023. There was some blanket
2 objections by the applicant.

3 We filed for a dispute resolution, which has sort
4 of been hanging out there for some time. We filed invoices
5 into the docket. We've tried to meet and confer with the
6 applicant. We ultimately think that this is a
7 constitutional issue. It's a State mandate, but it's also a
8 reimbursable issue under AB 205 and it's a reimbursable
9 issue under the Commission's own regulations. So we think
10 it's time that the county gets reimbursed for the review
11 and comments that it's put into the application and we're
12 asking the Commission to act now in the coming days and
13 weeks to facilitate that, whether it's through a dispute
14 resolution process or more meetings or a direction to the
15 applicant or whatever. We are a bit alarmed that there is
16 nothing on deposit with the Commission. And if you review
17 projects that have been recommended for denial under the
18 Warren-Alquist Act going back to the late '70s when
19 projects have been recommended for denial, they tend to
20 withdraw their application.

21 So now we have about a half a million dollars
22 sitting out there. Maybe it's a couple hundred thousand in
23 what we've submitted in invoices that can potentially leave
24 if the application is withdrawn and we don't want that. So
25 we're asking that the Commission put those monies, require

1 a deposit from the applicant and put those monies in some
2 sort of escrow account, interest bearing account for the
3 applicant while this dispute is resolved, and we would ask
4 the Commission do that relatively quickly.

5 I want to thank you for your time and holding
6 this meeting today and coming down to Redding. We really
7 appreciate it. Thank you.

8 MS. BADIE: Thank you.

9 After Joe Lamour, we're going to hear from Adam
10 Fieseler. I'm sorry, Adam, I can't read your handwriting.
11 The Shasta County.

12 Joe, are you here with us?

13 MR. FIESELER: Good afternoon, CEC staff and
14 Commissioner Gallardo. My name is Adam Fieseler, assistant
15 director of resource management. I'm going to keep this
16 short and sweet. We agree with the Staff Assessment and we
17 encourage Ms. Gallardo and other Commissioners to deny the
18 project. My department processed the project. Having sat
19 through the planning Commission and board, our elected and
20 appointed decision makers heard loud and clear from the
21 community that the project was not a project they wanted.
22 It was so apparent that a large wind ban was adopted. As we
23 prepare formal comments to the Staff Assessment, we
24 strongly urge the staff and Commission to confirm what
25 Shasta County, the tribes, neighbors of the proposed

1 project already know about this project. It does not belong
2 in the forest. We are constantly under danger of fire here.
3 The area is very high severity. We strongly encourage not
4 to approve this project. Thank you very much.

5 MS. BADIE: Thank you. Did we hear from Joe
6 Lamour?

7 All right. And next we're going to hear from Nick
8 Gardner and then after that, Shaleesha Ward. And just a
9 reminder, please let us know your affiliation as well.
10 Thank you.

11 MR. GARDNER: Nick Gardner, N-I-C-K G-A-R-D-N-E-
12 R, Public Relations, Shasta County. I have two questions.
13 The first one is, what's the break-even point on carbon
14 when you take into consideration the hundreds of tons of
15 steel and the hundreds of tons of cement when it's mined,
16 processed, delivered to the site for the foundation of each
17 one of the windmills. When does it break even as far as the
18 benefit of the windmill not producing carbon? Is it six
19 months, six years, 20, 25 years? That has never been
20 answered.

21 And I have something here. The Trump
22 administration has suspended wind project permitting until
23 it does a study of the harm these projects cause and what
24 should be done about it. One obvious answer is to cap the
25 killing of eagles. Every proposed wind project on private

1 land must get a permit to kill eagles from the U.S. Fish
2 and Wildlife Service. The Fish and Wildlife Service permit
3 application website has a clear notice that in compliance
4 with the executive order, it is issuing no new permits.
5 This means that no new project can begin operation even if
6 it is fully built and ready to run. Fish and Wildlife
7 Service is not issuing revisions of expiring permits, which
8 means some older projects may have to shut down. Do you
9 guys have a permit to kill eagles? Thank you.

10 MS. BADIE: Thank you. All right. And then
11 Shaleesha, I'm sorry I misspoke with your name earlier,
12 Ward. And after Shaleesha, we'll hear from Kevin Crye.

13 MS. WARD: Hello, my name's Shaleesha Ward. S-H-
14 A-L-E-E-S-H-A. I am the cultural rep for the Madesi Band of
15 the Pit River Tribe. I'm also a descendant of the Atsugewi
16 and the Yana Tribe. So of the four people that are
17 connected to that mountain, I am a descendant of three of
18 those tribes. So as a member that grew up on Big Bend Road,
19 which was affected by the Fountain Fire, so I watched the
20 devastation.

21 I was about five years old when the fire
22 happened. To see the big trees that were there before and
23 then to have to grow up and live in the ashes and the dirt
24 to now seeing everything coming back and to being a native
25 person and connected to this land, to the land there, to

1 see the plants that my people use to make baskets to heal
2 ourselves, to come back is a great thing to see. To be able
3 to teach my daughter where our people went to gather these
4 things is something that I'm going to cherish.

5 And to have those wind turbines up there to --
6 They're not okay. There's already ones up there, but these
7 ones are even bigger than the ones that are already up
8 there. And by the time that that project came and got
9 approved, our tribe didn't even have time to respond to
10 even put our opinion in there. And so by the time that got
11 approved, I was on that project and I worked up there as a
12 tribal monitor and I've seen the devastation that it did to
13 Mother Earth and how far they dug into the land. And in
14 that assessment they said there was no wildlife. But I've
15 seen plenty of wildlife up there. I've seen eagles, I've
16 seen bald eagles, I've seen golden eagles. I've seen
17 California red boa that is on the endangered species list.
18 I've seen bears, all kind of wildlife. And then for them to
19 say that on this assessment that, oh, they can't see
20 there's tribal that we were there.

21 So with the fire that came through and it already
22 being heavily logged I'm sure and then the brush and the
23 trees and everything that grew back, I'm sure it's very
24 hard to get in there to see to actually do an assessment
25 that my people were there, that those lands are sacred to

1 us. There's four headwaters that come off of that mountain.
2 There's Hatchet Creek, Montgomery Creek, Cedar Creek, and
3 North Cow Creek. Those waters all go into the Pit River,
4 the Sacramento River, and those waters in turn go down into
5 the valley that feed that water, the food and stuff that
6 come out of the California Valley out of the agriculture to
7 who knows what these lines and stuff that they're going to
8 put underground so they don't start fires and all that.
9 Who's to say in 20 years that those things don't go into
10 the water and contaminate our waterways? This project, I'm
11 very glad to the CEC Commissioner's assessment to not
12 recommend this project and to hear our people's voices and
13 our concerns.

14 We already have one wind turbine project and we
15 have the PG&E hydroelectric. Our homelands are already
16 contributing to California's energy. With that said, thank
17 you. Those are my concerns for my band.

18 MS. BADIE: Next we'll hear from Kevin Crye and
19 then after that, Corkey Harmon.

20 MR. CRYE: Kevin Crye, K-E-V-I-N C-R-Y-E. Good
21 afternoon Commissioners, staff and members of the public. I
22 am District one supervisor, Kevin Crye. Thank you for the
23 opportunity to speak to this issue, an issue which while
24 new to the California Energy Commission is not new to this
25 community. I appreciate your willingness to host this

1 meeting locally and providing an opportunity for local
2 residents to communicate with you directly in their home
3 county where we will all be most impacted by this project.
4 While many residents and opponents to the Fountain Wind
5 Project are here today to voice their concerns, I am here
6 representing the people of Shasta County who elected me,
7 including those who cannot be here or who feel like they
8 have already lost this fight. I rise in opposition to this
9 project yet again because the people of Shasta County have
10 spoken consistently against it. As the Energy Commission
11 already knows from the over 2000 pages filed in this
12 project's docket, the Fountain Wind Project has been in
13 process with Shasta County since 2016, nearly 10 years.

14 This was thoroughly reviewed at the local level,
15 rejected by our planning Commission, then appealed to the
16 Board of Supervisors where it was rejected again in 2021.
17 Not only was the project denied moving forward, but the
18 hazards raised during the assessment of the project
19 resulted in a passage of a local ordinance in 2022
20 prohibiting large wind energy systems in the unincorporated
21 areas of the county. Additional substantial hazards and
22 limitations imposed by the project or otherwise limited by
23 the proposed location include not enough water on site or
24 available for delivery for project correction or is
25 mitigation in the event of a fire. There is insufficient

1 fire mitigation and there are not enough CAL FIRE
2 resources, personnel, or fire stations to combat a large
3 fire at or around the site. Shasta County has already
4 experienced a catastrophic fire at the site in 1992,
5 unironically named, the Fountain Fire. The project would
6 destroy several tribal, cultural resources as indicated by
7 representatives of the Pit River Tribe who stand in
8 opposition to this project with us.

9 The Board of Supervisors, residents, tribal
10 partners in the entirety of Shasta County, stand in
11 opposition to this project and question the CEC's authority
12 to approve it by circumventing local decision makers.
13 Thanks to Assembly Bill 205. Please bear in mind AB205 was
14 a trailer bill to the budget bill when it was passed and
15 was lobbied extensively for by the applicant behind this
16 project whose parent company has no long-term interest in
17 Shasta County or even California. This is further and
18 finally demonstrated by the distinct lack of a community
19 benefit agreement. Local organizations have rejected the
20 applicants attempts to influence to buy their support of
21 this project with the only exceptions coming through
22 questionable backroom dealings and handshake agreements
23 with no opportunity for public input. As the current chair
24 of the Board of Supervisors of the county of Shasta,
25 representing not just myself, the county and all of the

1 people, I ask each Commissioner to stand with your staff's
2 recommendation, the people of Shasta County and local
3 tribes, and reject this project with prejudice. Thank you.

4 MS. BADIE: Thank you. After Corkey Harmon, we'll
5 hear from Agnes Gonzalez.

6 MR. HARMON: Good afternoon. Thank you. Thank you
7 for listening to us. Sorry. My name is Corkey Harmon, C-O-
8 R-K-E-Y H-A-R-M-O-N.

9 Good afternoon, staff and members of the public.
10 I am District Three Supervisor. Thank you for another
11 opportunity to speak in opposition to the Fountain Wind
12 Project, especially here in the area immediately impacted
13 by the project. While this is my first year seated on the
14 Board of Supervisors, I have lived in my district and led
15 construction projects in Shasta County for over 40 years.
16 As the most geographically widespread and rural district in
17 Shasta County, district three is where the Fountain Project
18 is proposed to be located. I have been to the ranches, the
19 meadows, and the pastures overshadowed by the current
20 windmills from the Hatchet Ridge Wind Project. Prior to
21 making any decisions, I encourage each Commissioner to
22 reach out to me and tour those sites for three reasons.

23 First, to appreciate the beauty of God's county.
24 See the scars and memorial sites resulting from nature's
25 destruction force when there's a forest fire and witness

1 how existing windmills which are 200 feet smaller than
2 those being proposed by this project impact homeowners and
3 agricultural producers. Specifically, the wind project
4 should be rejected because of the following considerations.
5 Shasta County is one of the highest fire risk areas in the
6 State. Fires here have caused nearly \$100 million in
7 property damage alone from the Zogg, Dixie, and Salt Fires.
8 Insurance companies have stopped offering fire insurance in
9 this region or have raised premiums to the point of
10 unaffordability, forcing long-term homeowners and families
11 to sell. The Burney Water District has denied serving the
12 project and there is no other water available or legally
13 usable well on the property.

