

<b>DOCKETED</b>	
<b>Docket Number:</b>	25-BUSMTG-01
<b>Project Title:</b>	2025 Business Meeting Agendas, Transcripts, and Public Comments
<b>TN #:</b>	268031
<b>Document Title:</b>	Orders and Resolutions of the December 19, 2025 Business Meeting
<b>Description:</b>	N/A
<b>Filer:</b>	Kim Todd
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	12/23/2025 8:45:15 AM
<b>Docketed Date:</b>	12/23/2025

STATE OF CALIFORNIA

STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: Marshall Medical Center**

**RESOLVED**, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

**RESOLVED**, that the CEC approves agreement 001-25-ECI with the Marshall Medical Center for a \$3,000,000 one-percent interest Energy Conservation Assistance Account (ECAA) loan. The loan will finance a 1.09 megawatt (MW) photovoltaic system at one site in El Dorado County. The project is estimated to reduce 1.51 megawatt hours of electricity consumption and save \$537,213 in utility costs per year; and

**FURTHER BE IT RESOLVED**, that the Executive Director or their designee shall execute the same on behalf of the CEC.

**CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on December 19, 2025.

AYE: Hochschild, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: Gunda

ABSTAIN: NONE

Dated: December 22, 2025

***SIGNED BY:***

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Kim Todd  
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION ADOPTING AMENDMENTS TO THE RENEWABLES PORTFOLIO  
STANDARD ELIGIBILITY GUIDEBOOK

**WHEREAS**, the California Energy Commission has developed its Renewable Energy Program, including elements related to California's Renewables Portfolio Standard, pursuant to Public Resources Code section 25740 et seq., Public Utilities Code section 399.11 et seq., and former Public Utilities Code sections 381, 383.5, and 445; and

**WHEREAS**, Public Resources Code section 25747(a) authorizes the California Energy Commission to adopt guidelines to establish the eligibility requirements and process for certifying facilities and for verifying renewable energy certificates for compliance with the Renewables Portfolio Standard, after at least 10 days' written notice to the public; and

**WHEREAS**, on April 21, 2004, the California Energy Commission adopted guidelines, titled the *Renewables Portfolio Standard Eligibility Guidebook*, to address the eligibility requirements and process for certifying eligible renewable energy resources for purposes of meeting the state's Renewables Portfolio Standard, pursuant to Public Resources Code section 25740 et seq. and Public Utilities Code section 399.11 et seq., and has subsequently revised these guidelines pursuant to this authority; and

**WHEREAS**, on October 18, 2024, the California Energy Commission staff publicly noticed a proposed update to the *Renewables Portfolio Standard Eligibility Guidebook*, as set forth in the "Tenth Edition," to: (i) address changes in law as a result of Assembly Bill 1921, (ii) incorporate requirements and criteria adopted by the California Energy Commission in 2017 under Resolution No. 17-0712-04, (iii) provide new eligibility and reporting criteria pursuant to existing authority, (iv) clarify various requirements and processes related to Renewables Portfolio Standard certification and verification, and (v) improve clarity and organization of the text of several sections of the Guidebook; and

**WHEREAS**, on October 6, 2025, California Energy Commission staff held a public workshop on the proposed *Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition*; and

**WHEREAS**, in response to public comments, on December 8, 2025, California Energy Commission staff publicly noticed a revised proposed *Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition*; and

**THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:**

With regard to the California Environmental Quality Act (CEQA):

- The California Energy Commission has considered the application of CEQA to the *Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition*, and concluded that the guidelines:
  - (1) Are exempt from CEQA under the "common sense" exception of Title 14, California Code of Regulations, section 15061 (b)(3), which indicates that CEQA only applies to projects that have a "significant effect on the environment," as defined in Public Resources Code section 21068 and Title 14, California Code of Regulations, section 15382, as being a substantial, or potentially substantial, adverse change in the environment; and
  - (2) Are categorically exempt from CEQA as an action taken to maintain natural resources pursuant to CEQA Guidelines, section 15307; and
  - (3) Are categorically exempt from CEQA as an action taken to protect the environment pursuant to CEQA Guidelines, section 15308.