14 The county welcomes renewable energy and has a
15 number of planned and operational projects up to 150
16 megawatts of cogeneration biomass waste to energy and 700
17 megawatts of battery storage in various stages of local
18 review. Repsol, the company behind ConnectGen and the
19 Fountain Wind Project has misrepresented their intentions
20 to the CEC and the people of Shasta County. For these
21 reasons and all these mentioned previously in here today, I
22 ask you to stand with me as the elected representative of
23 the people of district three, your staff's recommendations,
24 local tribes and the people of Shasta County in opposition
25 to the Fountain Wind Project and reject this project. Thank

1 you.

2 MS. BADIE: Thank you. After Agnes, we'll hear
3 from Radley Davis.

4 MS. GONZALEZ: Good afternoon, everyone. My
5 name's Agnes Gonzalez, A-G-N-E-S and Gonzalez with two Zs.
6 I'm a Pit River Tribe Madesi Band member. And the proposed
7 project falls within my ancestral territory.

8 I speak today on behalf of the Pit River Tribe
9 Madesi Band. The tribe strongly opposes the Fountain Wind
10 Project. This project threatens severe and irreversible
11 harm to our ancestral lands, sacred cultural sites, local
12 wildlife, and already fire prone landscapes. The draft
13 environmental impact report confirms that many of these
14 impacts are significant and unavoidable. For the Pit River
15 Tribe, these lands are not just geography, they are our
16 identity, history and responsibility. But beyond cultural
17 and environmental harm, this proposal raises serious
18 economic and public safety concerns. As of today, there is
19 no confirmed power purchase agreement and it remains
20 unclear whether a buyer for the energy even exists. Without
21 a guaranteed market, we must ask, who is the energy for?

22 What is the public benefit of this project? What
23 happens if construction begins and the energy is never
24 sold? Are taxpayers or rate payers expected to carry the
25 financial risk for a speculative project? Approving a

1 project of this scale without a confirmed buyer sets a
2 dangerous precedent. It suggests the Commission is willing
3 to gamble with our lands, our safety, and our future
4 without any confirmed return or benefit. In our rural
5 community, the resources simply aren't there to respond to
6 a disaster of this magnitude. If a turbine collapses or
7 sparks a wildfire, by the time emergency responders arrive,
8 our community could already be gone. Our local fire and
9 emergency personnel are not trained or equipped for wind
10 turbine collapse, high voltage industrial emergencies or
11 wildfire driven by mechanical failure. To make matters
12 worse, if a fire breaks out in this area, aerial
13 firefighting units may not be able to fly in. These
14 turbines pose a serious hazard to aircraft.

15 That means a fire could be left to grow unchecked
16 with devastating consequences. We asked the Commission, is
17 there a mutual aid agreement or fire mitigation plan in the
18 application? That's one that actually works. What is the
19 actual emergency response plan if a turbine sparks a fire?
20 Who bears responsibility if our lands and lives are put at
21 risk? The answer must not be the tribe, our communities or
22 the public. We are also concerned that in the absence of a
23 fire, this project may never deliver power to the grid and
24 yet rate payers or taxpayers may still be left subsidizing
25 the cost. Fast tracking a high impact wind project with

1 this level of uncertainty and opposition undermines
2 integrity of the Commission's process. On behalf of the Pit
3 River Tribe Madesi Band, I respectfully urge to Commission
4 to follow its own staff's recommendation and deny
5 recertification of the Fountain Wind Project. This project
6 is too risky, too speculative and too dangerous,
7 environmentally, economically and culturally for our
8 community and our future. Thank you for giving me the
9 opportunity to speak today.

10 MS. BADIE: Thank you.

11 Next we're going to hear from Radley Davis and
12 then after that Michelle Lee.

13 We are going to go to Zoom, California Native
14 American Tribes, State or local governments or the
15 legislature on Zoom next. If you are an attendee on Zoom
16 from any of those entities, you can raise your hand now. If
17 you're joining by phone, you'll press star nine and we'll
18 go to you next. Sorry about that, Radley, go ahead.

19 MR. DAVIS: Radley Davis, R-A-D-L-E-Y D-A-V-I-S.
20 I'm a Pit River County citizen. I'll be submitting my
21 comments before the end of the week. Everything that you
22 are hearing that's against this project is what we've said
23 before from the beginning. The CEC's assessment is
24 reiterating what the people have already said about this
25 project and the waste of time and money for the CEQA

1 process that we've already went through. They're asking,
2 well, it's already happened. And so there was no
3 consultation with the AB205 with the tribe or the county,
4 much less anywhere else I'm sure. The spiritual areas up
5 there, there's stuff that you just, what the tribe says
6 where those places are is where they're at. The law even
7 supports that.

8 Just because we go up 299 doesn't mean you're
9 going to see village side or secret area along the way. All
10 those places have significance. How do we know that, is
11 there's already a destruction that is now forever a memory
12 with Hatchet Ridge. That's what this will be if this is
13 approved. In the whole section of 11, in the summary, I
14 overall support the staff's assessment in refusing or
15 recommending denying this permit to the CEC. What I'd just
16 like to further request is that the CEC to direct the
17 Fountain Wind applicant on or all financial reimbursement
18 requests were submitted by the county and the tribe and
19 that you deny the Fountain Wind Project.

20 MS. BADIE: Thank you.

21 MS. LEE: Hi. Good afternoon, everybody. My name
22 is Michelle Lee, M-I-C-H-E-L-L-E L-E-E. I mean, there's
23 been such good information already shared, but I just want
24 to go back a little bit because the story really starts in
25 2008 with the Hatchet Ridge project. As others mentioned

1 already on the tribal side, the tribe didn't hear about
2 that project until it was already in the final EIR stage
3 because AB52 hadn't passed yet. AB52 is a law that was
4 passed and became law in 2014 that allows for or requires
5 projects like this to notify California Native American
6 tribes. That's why, because otherwise we wouldn't know that
7 there was a project and we couldn't object to it. And so
8 unfortunately we activated too late in the process, so it
9 was approved at the county level. Clearly the county
10 understood after the construction was done and saw the
11 change in the community that that was a mistake.

12 As was stated earlier from Shasta County
13 representatives that that resulted in a change to the
14 county law. They adopted an ordinance to ban future wind
15 turbine projects because they are incompatible with the
16 region. They're incompatible with the nature of the
17 community, with the forestry practices, the tourism, the
18 hunting and fishing. This is an outdoor area. It's very
19 remote and the wind turbines are very inconsistent with
20 that nature of the local community. And so in 2017 when the
21 Fountain Wind Project initially was applied for, within the
22 county and they applied for a use permit, well, the Pit
23 River Tribe, the people just assumed this was going to
24 happen again. But regardless of that, because Pit River has
25 a long history of fighting and resisting things that were

1 pressures into the tribe's way of life, the tribe did
2 engage.

3 They worked with the local community. They
4 rallied with the people in the Round Mountain vicinity, the
5 people that had been impacted by the fires and created a
6 community collaboration. I see some heads nodding. People
7 know that this outreach and this community building
8 occurred at that time. The tribe was very surprised when
9 the county rejected the original Fountain Wind project. We
10 fought with every ounce of grit that we had thinking it
11 might end up happening anyway just like the Hatchet Ridge
12 project occurred. We were really shocked when the county
13 denied that application. We were prepared to litigate that
14 when Fountain Wind appealed, but they didn't. They never
15 appealed that final decision. They never appealed under
16 CEQA, which they had a right to do. But instead they turned
17 to the governor's office and the legislature and political
18 folks in Sacramento and they pushed for AB205.

19 As Ryan Barron mentioned earlier, AB205 is a law
20 that we don't believe applies to this project. We believe
21 that that is unlawful second bite at the Apple. That this
22 project should have been appealed under CEQA. By giving
23 them another opportunity in what is supposed to be an opt-
24 in process, just doesn't seem consistent with what the law
25 is supposed to do, which is to give a project proponent a

1 choice that you either opt-in to this State process or you
2 go through your local planning and your local department.
3 The county has their concerns. The tribe has their concerns
4 about AB205. That's why we have litigated that issue and
5 that is pending depending on the outcome of this body and
6 this decision by the CEC. And so tribal people, I can't
7 speak to the impacts any better than they already have.
8 There's a long track record.

9 I think we are tired. This has been a very, very
10 long process of community engagement and tribal engagement.
11 There are people that couldn't be here today because
12 there's other things going on that our tribal cultural
13 people are attending, but we heard this morning that the
14 proponent, they really want to take our area over at any
15 cost. The loss of birds, the loss of wildlife, the fire
16 risk, the impacts to the biology and the community, even
17 the tribal cultural resources, that this project's worth
18 more than those things. Obviously this community disagrees
19 with that and the tribe disagrees with that. They said that
20 the experts are wrong. Essentially, they argued that with
21 regard to tribal cultural resources that even though
22 there's going to be impacts that essentially it's worth it
23 to do it anyway. Obviously we disagree. The area is a very
24 rich cultural landscape which is threatened by this
25 project. We don't believe it's worth it to sacrifice that

1 area for this limited power that could be put into the grid
2 for the benefit of entities that aren't from here.

3 We do think that there are other projects that
4 are more suitable for this region and the Pit River Tribe
5 is willing to roll up our sleeves, and work with the local
6 community and work with the county and work with the CEC
7 and the State agencies to figure out what projects are
8 suitable for our area and how do we make the existing
9 projects better and maybe more effective and produce more
10 power because the current projects don't provide that much
11 power for how much impact they have brought. I don't think
12 we need outsiders to lecture this community about what's
13 best for the community. The facts are facts.

14 Just in closing, there was some comment about the
15 fire that if there was fire at Hatchet Ridge that it can be
16 fought easily, I guess would be a summation. The Fountain
17 Wind and the Hatchet Ridge sites are very different.
18 Hatchet Ridge is up high, you can catch it. The airplanes
19 are, it's a whole different dynamic with the geography. And
20 so I think the idea that they're the same is a false
21 equivalency. There are wind projects all across the State.
22 I drive a lot in my representation of Indian tribes across
23 the State and you can see them all over, especially down in
24 Southern California we see wind farms like the San Gorgonio
25 Pass. As I've testified in previous hearings, it's really a

1 dead zone of decommissioned and broken wind turbines that
2 have just been left. And the idea that Hatchet Ridge was
3 the first one and then more would attach and more would
4 come will result in that similar environment in Round
5 Mountain.

6 We just don't want to see that happen when the
7 area that's already been sacrificed, the San Gorgonio Pass.
8 There are some other places where you see decommissioned
9 wind turbines. Let's fix those. Let's fix those and put
10 those back online. When I drive, it's hard to see these
11 wind turbines up not moving. We don't need new ones.
12 There's plenty of other appropriate projects. It's obvious
13 that California is not against wind projects, but the
14 concern is that the site is just not appropriate. Thank you
15 for your time.

16 MS. BADIE: All right. We're going to transition
17 for comments on Zoom from California and American Tribes
18 State or local government or the legislature, then we'll
19 come back into the room for the public comment cards. We're
20 going to get to all the blue cards. If you are with the
21 California Native American Tribe, State or local government
22 or the legislature and you're on Zoom, you'll use a raise
23 hand feature to let us know I'd like to comment at this
24 time and you'll use star nine joining by phone. What I'll
25 do is open your line. We are asking if you could limit your

1 comments so that we can make sure we can hear from everyone
2 today. There'll be a, oh, sorry, no timer on this one. So
3 hold on. Awee Davis Gustafson, Itsatawi. I'm going to open
4 your line and you'll unmute on your end. Please make sure
5 to announce your affiliation as well.

6 MR. GUSTAFSON: Hello. Thank you. Can you hear
7 me?

8 MS. BADIE: Yes.

9 MR. GUSTAFSON: All right. Hello. My name is Awee
10 Davis Gustafson. I'm the Itsatawi cultural representative.
11 I just want to say a few things. I'm the cultural
12 representative for the Itsatawi Band. Our land base
13 includes the Hatchet Ridge wind farm. It also neighbors
14 Madesi Band land base so this Band would mostly be affected
15 by the development of Fountain Wind. I want to reiterate
16 the points of Chairman Yatch Bamford that the Itsatawi Band
17 supports the denial of this project and also my alternate
18 counsel. Itsatawi Band had directly seen the negative
19 effects of wind farms even years after they're built.
20 Hatchet Ridge is really ugly blemish on my land base.
21 Itsatawi people, we will not let everyone built on the
22 (INDISCERNIBLE) land. I also want to state that our tribe
23 has been fighting this project since its inception. I spoke
24 at one of the very first public hearings at Shasta College.
25 Then I was 16 years old.

1 Now I am 20 years old and stand before you as an
2 elected official. It is now my job to protect the land. The
3 points I made as a teenager still stand. This project would
4 never be built on everyone cemetery -- sorry, church. The
5 dismissal of our tribal ways because they're not
6 universally understood is rooted in ignorance and
7 discrimination. I want to acknowledge the Statement from
8 Fountain Wind that these lands are blessed. I only agree
9 and say that Statement is correct. They are blessed, that's
10 why you should listen to the people of this land, who have
11 been here this time immemorial. Because our tribal people
12 have stewarded these lands for thousands of years, we will
13 never stop this fight. We cannot ruin our land for any
14 amount of money or power. The answer to climate change is
15 not developing undeveloped land. The answer to climate
16 change is to listen to the original people of this land.
17 Clearly our people, we stand united in sovereignty. Thank
18 you for your time.

19 MS. BADIE: Thank you.

20 We're going to hear from Jess. Sorry Jess, I
21 don't have your last name in here. I'm going to open your
22 line. If you could please state and spell your name for the
23 record. Let us know your affiliation as well.

24 MS. ROUSE: It's Jessie, last name Rouse, R-O-U-
25 S-E. I'm the Ilmawi cultural representative for the Pit

1 River Nation.

2 I just wanted to say that, the ancestral
3 territories that everybody's trying to continue to develop
4 and ravage and rape, it's not part of our history, it's not
5 part of our story. All of these people that come to this
6 ancestral territory do not understand these lands, these
7 plants, the waters, the mountains, the spirituality that
8 connects us. Like all we just said, the land is not for
9 sale. This land is passed on from generation to generation
10 and our children should be allowed to inherit these lands
11 without the fight. We are tired of fighting. I oppose these
12 wind turbines and I say to these developers, go home, stay
13 away from our area. These are highly protected. Thank you.

14 MS. BADIE: Thank you. All right. We are now
15 going to move on to general public comments. I've got blue
16 cards in the room and then I'm going to transition over to
17 Zoom.

18 First we'll start with Peter Scales. Again, just
19 a reminder to come up to the podium, please spell your name
20 for the record if you want to share that for our court
21 reporter to get your name correct. We are asking for
22 comments to be three minutes or less. There'll be a timer
23 on the screen.

24 MR. SCALES: I'm breaking the ice. Peter Scales.
25 P-E-T-E-R S-C-A-L-E-S. Some people tell me I talk a bit

1 funny. I want you to know I'm all legal. I'm from
2 Australia. I've been through FBI checks. I'm an American
3 citizen. I had my hearts American, but my mouth's still
4 Australian. Americans are a lot nicer than my generation
5 Australian. Sometimes I tend to piss people off. I've been
6 involved in water for a long time and so forth. I'm a very
7 simple person. I went to the last meeting down in Red
8 Bluff, I think it was. One thing I'm really pissed off
9 about with you guys is that everybody has told you, the
10 Board of Supervisors, Shasta County, we don't want you guys
11 here, for lots of reasons.

12 The lady over there, she walked out. The attorney
13 there, they plan to put -- this is one. They want to put
14 these bloody windmills on every hill around Redding. What I
15 offer to her is, if she wants wind, why don't she go to the
16 coast of California and try put them on those hills where
17 the ocean breeze comes in. Good luck on that. That real
18 estate's a lot more expensive. As regards however it
19 happened, the Board of Supervisors said, we don't want you
20 guys. So what happens? Look, I'm from a communist country.
21 I've traveled the world for 11 years. I've been down the
22 Amazon River in my own yacht. Not many people have traveled
23 the world the way I have. I photographed the Planet Jupiter
24 in 1969.

25 I looked at the moon the night Neil Armstrong

1 walked on the other side of it. I wasn't smart. I mentioned
2 this because until then, I realized when I got that job and
3 looked out of space, how ignorant and stupid and how
4 insignificant we are. When you go outside into space, I
5 looked at -- my camera was zeroed in on Jupiter. I moved it
6 in on the moon with the help of my boss. The moon was two
7 inches from my face and my 32-inch lens. The camera was 38
8 feet long, but they kept me on there because I always do a
9 good job. I was in the largest telescope in the Southern
10 Hemisphere of 76 inch refractor. One night, the American
11 astronomer, they're all Americans. I got along great with
12 them. He took me down 36 feet in the focal length of this
13 thing and I looked at light that had traveled for 36
14 billion light years, a spectrograph. We are so
15 insignificant, however we live on this earth. One thing
16 that me off is that, I'm a simple guy and I'm pretty
17 honest. I've always tried to be honest. The way this AB205
18 came in, as far as I'm concerned is evil and corrupt.

19 MS. BADIE: You've reached the three-minute
20 limit.

21 MR. SCALES: Well, just let me think. If you give
22 me a break, I have the solution here.

23 MS. BADIE: We can come back to you if everyone
24 else has had their turn.

25 MR. SCALES: The solution here is hydropower. We

1 have 660 acre-feet of water that flows into the ocean every
2 day. We need hydropower, not these stupid bloody windmills.
3 There are short-term fix. I know I'm fully qualified to say
4 how much maintenance they need, they don't work for very
5 long and the solution is hydropower.

6 MS. BADIE: All right. Next we're going to hear
7 from Matt Zenick and then after Matt, we'll hear from
8 Stephen Fitch. Just a reminder to spell your name for our
9 court reporter and the time will be on the screen. There's
10 a three-minute timer.

11 MR. ZENICK: Of course. My name is Matt Zenick,
12 M-A-T-T, Z-E-N-I-C-K. I'm here today representing New
13 Forest. New Forest sustainably manages 450,000 acres of
14 Timberland in Northern California, and one of our guiding
15 principles behind management is the circular bioeconomy.
16 There's a lot of definitions of that. It's a big term, but
17 I guess in this space it might be easiest to define it as
18 doing as much good for the planet and people as you can
19 while still running a business. That's why I and New Forest
20 strongly support the Fountain Wind Project. Currently,
21 California, according to the CEC, gets about 40 percent of
22 its energy from the combustion of fossil fuels, which
23 contributes to climate change, and as we know from living
24 in Northern California, that increases wildfire risk and
25 wildfire danger.

1 Additionally, I'm also a California registered
2 professional forester. I've spent time practicing up here
3 in Northern California. I'm a former Shasta County
4 resident, and I really love managing properties to produce
5 needed sustainable wood products and carbon sequestration
6 while managing risk. That's why I disagree with some of the
7 findings of CEC staff. First and foremost, I disagree with
8 the findings that fuel breaks will increase fire risk.
9 Governor Newsom has dedicated tens of millions of dollars
10 in his budget in part to create fuel breaks throughout
11 California. New Forest has spent hundreds of thousands of
12 dollars creating fuel breaks in the vicinity of the
13 Fountain Wind Project area.

14 They've really been found to be effective in
15 providing firefighters access to wildfires and really aid
16 in fire suppression. I know it was noted in the Park Fire
17 that they were a very big component in the wildfire
18 suppression effort. Also, I can note that this Fountain
19 Wind Project will not pose any impediment to delivering
20 wood products. The creation of the Fountain Wind Project
21 would not reduce New Forest's ability to deliver wood fiber
22 to communities in any way. With that, I would like to
23 respectfully ask the CEC to approve Fountain Wind, and
24 thank the CEC and its Commissioners for their time here
25 today and creating the space for the community to engage in

1 this conversation. Thank you very much.

2 MS. BADIE: Thank you. We're going to hear from
3 Stephen Fitch next and then after that, John Gable.
4 Stephen, are you still with us? Thank you.

5 MR. FITCH: I am Stephen Fitch, S-T-E-P-H-E-N, F-
6 I-T-C-H. I followed closely the progression of this
7 proposal. I'm the former forest supervisor of the Shasta
8 Trinity National Forest, which is adjacent to the proposal.
9 I'm a former or senior advisor to the Senate Energy and
10 Natural Resources Committee for the Hundredth Congress.
11 Currently, I'm a Countywide fire safe council. By the way,
12 I'm a fire behavior analyst.

13 I want to congratulate the CEC and their staff on
14 the very difficult and high quality work that you've done.
15 You really have done a great job here. I was grateful that
16 you recognized that the project would've degraded the
17 scenery so important to millions of people that come
18 seeking the beauty of the great northern forests of our
19 State, and it's adjacent to the congressionally designated
20 national Recreation area by the way, and it's in full view
21 of the Pacific Crest Trail and the Volcanic Legacy Highway,
22 all key to our county's economy, truly a significant and
23 unavoidable impact.

24 Finally, I want to congratulate the staff for
25 their careful consideration of the fact and recognition

1 that due to the size of these large structures along ridge
2 tops would largely render aerial wildfire attack useless.
3 Now that comes from, and it's in your report. It comes from
4 the National Associated Aerial Firefighters. The pilots,
5 that's where it comes from. One of them was from reading
6 the air attack base and another one flew in Malibu on DC-X
7 here just a little while ago.

8 Well anyway, I especially want to recognize you
9 guys for pointing up that combating wildfire is a
10 combination of using all the available firefighting assets,
11 both aerial and ground. Finally, listening to those who put
12 their lives on the line in the air and on the ground to
13 protect their communities in our woodlands. These proposals
14 are simply incompatible with our high flammable forest
15 areas. Job well done.

16 MS. BADIE: Thank you. After Josh Gable, we'll
17 hear from Steve Johnson.

18 MR. GABLE: Good afternoon. My name is John
19 Gable, J-O-H-N, G-A-B-L-E. I'm speaking on behalf of Moose
20 Camp, which is a neighborhood of 50 residences closest to
21 the Fountain Wind Project plans. Moose Camp is surrounded
22 by ridges, which would have 15 wind turbines on them as
23 close as a mile away from our fence line. The main access
24 road for the project would run along our fence line
25 approximately 100 feet away. What I want to do today is

1 just read till my three minutes are up some of the direct
2 quotes from the CEC Staff Assessment report, because we all
3 know it was long.

4 Comment number one or quote number one, staff
5 recommends the CEC deny the project application. Number
6 two, staff acknowledges the key role Wind generation plays
7 in SB100 goals, but concludes the evidence is clear that
8 this location is not compatible with the proposed facility.
9 Another quote, the project conflicts with three local laws
10 or ordinances regarding the allowable use of the proposed
11 project site. Another one, staff considers it likely that a
12 wildfire will occur in the region based on existing fire
13 history. You should also note that a difference that the
14 Fountain Wind people didn't talk about is Hatchet Ridge is
15 one continuous ridge. All those wind turbines at Hatchet
16 Ridge are on one ridge, that was the low-hanging fruit of
17 the area, so to speak. This project, Fountain Wind is
18 basically a wind turbine on top of every ridge and every
19 mountain top for thousands of acres, and that's what
20 prevents the planes from attacking it. That's the
21 difference.