With regard to the Administrative Procedure Act:

- The proposed update to the *Renewables Portfolio Standard Eligibility Guidebook* is exempt pursuant to Public Resources Code section 25747(a).

**THEREFORE, BE IT RESOLVED**, the California Energy Commission hereby adopts the described *Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition*; and

**FURTHER BE IT RESOLVED**, that documents and other materials that constitute the record can be found at the California Energy Commission, 715 P Street, Sacramento, California, 95814, in the custody of the Docket Unit and online in Docket Number [21-RPS-02](#), available at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-RPS-02>; and

**FURTHER BE IT RESOLVED**, that the California Energy Commission delegates the authority and directs California Energy Commission staff to take, on behalf of the California Energy Commission, all actions reasonably necessary to have the proposed guidelines enacted, including, but not limited to, making any appropriate non-substantive changes to the guidelines.

### **CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on December 19, 2025.

AYE: Hochschild, McAllister, Gallardo, Skinner

NAY: NONE  
ABSENT: Gunda  
ABSTAIN: NONE

Dated: December 22, 2025

***SIGNED BY:***

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Kim Todd  
Secretariat

**CALIFORNIA ENERGY COMMISSION**

715 P Street  
Sacramento, California 95814

[energy.ca.gov](http://energy.ca.gov)  
CEC-70 (Revised 7/22)



***IN THE MATTER OF:***

***Willow Rock Energy Storage Center***

**Docket No. 21-AFC-02**

**Order No: 25-1219-06**

**COMMISSION ADOPTION ORDER**

The California Energy Commission (CEC) adopts the Presiding Member's Proposed Decision (PMPD) (TN 267183) and Errata (TN 267949) prepared and recommended by the Committee, as set forth in the Proposed Final Decision (TN 267950) for the Willow Rock Energy Storage Center Application for Certification plus two additional corrections on pages A-135 and A-137 identified in CEC Staff's communication to the Hearing Office (TN 267974). These adopted documents and recommendations comprise the CEC's Final Decision (Decision).

The Decision is based upon the hearing record of these proceedings and considers the comments received on the PMPD prior to and at the Public Hearing held on December 19, 2025. The Decision contains a summary of the proceedings and evidence presented, and the rationale for the findings reached and Conditions of Certification imposed.

This Commission Adoption Order (Order) incorporates by reference the text, evidence, Conditions of Certification, compliance verifications, and Appendices contained in the PMPD and Errata. The requirements contained in the Decision ensure that the proposed Willow Rock Energy Storage Center will be designed, sited, constructed, and operated in a manner to protect environmental quality, to assure public health and safety, and to operate in a safe and reliable manner.

**FINDINGS**

The CEC hereby adopts the following findings pursuant to the California Environmental Quality Act (Public Resources Code sections 21000 *et seq.*), the Warren-Alquist Act (Public Resources Code sections 25500 *et seq.*), and the CEC regulations (California Code of Regulations, title 20), in addition to those contained in the Decision:

1. The Conditions of Certification contained in the Decision ensure that the Willow Rock Energy Storage Center will be designed, constructed, sited, and operated in conformity with applicable local, regional, state, and federal laws, ordinances, regulations, and

standards, including applicable public health and safety standards, and air and water quality standards.