22 A key concern for staff is how the location and
23 design of the project hinders aerial firefighting. We
24 already talked about that. Another quote, there are no
25 specifically designated evacuation routes described in the

1 Emergency Operation Plan, Community Wildfire Protection
2 Plan, or the Shasta County General Plan. The proposed site
3 location is not within one of the previously identified and
4 established wind resource areas, and the project's expected
5 capacity factor will be lower than other projects located
6 in the State's traditional wind resource areas. The State
7 of California has not even identified this region as a spot
8 that has strong wind. Your staff pointed that out.

9 While the project would contribute renewable
10 energy to the wider grid, the expectation that the
11 facility's capacity factor will be lower in the summer, a
12 time when grid stress is most likely to occur supports the
13 conclusion that reliability benefits of the project are not
14 significant. Basically, they're saying when we need the
15 power the most in the State, this project won't provide it.
16 Okay. I'll just wrap it up there, because I see my time is
17 up. Thank you.

18 MS. BADIE: Thank you. All right. We'll hear from
19 Steve Johnson next and after that, Mike Quinn.

20 MR. JOHNSON: Good afternoon. My name is Steve
21 Johnson, S-T-E-V-E, J-O-H-N-S-O-N. I own a ranch near the
22 project site of several hundred acres including acreage
23 NTPZ. I also have a home. It's on Hatchett Creek. I have a
24 home on Montgomery Creek that would look up at these
25 turbines. I just finished a two-year term on the Shasta

1 Fire Safe Counsel. I've been an attorney recently retired
2 for over 30 years of litigated over alternative energy
3 projects up and down the State. I do have some expertise
4 here.

5 I want to commend the staff on a very thorough
6 analysis. I agree with the recommendation to the Commission
7 that the permit should be denied. I don't have the quote as
8 John just did, but I think there was a significant
9 Statement, I believe it's in section 11 of the staff
10 report, that says that the ban in Shasta County was
11 instituted for many reasons and the denial, or the
12 recommended denial is for many of the same reasons. That
13 the county instituted the ban, but now, the CEC staff is
14 finding that those same reasons apply to this specific
15 site. That's a paraphrase, but I think that's significant,
16 because I think the staff has confirmed what Shasta County
17 did in its work before this in finding all of the same
18 impediments and the different problems with this particular
19 project.

20 I want to talk about fire with my remaining time
21 quickly. This is probably the only wind project I've ever
22 heard of anywhere in the world that was named after a
23 catastrophic wildfire that occurred at the site. The
24 Fountain Wind -- Fountain Fire refers to a fountain that
25 was a drinking fountain on Highway 299 near the beginning

1 of the Fountain Fire. That drinking fountain was later
2 moved to a rest stop, I believe up Highway 299. Fire is a
3 huge problem in that area. I've personally been in that
4 area when a lightning storm came through and sparked 20
5 fires all on the same day, when I was up fishing on the
6 Pitt River.

7 The economic analysis that says that no fires
8 will occur in the next 35 years is 1 case for the economic
9 analysis. I think that's extremely unlikely. There have
10 been so many fires in Shasta County and in that area in the
11 last 35 years that there will be more fires in the next 35
12 years.

13 And on the economic analysis, I think the base
14 assumption needs to be that there will be fires in that
15 area. They may very well be impeded by the wind turbines
16 and therefore, the project may not last its entire useful
17 life of 35 years, and those tax benefits to the county
18 won't happen, because the project will be burned, melted or
19 otherwise shut down and abandoned before the 35 years are
20 up. I think that affects the economic analysis markedly.
21 Thank you.

22 MS. BADIE: Thank you. Dr. Mike Quinn. We'll hear
23 from Nancy Rader.

24 DR. QUINN: Mike Quinn, M-I-K-E, Q-U-I-N-N, 48-
25 year resident of Shasta County. Former Wildland Firefighter

1 in Hawaii in Southern California in a hot shot. I was also
2 controller for the largest logging and trucking
3 organization. We had 160 logging trucks, 5 sites. Also on a
4 radio stations, Siskiyou County, Butte County, Shasta
5 County. I've done interviews for 20 years on subjects and
6 this is one of them. To the lady who came here, the
7 attorney, go home. We stay here. We don't get as high a
8 wage or anything like that, but we make that choice to live
9 in this community. It's ours. And so, if you have 60
10 projects that are needed and you have 1 that's on the
11 docket, you're already behind the 8-ball, you're done. When
12 it comes down to fire control, Sir Lauderdale, you didn't
13 tell the whole story.

14 Most of the fires that get out of control. They
15 burn 90 percent of the Mendocino National Forest, 60
16 percent of Trinity County are started on federal land. The
17 Carr Fire started on federal land. They don't call in CAL
18 FIRE until it's too late. As much as I respect CAL FIRE and
19 the job that you do, I actually had the Forest Service
20 fired from the Hertz Fire and CAL FIRE brought in, made a
21 call back to Doug Emhoff in Washington, told him what was
22 going on. I was working in McCloud at the time. 12 hours
23 after Doug came out here and saw what I said was right, we
24 had 5,000 firefighters under CAL FIRE putting out that
25 fire. You have to tell the whole story. Most of the land

1 around here is federal land and they do not put the fires
2 out and so don't even come up with that.

3 When it comes down to the aircraft and all that,
4 they assign the aircraft every day. The helicopters are
5 what you're going to be talking about putting out, being
6 able to put out the fires immediately and you're going to
7 have to fly those from the Pit River back usually across
8 where these windmills are, it's going to be effective.
9 There's so much that needs to be talked about on this. The
10 renewable energy 100 percent goal, not going to happen.
11 2025 is the year that they were supposed to shut down the
12 nuclear plant and the liquid gas plants down in Los
13 Angeles.

14 Last year, the Governor had to eat crow and say,
15 "It's not going to be done." Immediately all the ultra-
16 environmentalist turned on him and said, "Well, you are
17 going to -- You can't, because there's not enough
18 electricity." There's a lot of different things that go on
19 in this. Like I said, I chose to live here. I chose to
20 raise my family here. I knew I was going to make the wages
21 that I could in the city, but I live here for a number of
22 different reasons, and one is the quality of life and I
23 thank the indigenous people for hanging onto it as much as
24 you can, doing the best job that you can with this.

25 Climate change, you can talk about that all you

1 want. Co₂, what a joke? They are now got a patent on a
2 machine to produce CO₂ because we don't have enough it to
3 put in greenhouses to make the plants grow. If that's one
4 of your big things about you want to go CO₂ and climate
5 change and all that, did you know that there's a 20 percent
6 increase in Antarctic ice right now? Actually, the ice down
7 there is growing, the ice fields. They don't tell you that.
8 There's just a lot that needs to be talked about here.

9 If I'm going to complain, I'm going to come up
10 with a solution too. Cogen plants, as they work in the
11 forest to clean the forest up, and right now it's going out
12 there and not necessarily clear cutting or logging or
13 anything like that, but making sustainable forest. You have
14 to take out the dead wood out there that's been allowed to
15 grow for years. You have cogen plants and they can burn
16 them and turn them into carbon monoxide, into carbon
17 dioxide. We need carbon dioxide. It's the lifeblood.

18 I just want to thank you for what you're doing.
19 Listen to the people. I was glad we had one person come up
20 here and support it, because that doesn't look like we
21 stacked the audience. This is the 99 percent is what we
22 want and that's who you're listened to. Thank you very
23 much.

24 COMMISSIONER GALLARDO: All right. Everybody, I
25 just want to give you a reminder that staff is here trying

1 to do their best. Our public advisor is doing her job to
2 facilitate public comments, so let's be very respectful of
3 her. I don't want people fighting with her about how much
4 time. We're trying to be as gracious as possible. We have
5 allotted three minutes and if people go over a little bit,
6 that's okay, but in an order to be fair and ensure that we
7 hear everyone's voice, please try to abide by the timer.
8 That way our public advisor doesn't have to tell you to end
9 your comment.

10 Also please, be respectful of each other. We're
11 all here to listen, to learn, to make our voices heard
12 again, and so want to make sure that we're respectful of
13 each other, not telling people to leave. We're going to
14 take a break in a little bit after our next public comment
15 just for about 15 minutes so staff can stretch, and so you
16 can as well and then we'll come back to the public comment.
17 Thank you.

18 MS. RADER: Good afternoon. My name is Nancy
19 Rader, R-A-D-E-R with the California Wind Energy
20 Association. If the Commission kills this project, it will
21 undercut the State's ability to meet its 9,000 megawatt
22 wind target, if not its overall climate goals. Killing this
23 project would send an unambiguous signal that investing in
24 California Wind is a bad bet, at a time when the State
25 needs to send the opposite signal, because Fountain Wind is

1 the only wind project in the permitting process Statewide,
2 and we need another 40 of them inside the CAISO system to
3 meet the target. It would be one thing if this were a
4 poorly sited project, but Fountain Wind would be among the
5 impactful wind projects in California that the neighboring
6 project is demonstrated for 15 years.

7 The Fountain Wind site is one of a very limited
8 few remaining areas where development is possible in the
9 State in significant part, because the State and federal
10 governments have taken most of the commercial grade wind
11 resources off the table. I spent seven years in the DRECP
12 process where this Commission played a big role in taking
13 12 gigawatts off the table in the deserts east of the load
14 centers in Southern California. What we're left with is
15 very few sites remaining where we must use to meet our
16 goals. The reasoning and the Staff Assessment would kill
17 almost any renewable energy project. staff say the project
18 is too small relative to the State's energy needs to
19 justify its impacts. By this logic, no wind or solar
20 project will be approved because most are in the size
21 range.

22 Staff imagine there might be circumstances where
23 migrating birds could veer off course and if that happens,
24 they find the impacts could not be mitigated. Such thinking
25 would doom any renewable energy project. Yes, the project

1 would visually impact a tribal cultural landscape, but much
2 of California has tribal cultural significance. If it's
3 true for this project, it's true for every project because
4 wind turbines cannot be hidden, as you have stated. Staff
5 find that wind turbines would obstruct firefighting planes,
6 but they refuse to consult with CAL FIRE experts and their
7 inexpert reasoning would kill any wind project in any
8 forested area.

9 Staff find its storage is an acceptable
10 alternative to generation. Obviously, there will be no
11 energy to store if we don't generate it. Once again, this
12 faulty logic could be applied to any wind or solar project.
13 If the Commission allows this deeply flawed assessment to
14 stand, it will put the State's climate goals in jeopardy
15 and undercut its claimed commitment to climate action.
16 Thank you.

17 MS. BADIE: Thank you.

18 COMMISSIONER GALLARDO: All right. We are going
19 to take a 15-minute break. Please be back at 3:20. Thank
20 you.

21 (OFF THE RECORD AT 3:06 P.M.)

22 (ON THE RECORD AT 3:30 P.M.)

23 MS. BADIE: I'm Going to get started with public
24 comment. Again, if can ask everyone to take their seats. We
25 started recording again. We'd like to resume public

1 comment, if everyone can take their seats.

2 We're going to start with Beverly Wakefield and
3 after Beverly, we'll hear from John. Just a reminder, I'm
4 going to go through the blue cards and you can still turn
5 your blue cards if you'd like, and after that we'll go to
6 Zoom. We're asking for comments to be three minutes or
7 less, and we do have a court reporter, so we do ask if you
8 feel comfortable to state and spell your name for the
9 record as well. Thank you.

10 MS. WAKEFIELD: My name is Beverly Wakefield.
11 Wake up in a field, B-E-V-E-R-L-Y W-A-K-E-F-I-E-L-D. I
12 married my husband Tim, and he lived on top of the mountain
13 right next to where the proposed windmills are going to be
14 built or whatever. He was in the Fountain Fire in '92, and
15 I would not be standing here if he hadn't escaped, because
16 he moved back to Napa. I met him and when we got married
17 and he said he had this property up in the mountains. I
18 said, "Great." I'm a health educator. I do health talks,
19 all of California, all of the United States, giving people
20 insight as to how to reverse and do better with their
21 disease processes.

22 And as I thought about this wind project, it
23 started bothering me. I live on the mountaintop there and
24 our border is a Fountain Wind Project proposal site. When I
25 get up in the morning and go out for a walk, take my

1 exercise, go out and do gardening, and I thought about
2 those things standing there at 600 feet tall and I was
3 realizing that when the sun comes up, comes up in the east
4 and that sun's going to come on those blades as they're
5 going around, and I'm going to see a flicker effect on the
6 ground as I'm going from my walk and I don't feel like
7 that's the smartest place to live anymore.

8 My husband escaped the Fountain Fire. He got to
9 go out through the roads that were existing at that time
10 and he was able to escape. I don't know how to explain to
11 you the effort it takes to live out in the country, but to
12 have Fountain project right on top of your nose would be a
13 little bit overboard. I didn't move up there for the
14 reasons that maybe you might decide to go forward with the
15 project. I've moved up there for different reason.

16 I have a brother that lives up in Portland,
17 Oregon. He worked for Bonneville Power. He's an electrical
18 engineer. He actually now is retired. He now works with the
19 Relay Committees all over the world. I said, all over the
20 world. He has meetings every year, three times a year. He
21 goes to people in the United States, he goes to people in
22 Europe and they talk about power grids and relays. There's
23 a power grid right next to where I live, right there at the
24 bottom of the hill from where I live, and when there was a
25 fire in the past in that valley, guess what? They came and

1 put that fire out in two seconds. Why? Because the power
2 grid is right there. The power that goes all over. You
3 understand? You get a fire up there and you ruin that power
4 grid. You got another problem in your hands. Nobody's even
5 said anything about that.

6 My brother also told me very quickly that if you
7 put up those windmills, you have to have enough of a field
8 of batteries to take in that power, because you cannot
9 transport that power down to Sacramento, down to wherever
10 it's needed if it's not usable right. Then you have to put
11 it in batteries in order to use it. There's a lot of
12 footprint going on here.

13 My husband's a construction builder. He builds.
14 He helped with the proton accelerator and he said, "If
15 you've got a 600-foot tall windmill, how far does the
16 footprint have to go into the ground?" 600 feet tall. It
17 might be 50 feet or more in putting the proton accelerator
18 in for cancer recovery, they had to put a 50-foot concrete
19 footing there. I am against the Fountain Wind Project for
20 multiple reasons, for my life especially. Thank you.

21 MS. BADIE: Thank you. Next we're going to hear
22 from John Lammers, and then we're going to hear from Brent
23 Lammers.

24 MR. LAMMERS: Good afternoon. John Lammers, J-O-
25 H-N L-A-M-M-E-R-S. I'm here today representing the extended

1 Lammers family. Today, by the way, on my 60th birthday, I
2 wanted to express my continued and strong opposition to the
3 Fountain Wind Project. I say continued because I believe
4 this marks the fourth or fifth time where I've stood in
5 front of either local or State officials expressing my
6 concerns with this project. I got to say over that time,
7 I've heard few, if any new arguments, either for or against
8 the project, I would say in my view remains unchanged. To
9 me, the case against this project is far stronger than the
10 limited and frankly, shallow arguments from those in
11 support of it.

12 Given that, I'm not going to repeat myself what
13 I've said multiple times in the past. All this is well
14 documented as far as the negative and significant impact to
15 my property and my family's cattle ranch. Well documented
16 with both Shasta County and the CEC, and I think it's all
17 part of the legal records.

18 However, I would like to just spend a few of my
19 remaining one minute and 35 seconds here to show my
20 appreciation for the CEC and the staff and the work that
21 they did, their due diligence and really hard work that
22 they did in putting together the Staff Assessment report
23 that is an excessive report or almost 1300 pages, and
24 ultimately recommends the denial of this project. And so, I
25 sincerely hope that the Commission follows the Staff

1 recommendations and rejects the Fountain Wind Project and
2 finally puts an end to this, what a 9-year-long bad idea.
3 Thank you.

4 MS. BADIE: Thank you. After Brent, we're going
5 to hear from Bradley McKinney.

6 MR. BRENT LAMMERS: Hello. Brent Lammers, same
7 last name, spelling B-R-E-N-T. So, I'm here today, not just
8 as a concerned citizen, but as the fourth generation to
9 steward this stretch of land that we own in Shasta County.
10 We're now onto our fifth generation, as you can hear, my
11 nephew in the back all meeting and I'm actually getting
12 married on the land in two weeks as my parents, my sister,
13 and my cousins have all done before me. For over a hundred
14 years, my family has lived and worked in the region. We've
15 been practicing sustainable cattle ranching and forest
16 management long before carbon sequestration or climate
17 targets or even buzzwords. We've believed that the best way
18 to care for the land is to work with it.

19 Our approach, rational grazing, reforestation,
20 preserving native vegetation all help enrich the soil,
21 support biodiversity, and trap carbon naturally. That's
22 real climate work done quietly every day. I want to be
23 clear, I'm not against wind energy. I support California's
24 push towards clean power, but wind turbines in this
25 specific place do more harm than good. This isn't about

1 turbines for me and my family. It's an opportunity for the
2 government to trust rural communities who've been quietly
3 fighting climate change the old-fashioned way with care,
4 tradition and respect for the land. So, I ask you to please
5 take a hard look at whether this project really aligns with
6 the State's long-term environmental goals.

7 It might check a small box towards quite an
8 unrealistic renewable energy goal, but it immensely
9 undermines so much more. Thank you for your time and
10 listening to the people who call this land home.

11 MS. BADIE: Thank you. After Bradley, we'll hear
12 from Gill Wright.

13 MR. MCKINNEY: Good afternoon. My name is Bradley
14 McKinney, B-R-A-D-L-E-Y M-C-K-I-N-N-E-Y. I am here
15 representing the members of Laborers Local 185. We support
16 this project for the energy dependence that it would bring
17 with the reliable and renewable energy and also preventing
18 climate change at the same time and the investment that it
19 would put in the community with over \$300 million in
20 investment for the project. Also, the \$50 million in
21 property taxes and revenue that it would generate in our
22 community and also the hundreds of jobs that it would
23 create for construction workers in our community. Thank you
24 very much.

25 MS. BADIE: Thank you. After Gil, we'll hear from

1 Mary Rickert.

2 MR. WRIGHT: Good afternoon. I'm Gill Wright, G-
3 I-L-L W-R-I-G-H-T, and I represents the California Pilots
4 Association. I came to be aware of this project about six
5 years ago and have been truly amazed at what this community
6 has done to speak for itself, to protect itself. And one of
7 the things that I first learned about was the nature of,
8 yes, there's the firefighting, but with the looking at the
9 aeronautical charts, back in 2010, there was a company by
10 the name of Enel who had actually put a number of wind
11 weather stations monitoring this area from where the
12 current Hatchet Ridge is going south about 10 to 15 miles.
13 They're looking at creating a picket fence of wind farms
14 that's approximately a mile wide and 15 miles north-south.

15 That's going to create an area of unmitigated no-
16 fly zones for aerial firefighting, and that's a significant
17 hazard that has been spoken. At the planning Commission
18 hearing as well as the county supervisors meetings where
19 this was denied, one of the pilots who was from CAL FIRE
20 was talking about how ingress and departure for CAL FIRE,
21 if he was to be doing so with a DC10, he needed three miles
22 of unobstructed to come in, do the drop, and then leave.
23 They might be able to do some things with helicopters, but
24 not to the magnitude of all the aerial assets a DC10, yes,
25 yes, the S2s. There's also now 737s, there's also C130s.

1 All of these aerial firefighting assets would be
2 omitted from an area that has in this hearing here, they
3 have lightning strikes that can start something that could
4 create a very large hazard. Another thing that needs to be
5 looked at too that I heard when we had the previous
6 hearings, what would be the insurance rates? That policy
7 has gotten even worse with all of the fires that have
8 happened in this region in the last 30 years. What would
9 insurance actuaries actually do if this project was to be
10 going in? Because that's going to adverse a lot of people's
11 homes, their mortgages. If they can't get insurance on
12 their homes, their loans may be called.

13 That's a huge unmitigable thing that has not been
14 discussed that does need to be looked at. In addition, one
15 of the things that was mentioned was geothermal, and I'll
16 say something briefly is that as a child, I was taken over
17 to Geyserville and saw how PG&E, this was 50 years ago, was
18 generating electricity from the steam. Recently, I've heard
19 about something called enhanced Geothermal Energy Systems,
20 where utilizing omnidirectional drilling, which has been
21 used for fracking, they can drill down by a thousand,
22 10,000 feet into the ground where the ambient temperature
23 is approximately 400 degrees Fahrenheit. You have two holes
24 going down.

25 One, you inject water, the other you get steam,

1 the steam can be condensed and then reinjected into the
2 ground. We can use the geothermal energy of our planet to
3 generate baseline electricity for our modern civilization's
4 needs. Two weeks ago in Spain, their grid went down because
5 the excess generation of solar power unbalanced the
6 electrical grid. Intermittent power systems are unstable.
7 We need to have baseline power. We have the technologies,
8 either geothermal, but we could also ask what NASA has done
9 or what the United States Navy has done with nuclear power.

10 One thing that impressed me one time when I was
11 flying from Sacramento to San Diego was to see all of the
12 acreage over the Tehachapi area and that desert area that
13 was solar farms, wind farms. As we came in further and
14 closer to land into San Diego, there was this little area
15 called Diablo Canyon, the nuclear power plant there. That
16 singular power plant represents 180 acres, yet that is 10
17 percent of the State of California's electrical power. We
18 need to look at what is useful of land.

19 The thing that really impressed me when I was
20 here was the 15 decades of resource extraction here from
21 Shasta County that has been pretty much rapacious and to
22 see the people of Shasta County saying, "We the people
23 don't want this, it needs to be stopped." Both the people
24 spoke that through the planning Commission and the
25 supervisors and then the avarice came through Assembly Bill

1 205 to circumnavigate what the people had spoken. We have
2 better solutions to take care of things for the future
3 generations, not only here, but for generations to come. I
4 ask you to look and consider those other sources. Thank
5 you.

6 MS. BADIE: Thank you. And then we have a few
7 blue cards left, but I wanted to just remind folks, you can
8 raise your hand on Zoom now. If you'd like to make a public
9 comment, there's a raise hand feature on your screen. It
10 looks like an open palm. And if you're joining by phone,
11 you'll press star nine so you can start populating that
12 queue now.

13 MS. RICKERT: Thank you. Good afternoon,
14 Commissioner Gallardo and the CEC staff. My name is Mary
15 Rickert, M-A-R-Y R-I-C-K-E-R-T, and I serve as a district
16 three Shasta County supervisor for eight years. And I'm a
17 former member of the State Board of Forestry and Fire
18 Protection. I adamantly opposed this project when it became
19 before our Board of Supervisors and I voted no and was a
20 hard no. I want to thank the CEC for holding this hearing
21 today, our second hearing in Shasta County. As a county
22 supervisor, I knew this project would be a huge issue for
23 the many residents of the proposed project area. Extreme
24 fire danger and sensitivity to cultural resources have been
25 two major factors that needed to be considered.

1 Protection of our citizens and natural resources
2 was foremost in my mind. This location is not appropriate
3 for wind turbines. Lightning is a critical problem in the
4 North State for us. At this time, I want to speak my
5 appreciation for the help that I received from RCRC, as
6 well as the Shasta County former resource management
7 director, Paul Hellman, deputy Director Adam Feeser spoke
8 here earlier, former Shasta County attorney Matt McCumber
9 and current county counsel's office, Alan Cox, also Ryan
10 Barron who spoke today. All of these have contributed
11 countless hours to resist this project. It has been a
12 privilege to work in tandem with the Pit River tribe to
13 attempt to stop the project from moving forward.

14 Lastly, I want to express my appreciation to
15 Elizabeth Huber who's not here today and the entire CEC
16 staff for listening to the board, local residents. I
17 appreciate your acknowledgement of this project not being
18 compatible with our Shasta County ordinance prohibiting
19 large-scale wind turbine projects. This was passed by a
20 Board of Supervisors when I was still serving on the board.
21 Local control is important because we know what is best for
22 our county. I'm hoping and praying this project will
23 ultimately be rejected and I'd like to invite any of you if
24 you have never walked on the Pacific Crest Trail, take some
25 time. It's worthwhile with my most memorable experiences

1 living as a 52-year president of Shasta County.

2 I did the Hat Creek Rim walk. It's 11 miles and
3 you will see why this is truly God's country and we want to
4 keep it that way. Thank you.

5 MS. BADIE: Thank you. Sorry, thank you. And we
6 have another, John Lammers. Okay, maybe that was a repeat.
7 All right. Eihnard Diaz, I hope I said your name right.

8 MR. DIAZ: No problem.

9 MS. BADIE: After Eihnard, we'll hear from Bill
10 Walker.

11 MR. DIAZ: Yeah. Good afternoon, members of the
12 California Energy Commission and staff. My name is Eihnard
13 Diaz, E-I-H-N-A-R-D D-I-A-Z. Residing in Redding with over
14 44 years of planning experience in the North State, I have
15 prepared or been involved in prepared numerous EIRs initial
16 studies for the cities of Shasta Lake, Redding, Corning,
17 Red Bluff, Mount Shasta, and the counties of Siskiyou,
18 Tehama and Shasta. As you know, an EIR is intended to
19 identify the potential adverse effects of a proposed
20 project and recommend mitigation measures and alternatives
21 to avoid or reduce those impacts. The EIR should be
22 conducted in a fair and impartial manner.

23 An EIR must provide sufficient detail so that
24 government decision makers, such as the California Energy
25 Commission can make an informed decision. Unfortunately,

1 the draft EIR is inadequate, not only because it withholds
2 relevant information, but also because it provides biased
3 data and conclusions in attempt to direct the CEC to
4 disapprove the project. Amongst the examples that
5 demonstrate the blatant disregard for providing fair and
6 impartial information are failure to obtain and/or
7 recognize from CAL FIRE's regional office, ignoring the
8 positive environmental record of the nearby 15-year-old
9 Hatchet Ridge Wind Farm, providing misleading information
10 regarding firebreaks.

11 Failure to recognize and present positive
12 findings made in Shasta County's own EIR for the project,
13 failure to recognize the project, avoiding and mitigating
14 impacts regarding not only fire prevention, but also
15 cultural and biological resources and the use of battery
16 storage as an environmentally superior alternative to an
17 energy producing project. Tell that to the people of Ote
18 Mesa Moss Landing in Watsonville. While CEC staff may argue
19 that the CEQA allows for disagreement between experts, the
20 Commission should delve into the expert's background. Are
21 they from academia or do they have demonstrable, practical
22 and real-world experience?

23 I respectfully respect that the CEC reject the
24 proposed draft EIR and refer it back to staff to address
25 the inadequacies and present a fair and impartial document

1 from which the CEC can make an informed decision. Thank you
2 very much for your review and consideration.

3 MS. BADIE: Thank you. We'll hear from Bill
4 Walker next and after Bill, Gregory Wolfin.

5 MR. WALKER: Members of the California Energy
6 Commission or member rather and staff. My name is Bill
7 Walker, spelled W-A-L-K-E-R. I was a planner for Shasta
8 County for 30 years and the planning division manager
9 before I retired. I'm also a member of the American
10 Planning Association and a member of the or was a member of
11 the American Institute of Certified Planners. I was the
12 lead planner on the Hatchet Ridge project. I have a number
13 of concerns about the CEC EIR and the staff recommendations
14 for the Fountain Wind Project, but because of very limited
15 time, I will only talk about three. First, the county EIR
16 and this is it right here. And original recommendations for
17 this project is 180 degrees different from the CEC EIR.

18 The county prepared an EIR for this project,
19 which showed far less impacts than the CEC EIR. The
20 original county recommendation was to approve this project
21 with mitigations and findings of overriding consideration.
22 The county EIR and recommendation clearly contradicts the
23 CEC EIR analysis and recommendation and I don't see
24 anything in the CEC EIR that really addresses why are they
25 so different, why do they come to such different

1 conclusions?

2 Second, the impacts on aerial firefighting. CAL
3 FIRE is the largest aerial firefighting organization in the
4 world and California has more than 5,000 wind turbines. Yet
5 CAL FIRE has taken no position on the safety of aerial
6 firefighting near wind turbines.

7 I would also note that the county's EIR said, and
8 I'm reading here, significance after mitigation. With the
9 implementation measure of mitigation measure 3.16-LB,
10 that's the county's mitigation measure, CAL FIRE would have
11 the information necessary to plan for aerial firefighting
12 with the project in place. This would allow CAL FIRE to
13 identify locations for fire retardant or water drops within
14 the project site and would allow for the planning of flight
15 plans around the project site. With the implementation of
16 mitigation measure 3.16-1B, impacts would be reduced to a
17 less than significant level. They're talking about all the
18 firefighting impacts are reduced to a less than significant
19 level. It's possible to do that.

20 Okay. So, therefore, the CEC EIR conclusion for
21 this project would have that the project would have a
22 significant and unavoidable impact on aerial firefighter
23 may be unfounded. There's clearly a difference of opinion
24 about this and the fact that CAL FIRE has no position on it
25 is important. Last, impacts on birds and bats. I

1 participated very much in a 3-year post-construction, bird
2 and bat mortality study for the Hatchet Ridge Project. I
3 could get into a lot of detail on that, but I won't. The
4 study included the U.S. Fish and Wildlife Service and the
5 California Department of Fish and Wildlife. Over three
6 years, we found less than 10 fatalities per species per
7 year.

8 Therefore, the CEC EIR conclusion that this
9 project would've a significant and unavoidable impact on
10 birds and bats is at least questionable, if not unfounded.
11 At the very -- Okay, one other thing -- sorry, do I have? I
12 don't. Okay.

13 MS. BADIE: Just make your final point.

14 COMMISSIONER GALLARDO: If you can wrap up, yeah.

15 MR. WALKER: Okay, I'll wrap up. Hatchet Ridge
16 has a decommissioning plan and financial assurances to
17 assure that the project will be dismantled and the site
18 fully reclaimed when the turbines stop working. So, that's
19 not an issue here. Okay. At the very least, the CEC should
20 look at these contradictions between the two EIRs and also
21 the burdened bat mortality study and find some resolution
22 before taking action on this project. Thank you very much.

23 MS. BADIE: Thank you.

24 I just wanted to provide a set of update. So,
25 we've got five more folks in the room with us who'd like to

1 comment and then we'll transition over to Zoom. Right now,
2 I've got three raised hands on Zoom. Okay. And next, we'll
3 hear from Gregory Wolfin and after Gregory, from Scott
4 Swindon.

5 MR. WOLFIN: Hello, my name is Gregory Wolfin, G-
6 R-E-G-O-R-Y W-O-L-F as in feather I-N. So, I guess I missed
7 the government part of the public statements. So, I am
8 elected representative of the Illmawi Band of the Pit River
9 Nation. I'm a citizen of the Pit River Nation as well. And
10 so, I've been up to the podium more than once to really
11 express concerns. One would be the cultural component,
12 right? Historical. So, in some of these areas we have
13 epistemologies which tie some of these large, or these
14 mountain tops, two the favored people. And so, with those
15 epistemologies, those are ancient. Pre-historical, so the
16 impacts are great and significant. But what I want to
17 reiterate is the tribe did receive some properties near the
18 proposed site.

19 So, it's called Burney Gardens. It's 1600 acres.
20 And so, the Pit River Tribe, we were in a fight for about,
21 I want to say like eight years of these properties to get
22 them returned back to the stewardship hands of the Pit
23 River people. And so, with the conclusion of those
24 properties, there was a 600- to 800-page archaeological
25 report that was conducted confirming human presence within

1 the area. Anything from arrowhead tips, spear tips, Cairns
2 or whatever else. And so, the boundaries of the Burney
3 Gardens is about four miles away from some of these
4 projected sites. And so, if you can imagine hiking from
5 here to Shasta High School, that's how far away it is and
6 it's not too far away.

7 And so, with that presence, there's an obvious
8 impact to the area. And so, this is a large riparian area,
9 it's a wetland as well. So, what our concerns would be
10 migrating fowl and bird species and whatever else, but
11 there are corridors that go through this. And so, with
12 human life, there's food, elk, bear, whatever else. So,
13 since the beginning of this project, so the landowners have
14 been clearing out land, right? And so, with that, the
15 clearing of land, their idea of fire mitigation is a clear
16 cut. And so, that's not green, right? That's not a way to
17 combat climate change or anything else. And so, being a
18 local from the area, we've noticed a significant amount of
19 bear kills and whatever else along 299.

20 One of my prior comments and one of these
21 meetings is a host this within the area of impact. You'll
22 get more turnout of people who will be ultimately impacted
23 by these windmills, by fire, by other issues as well. And
24 another thing I want to point out is when there are issues
25 at Fondale, where do they go? They go East 299, right? So,

1 I've been through the town of Burney where we've sat 30
2 minutes in traffic just to go home from the store to my
3 residence. And so, there's plenty of issues that were
4 outlined and I do support CEC staff for the project. So,
5 thanks.

6 MS. BADIE: Thank you. After Scott, we'll hear
7 from Brandy McDaniels.

8 MR. SWENDIMAN: Hello everybody. My name is Scott
9 Swendiman, S-C-O-T-T, S-W-E-N-D-I-M-A-N. And I was at your
10 last hearing at the Gaia Hotel. I'm the guy that needed to
11 speak before it got dark because I can't drive after dark,
12 but I didn't make that. But I did get to listen to
13 everybody previous to me, and I was amazed at what I was
14 hearing, especially from the likes of Patrick Jones who
15 actually visited the site with me and was so impressed, he
16 could hardly stop talking. But then he came down the hill
17 and told everybody, "Oh, your children were going to die,"
18 and voted against the project. But to start off, I've lived
19 here for 73 years. Redding was a timber town.

20 There were a dozen mills here in, I think it was
21 1984, the Shasta Trinity National Forest committed to a \$50
22 million board foot sustainable harvest to the local mills.
23 1985, the spotted owl flew into town, spotted owl whom
24 nobody had ever seen. Still nobody's ever seen one, but it
25 stopped the logging. Several thousand men lost their jobs

1 in the timber industry. There are two mills left owned by
2 the same people who have their own private timber. My
3 thought at the time was, I can't believe this happened. And
4 they're suggesting that these men find a job in the clean
5 air industry, which is absolutely laughable, but they were
6 sneaking up on us at that point, nobody saw it coming.

7 And as you know, the alcoholism rate in Shasta
8 County ballooned at the time. And I would expect most of
9 those men are not living any longer. And so, I was
10 fortunate enough to visit the site twice. It's an
11 unbelievable visit. I know for a fact that other than
12 Patrick Jones, none of the supervisors visited it. None of
13 the planning Commission visited it. None of you have ever
14 seen the site. It blows my mind that you haven't seen the
15 site. Can't even imagine how you could make a decision, or
16 even comment on it without having been there, because it is
17 something to behold. And the benefits of the project are
18 undeniable.

19 And I haven't heard anybody talk about the \$2
20 million that is sitting with the Shasta County College
21 Foundation dedicated to the education of children in
22 Eastern Shasta County. And that money would educate those
23 children forever. And there's not a lot of money up there
24 as everybody knows, but it's been completely overlooked. I
25 think Andre was here to speak to that earlier today. I

1 always thought that after the spotted owl flew into town,
2 there would be a push to bring other industry, like
3 manufacturing to Redding to make up for that loss. And
4 there never was. Nothing ever happened. Now this project is
5 sitting there. It's an undeniable asset. The people that
6 made the greatest arguments against it were all attorneys.

7 They were all paid, they were all unbelievable.
8 It was a whitewash if I've ever seen it, seen one. But I
9 would love for you people to take the time to go to the
10 project site, visit it with Henry and Eihnard, spend an
11 afternoon up there, you'll come back down the hill saying,
12 "Holy cow, what were we thinking?" Anyway, thanks for the
13 opportunity. Appreciate it.

14 MS. BADIE: Thank you. After we hear from Brandy,
15 we'll hear from Luis Davis.

16 MS. MCDANIELS: Is Luis online?

17 MS. BADIE: I have a blue card from Luis.

18 MS. MCDANIELS: Is Luis available?

19 MS. BADIE: Brandy, we have three more people.
20 So, yes, thank you.

21 MS. MCDANIELS: I have to go last to let you
22 know. So, sorry. I'm travel person, so let me get my
23 glasses on to me some way. Hello, my name is Brandy
24 McDaniels, and that's B-R-A-N-D-Y M-C-D-A-N-I-E-L-S. I am
25 the Madesi Band cultural representative alternate for the

1 Pit River Nation.

2 My band is directly affected by this proposed
3 project. The footprint of this project is in my ancestral
4 homelands and next to tribal housing. A visit to my
5 homelands will show you that the Pit River Nation already
6 carries the heavy burden for so-called green or clean
7 energy. Our sacred waters are dammed up with no fish
8 passage for hydroelectric power. Our homelands are
9 crisscrossed with power lines that we don't benefit from.

10 We still have Pit River people that live without
11 running water and electricity in what some would say, third
12 world conditions. Many promises have been made and broken
13 to my people, but still we carry the heavy load and burden
14 and it doesn't seem to stop. And one of those things I
15 heard earlier is that we haven't been reimbursed, or the
16 county, for the cost of this process -- of all the work
17 that we had to put in here. So, please, please honor that.
18 Okay.

19 We have vetted this project for years. It was
20 said nine years today. Nine years, I heard, "Oh my gosh,
21 I've got a 12-year-old. So, nine years of her life have
22 been taken away by us having to be drug through this
23 process.

24 We vetted this with a community of mixed values,
25 of different backgrounds and political affiliations and

1 belief systems. But one thing that everyone that was paying
2 attention agreed on is that this project is not a benefit,
3 but a detriment to our community. I heard today from
4 ConnectGen that wind turbines are majestic and I disagree.
5 They also said that the Staff report was exaggerated, but
6 what is exaggerated is ConnectGen's claims. It was said by
7 ConnectGen's attorney today that there was repeated
8 outreach to the tribe, but the outreach to the tribe by
9 Henry Woltag and ConnectGen resulted in them misquoting my
10 tribe, using our name and misleading promotional materials,
11 media and mailers, and pop-ups on my computer, trying to
12 make it appear as if we support the project, which we never
13 have. Also, ConnectGen did not even bother to appeal the
14 denial they received from our county, further showing their
15 disrespect to our community and process. This project is
16 not majestic. It is a false solution and irresponsible.
17 I've seen with my own eyes the massive abandoned wind
18 turbine fields in Southern California. Why isn't ConnectGen
19 looking to getting those online instead of looking to
20 destroy new areas?

21 Also, this is in conflict with several of
22 California initiatives, like Governor Gavin Newsom's Truth
23 and Healing Initiative. And I say truth and healing cannot
24 begin if we are constantly fighting to protect our sacred
25 lands. And we protect sacred lands for everyone, for all

1 future generations. The history of my people is the true
2 history of these United States of America. So after all
3 these years of vetting this project and having it rejected
4 by the Planning Commission and that decision being upheld
5 by the Shasta County Board of Supervisors and then having
6 to go through this process again, which is a hardship and a
7 burden and a traumatic experience for my people to have to
8 continue to have to repeat a process that we have already
9 lived through, it comes to no surprise that the CEC staff
10 has also come to the same conclusion as our beautiful
11 community, our county, and our local leadership.

12 Therefore, we stand with the CEC staff
13 recommendations to not certify the project and to not issue
14 a Statement of overriding considerations for CEQA. This is
15 the only, the only, responsible decision that can be made.
16 So with that, dolo etuni isilu wa, which means in our
17 language, for all our relations. And that means all of our
18 community. That means all of the plants. That means all the
19 animals. That means all of the water and all of the land.
20 Because the land, the topography of the land is the history
21 of our people. It tells the story of the Ajumawi-Atsugewi
22 Nation, the Pit River People, the Pit River Nation. So with
23 that, se sula aya (PHONETIC), and that's our way of saying
24 thank you.

25 MS. BADIE: Thank you, Zoom adds nothing.

1 After Louise, we'll hear from Rachel Hatch and
2 then we'll move on to Zoom.

3 MS. DAVIS: (INDISCERNIBLE) still indiscernible
4 Louise Davis. (INDISCERNIBLE) still indiscernible.
5 Louise, L-O-U-I-S-E. Davis, D-A-V-I-S. I'm a
6 lifetime resident of Shasta County, as my mother and my
7 grandmother and my grandfather. We've all lived here in
8 Shasta County. I believe our DNA is in those mountains that
9 you want to develop. And I agree, the gentlemen, the people
10 should go up and see where this development is going to be,
11 because once you see it, you will know that this is not a
12 place for a turbine. This is not a place where a fire, that
13 once it starts, it's not going to stop. We've seen the
14 fires. It's devastated our area. I've listened. It's really
15 hard to come down. I've listened on Zoom all morning and
16 hear some of the statements that were said. Yes, this is
17 all California.

18 California is all Indian country, but 60 years
19 ago we couldn't, as a tribe, come and fight for it. We
20 couldn't stand with the other citizens of the United States
21 to fight for this country, to fight for our land. And today
22 we do. And today you see that our tribe is totally against
23 this development. And if you start to try to do something,
24 we will come together and we will be there with the
25 community. We will be picketing. We will be on those sites.

1 We will be there to stop the work that you're going to try
2 to do. So as a Pit River woman, a mother, a grandmother, I
3 cannot see this happen to the place that my ancestors came
4 from. This is part of our history.

5 Just as everybody has said, people that move to
6 Shasta County don't come here for the jobs. They don't come
7 here for the nightlife. They come here for the stars. They
8 come here to be able to see the peace. And that's what
9 Shasta County is about. So I'm in agreement with the report
10 and we are totally against any development. Thank you.

11 MS. BADIE: Thank you.

12 Next, we'll hear from Rachel Hatch as the final
13 blue card as of now.

14 MS. HATCH: Rachel Hatch, R-A-C-H-E-L H-A-T-C-H.
15 As a person of faith and a theologically educated
16 layperson, I spend time thinking about the moral imperative
17 to pursue a just transition to a carbon-neutral future. For
18 people of faith, the just part of the just transition is
19 critical.

20 Earlier this afternoon and throughout this
21 process, you have heard from Indigenous community members
22 about the adverse impacts of the project on tribal cultural
23 resources, ecological resources, and more. In a State like
24 California, with our history of genocide against the
25 Indigenous people of this place, it is not just to pursue

1 this project. The California Truth and Healing Council's
2 work is underway to strive to grapple with this history,
3 but that work is not done, and it does not get applied to
4 decisions like this, as it should be. We need to listen to
5 the strong message from Indigenous neighbors and reject the
6 Fountain Wind Project.

7 I believe that a more just future for California
8 is possible and that right now, in 2025, we are in the
9 liminal space, what theologians might describe as the
10 already not yet. A more just future is already here, but
11 just not fully realized. All you need to do is to finalize
12 this decision, hear the words of our Pit River Nation
13 neighbors and their incredibly wide-ranging allies who you
14 have heard from today. No on the Fountain Wind Project.

15 MS. BADIE: Thank you. Thank you, everyone who
16 commented in person here today. I'm going to transition
17 over to Zoom.

18 And once again, if you want to comment and you're
19 on Zoom, you'll use the raise hand feature on your screen.
20 It looks like an open palm. And if you're joining by phone,
21 you'll press star 9. That'll let us know you'd like to
22 comment. Okay.

23 So first we've got Monica Super. I'm going to
24 open your line, Monica. And just a reminder, we're asking
25 for comments to be three minutes or less. There'll be a

1 timer on the screen.

2 Monica, if you want to unmute on your end.

3 MS. SUPER: Thank you. My name is Monica Super,
4 M-O-N-I-C-A S-U-P-E-R. I am the Hammawi band cultural
5 representative. I would just like the record to show today
6 that I stand in opposition of the Fountain Wind Project
7 currently proposing its permanent scar on ancestral Pit
8 River land and its people.

9 I think since colonization, my tribe has been
10 threatened, worn down, and exhausted by this ongoing
11 continuous struggle to safeguard our territory. And for way
12 too long, agencies and corporations have come for our land.
13 And time and time again our leaders and culture bearers are
14 constantly having to fight off our predatory exploitation
15 and harm. And for those in the room today that are in favor
16 of discounting our existence, dismissing our ancient
17 knowledge, urging the room to rethink our validity and the
18 validity of our allies and experts, pleading to the rest of
19 you that Californians somehow deserve our endless
20 sacrifice, you're actually perpetuating genocide. In my
21 five decades on this earth, I've witnessed even the
22 youngest members of our community being forced into these
23 daunting and inequitable land protection fights that
24 dismiss their rightful, peaceful and uninterrupted
25 existence on their homeland.

1 We, the Pit River People, did not create this
2 energy crisis, so we should not bear another one of the
3 devastating solutions for it. Corporations have already
4 robbed us, straight out robbed us of our river, and the
5 impacts are very deep and those scars are very permanent on
6 the health and safety of the Pit River Nation. And so I
7 stand in solidarity with the natural law of our land and
8 the spiritual health of our future generations, and I flat
9 out oppose the Fountain Wind Project. Thank you.

10 MS. BADIE: Thank you.

11 The next hand raise is identified as iPhone124.
12 I'm sorry, I don't have a name for that. And I'm going to
13 unmute your line.

14 MS. ANGUIANO: Hi, my name is Marisella Cardinas
15 Anguiano. Marisella, M-A-R-I-S-E-L-L-A, and last name
16 Anguiano, A-N-G-U-I-A-N-O. I am married to an Atsugewi
17 tribal member. Together, we have eight children whom are a
18 part of the Atsugewi band of the Pit River Tribe. My older
19 children are in an afterschool program right now and cannot
20 voice their opinion, so I'm speaking on their behalf. My
21 children have spoken about this project to our family and
22 they strongly oppose it. They realize the project will
23 disrupt sacred sites in their tribal areas and destroy the
24 land. My children understand the importance of their
25 spirituality connected to the homelands and destroying it

1 breaks that connection. So please do not allow their future
2 to be broken. Thank you.

3 MS. BADIE: Thank you.

4 Next, we have Jeremy Smith. Jeremy is the last
5 hand. If there's anyone else on Zoom that wants to comment,
6 if you could raise your hand at this time. All right.

7 Jeremy, I'll open your line.

8 MR. SMITH: Can you hear me?

9 MS. BADIE: Yes.

10 MR. SMITH: Okay. Good afternoon, Commissioners
11 and staff. Jeremy Smith, J-E-R-E-M-Y S-M-I-T-H. Here on
12 behalf of the State Building and Construction Trades
13 Council of California. We represent, collectively
14 throughout California, 450,000 construction workers who are
15 in construction trade unions and Northeastern California
16 Building and Construction Trades Council is one of the
17 councils under our umbrella. Here in support of the wind
18 project.

19 Thank you for this hearing today and for the hard
20 work that went into the nearly 1,300-page staff report. As
21 stated by the applicants, there are concerns raised by the
22) staff, but we believe many of them can be mediated. We
23 have a unique perspective on climate change and the
24 transitions we manage. Despite thousands of our members
25 working day-to-day inside all of California's refineries,

1 our members have simultaneously fought for the entitlements
2 and they have built the vast majority of the State's
3 utility scale solar, wind, geothermal, pump storage, and
4 other renewable sources of energy.

5 Most of these entitlements were hard fought,
6 fighting many of the same activists locally who are against
7 this project, and then are currently demanding the State
8 cease traditional power and energy production. Some
9 opponents are effectively telling State policy leaders in
10 Sacramento that one form of energy production needs to be
11 replaced with another, like wind, but then opposing the new
12 clean forms of energy as they are today.

13 At the Building Trades, we believe climate
14 change. However, our members seek a realistic approach to
15 the climate crisis that embraces science and common sense
16 solutions that also supports our workforce and does not
17 price working families, like their own, out of California.
18 The Fountain Wind Project meets all of those criteria. We
19 need projects like Fountain Wind if we are to collectively
20 meet the GHG reduction goals set by the California
21 legislature.

22 Right now, our grid is not robust enough to
23 handle the increased demand for climate change solutions
24 that we all entertain, like no more internal combustion
25 engines pushing us a hundred percent would be an option,

1 like better public transit. We're running on electricity.
2 And no more natural gas and petroleum usage to name a few.

3 It is projects like Fountain Wind, along with
4 carbon capture, geothermal, solar, offshore that will not
5 only provide solutions to meeting our GHG reduction goals,
6 but also new places for our members to go to work. Yet here
7 we are today, hearing from staff that one of those projects
8 just does not pass muster. The CEC and the industry have a
9 chance to create high-growth careers with this project.
10 Even the draft report speaks to that. These can be careers
11 with middle class wages and benefits, thanks to prevailing
12 wage employing local workers. This can be careers with
13 healthcare pensions. These community benefits will be
14 delivered with a project labor agreement as noted earlier
15 by the applicant.

16 Finally, the federal government under the last
17 administration and State policy members have been
18 incentivizing production and use of a host of new energy
19 technologies that will allow California to beat the climate
20 crisis. These technologies embrace science, offer the
21 prospects of California remaining a global leader of
22 innovation, help the State meet its GHG reduction goals,
23 and create industrial career pathways for our membership.
24 These new technologies are key to our ability and
25 California to meet the climate crisis head on with the

1 innovation that our State is renowned for.

2 Staff reports, like the one today, thwart
3 investment in innovation, providing a chilling effect other
4 companies seeking to build in California and will foreclose
5 these opportunities before we take advantage of them,
6 likely with devastating consequences. We urge the CEC to
7 approve this project at the appropriate time. Thank you.

8 MS. BADIE: Thank you.

9 Next, we're going to hear from Tony Wilson
10 Yiamkis.

11 I'm going to open your line, Tony.

12 MR. YIAMKIS: Yeah. Can you hear me okay?

13 MS. BADIE: Yes.

14 MR. YIAMKIS: I'm up here outside our regular
15 travel office. Just a couple things. I'm a Pit River tribal
16 member and cultural rep. Like I mentioned earlier, one of
17 our members, I've spoken quite a few times over the --
18 testified the last four years or so.

19 Just a couple of new thing that earlier today, a
20 comment about aerial firefighting tankers that don't put
21 out the fire. I live in the Carr Fire footprint and the
22 neighbor next to me and the neighbor's house behind me
23 burned down. Also, just last year, the Salt Creek Fire,
24 just a mile west of Redding, by Buena Ventura Road, myself
25 and the neighbors, we just sat on top of the hill and

1 watched the aerial tankers drop on the fire and just put it
2 out and the wind was blowing. So it's just ridiculous by
3 saying, just standing in a circle, firefighters are going
4 to put out fire. Yeah, it might put out fire if there was
5 just a no wind and a calm cool fire. But when the wind's
6 blowing, you need the tankers to drop, and they can't drop
7 close to 48, 700-foot tall towers. How are you going to get
8 in there?

9 Second, I'd like to comment -- reply that the
10 gentleman has mentioned about driving up there to the
11 Fountain Wind footprint that he was awestruck. I'm just
12 wondering, awestruck by what? Because his ancestors, unlike
13 mine, have lived there for thousands of years. And every
14 mountaintop, every hilltop, the creeks, the animals, all
15 the life there is, I mean, that is something that -- That's
16 part of our creation of who we are. So unless you've
17 experienced that and you have the ancestry, DNA, that I
18 can't see how you could be awestruck. Yeah. And what's it
19 going to look like after 48, almost-700 foot tall turbines?
20 Is that still going to be some majestic-looking place?

21 So I'm pleased to see that California Energy
22 Commission, their assessment as to deny this project. I
23 agree with that and support that. So (INDSCIERNIBLE). Good
24 day.

25 MS. BADIE: Thank you. Next, we're going to hear

1 from Barbara Wolfin.

2 I'm going to open your line, Barbara.

3 MS. WOLFIN: Hi, my name is Barbara Wolfin. I'm
4 Illmawi, a citizen of the Pit River Nation. First and
5 foremost, I would like to thank the CEC staff for their
6 hard work and research.

7 Indigenous Peoples are the first and last Peoples
8 who are impacted by projects brought on by companies and
9 corporations. There are other just and greener options for
10 energy, and together we can research those for a more just
11 energy option. It is imperative to listen to the guidance
12 of Indigenous Peoples as we are the ones who hold the
13 epistemologies and responsibilities of the land. It is our
14 responsibility for the people to not only protect the human
15 people, animal people, but also the land. The River People
16 are loving and strong people, and we'll continue to oppose
17 this project for however days, weeks, years, and
18 generations that it will take.

19 I strongly oppose the Fountain Wind Project.

20 Thank you for your time and consideration.

21 MS. BADIE: Thank you. Next, we're going to hear
22 from Margaret Osa.

23 Margaret, I'm going to open your line.

24 Margaret, your line's open.

25 All right. Margaret, we're not getting any audio

1 from you. I'm going to go to the last person and then I'll
2 try you again. Okay?

3 Andrew Anguiano, I'm going to open your line.

4 MR. ANGUIANO: Hello, my name is Andrew Anguiano.
5 I'm a member of the Otsukewi Tribe from the Pit River. I'm
6 13 years old and in 7th grade. I oppose the wind turbines
7 being built in my ancestral territory. My homelands are
8 sacred and beautiful. Somewhere I can go to find feeling.
9 Putting this project in would destroy our land and the
10 beauty of it. Please listen to our people and do not let
11 this project go through. Thank you. Have a good day.

12 MS. BADIE: Thank you.

13 All right. Margaret, I'm going to try one more
14 time to see if we can get your audio through. You are the
15 last hand, so I want to try one more time.

16 MS. OSA: Can you hear me now?

17 MS. BADIE: Yes. Thank you.

18 MS. OSA: Okay. It's Margaret Osa, M-A-R-G-A-R-E-
19 T O-S-A.

20 First, I want to applaud the CEC Commission
21 regarding their recommendation not to approve or certify
22 the project. I believe they came to the correct conclusion,
23 just as Shasta County Planning Commission and the Board of
24 Supervisors. I would like to not have any additional
25 studies, because you could study this for the next 10 years

1 if you don't like the answer, as the applicant doesn't like
2 the answer from the CEC, and they want to provide other
3 studies and indicate their speculative conclusions, and I
4 don't believe that that is the case.

5 If the Fountain Wind project is indicated by the
6 wind industry spokeswoman as a threat to all the wind
7 projects, then California has a much bigger problem.
8 Because this is one out of 60 that they need and they'll
9 never get it within 20 years. It just won't happen. So to
10 make a statement like that as an alarmist indicator, and
11 that's a bigger problem than the Fountain Wind Project. So
12 I hope that there's no other additional analysis.

13 I think that Fountain Wind applicant keeps
14 calling up Hatchet Ridge and Hatchet Ridge needs to stand
15 on its own. Fountain Wind cannot use them as their
16 footprint to try to get their project approved, because
17 Hatchet Ridge had two or three objections to that project.
18 And I think that when that one got through and pushed
19 through, there was an agenda, and it got through and the
20 people who opposed that project, their voices got silenced
21 and there was no additional analysis on what needed to be
22 done for that project. So Hatchet Ridge needs to stand on
23 its own and the applicants should not be using that to try
24 to get their project approved, because it needs to stand on
25 their own.

1 The last part I'd like to say is that all the
2 financial reimbursement for the Shasta County and the tribe
3 needs to be honored, because valuable resources were taken
4 to address all of these meetings, all of the input that was
5 provided. And even though there was a DEI with the county,
6 which Mr. Walker indicated is a 180 from the CEC, that's
7 okay, because they don't have to agree. The CEC has their
8 independent experts and they came to their different
9 conclusion than what the county came to on the initial
10 recommendation, because the Planning Commission and the
11 Board of Supervisors refuted the recommendation by the
12 staff and denied the project to begin with on both
13 occasions. Thank you for your time.

14 MS. BADIE: Thank you. That is the last raise
15 hands.

16 I want to thank everyone for their participation
17 today. I'm going to hand it back to Kaycee.

18 MS. CHANG: All right. Can we get the next slide,
19 please? Okay.

20 Thank you, everyone, for your participation in
21 today's public meeting. As mentioned before, currently our
22 next steps are to complete the CEQA process, the California
23 Environmental Quality Act process, by considering all
24 comments, including the ones you provided today, any
25 comments that you'll provide to the docket by May 27th. And

1 then we'll be publishing an updated Staff Assessment, which
2 would be presented at a California Energy Commission
3 Business Meeting for full consideration. That Business
4 Meeting will be publicly noticed, so you guys will all know
5 about it.

6 That concludes our presentation, so I'll pass it
7 back over to Commissioner Gallardo for closing comments.

8 COMMISSIONER GALLARDO: Don't worry, this will be
9 quick. I just wanted to acknowledge there were a couple
10 comments indicating that staff, or us as leadership,
11 Commissioner, had not visited the site. So I wanted to
12 clarify that we actually have visited the site and multiple
13 times.

14 Additionally, I wanted to thank all of you for
15 joining us. We had over 40 people comment, combined on Zoom
16 and in the room. We really appreciate that insight and
17 there's a lot of sentiment as well. And, again, we
18 understand this is your community, so we appreciate that
19 you're willing to share all of that with us. As Kaycee
20 said, there's still opportunity for you to provide
21 additional information, if those of you who didn't have
22 enough time, given the three-minute limit, to provide all
23 the information you wanted, please feel free to submit that
24 in writing to the docket. We welcome it.

25 All right. And with that, I think we will

1 adjourn. Have a good night.

2 (OFF THE RECORD AT 4:34 P.M.)

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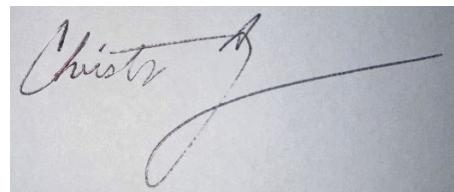
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REPORTER'S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a notary public and certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF,
I have hereunto set my hand this 30th day of October, 2025.

A handwritten signature in black ink, appearing to read "Chris Caplan", is placed within a rectangular box.

Chris Caplan
Electronic Reporter
CER**1971

TRANSCRIBER'S CERTIFICATE

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of October, 2025.



Myra Severtson
Certified Transcriber
AAERT No. CET**D-852