2. Implementation of the Conditions of Certification contained in the Willow Rock Energy Storage Center Decision will ensure protection of the environmental quality and reasonably safe and reliable operation of the Willow Rock Energy Storage Center.
3. Implementation of the Conditions of Certification contained in the Willow Rock Energy Storage Center Decision will also ensure that the Willow Rock Energy Storage Center project will neither result in, nor contribute substantially to, any significant direct, indirect, or cumulative environmental impacts, with the exception of unmitigable significant impacts to visual resources.
4. Impacts to visual resources caused by the Willow Rock Energy Storage Center will be significant and unavoidable at Key Observation Points 2, 3 and 4. There are no feasible alternatives to the Willow Rock Energy Storage Center that would reduce the significant impacts to visual resources and achieve most of the benefits and objectives of the project.
5. The Decision details specific energy and non-energy benefits from the Willow Rock Energy Storage Center, including: sustainable, non-combustible, and quick-starting energy storage technology that will facilitate the integration of renewable energy into the electrical grid while displacing more greenhouse gas intensive and less efficient energy generation; and direct and indirect economic benefits through creation of highly skilled jobs, state and local tax revenues, and expenditures for materials and supplies.
6. Changes or alterations have been incorporated into the Willow Rock Energy Storage Center that lessen the impacts of the project, and that mitigate to a less than significant impact in all areas except for visual resources.
7. Existing governmental land use restrictions are sufficient to adequately control population density in the area surrounding the Willow Rock Energy Storage Center and may be reasonably expected to ensure public health and safety.
8. The Willow Rock Energy Storage Center will, with implementation of the Conditions of Certification, avoid any substantial adverse environmental effects on nearby state, regional, county, and city parks, and areas for wildlife protection.
9. There is an environmental justice population, based on either the presence of minority or low-income populations, within a six-mile radius from the project. With the exception of significant impacts to visual resources, the Willow Rock Energy Storage Center will not have any significant environmental impacts and therefore will not have a disproportionate impact on environmental justice populations.
10. Based on the federal and state guidelines on environmental justice, the significant impacts to visual resources from the Willow Rock Energy Storage Center will not have a disproportionate socioeconomic impact on minority or low-income populations.

11. The Decision contains a discussion of the public benefits of the Willow Rock Energy Storage Center as required by Public Resources Code section 25523(h).
12. The Willow Rock Energy Storage Center will benefit the local and regional area in local expenditures and payrolls during the construction and operation of the facility, as well as a benefit to public finance and local economies through taxation. These activities will provide an economic benefit to the local and regional area.
13. The Willow Rock Energy Storage Center Decision contains measures to ensure that the planned, temporary, or unexpected closure of the Willow Rock Energy Storage Center will conform to applicable laws, ordinances, regulations, and standards.
14. Specific economic, legal, social, technological, and other considerations including the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the Decision which might avoid the significant impacts to visual resources.
15. With respect to the unavoidable significant impacts to visual resources, the CEC finds that specific energy, economic, technological, and other benefits of the Willow Rock Energy Storage Center outweigh the significant impacts to visual resources. The Decision describes the CEC's specific reasons for this statement of overriding considerations and those reasons are supported by substantial evidence in the record.
16. The proceedings leading to the Willow Rock Energy Storage Center Decision have been conducted in conformity with the regulations governing the consideration of an Application for Certification, and thereby meet the requirements of Public Resources Code sections 21000 *et seq.* and 25500 *et seq.*

### **ORDER**

Therefore, the Commission orders the following:

1. The Presiding Member's Proposed Decision (PMPD) filed on November 12, 2025 (TN 263183) and Errata filed on December 16, 2025 (TN 267949), as set forth in the Proposed Final Decision (TN 267950) plus two additional corrections on pages A-135 and A-137 identified in CEC Staff's communication to the Hearing Office (TN 267974), are hereby adopted as the CEC's Final Decision and incorporated by reference in this Order.
2. The Application for Certification for the Willow Rock Energy Storage Center as described in the Decision and a certificate to construct and operate the Willow Rock Energy Storage Center are hereby granted.
3. The approval of the Application for Certification for the Willow Rock Energy Storage Center is subject to the timely performance of all Conditions of Certification and compliance verifications.



4. The Conditions of Certification and compliance verifications for the Willow Rock Energy Storage Center are integrated with this Order and are not severable therefrom.
5. While the project owner may delegate the performance of a condition or verification, the duty to ensure adequate conformance of a condition or verification may not be delegated.
6. This Order is adopted, issued, effective, and final on December 19, 2025.
7. Reconsideration of this Order is governed by Public Resources Code section 25530.
8. Judicial review of this Order is governed by Public Resources Code section 25531 and *Communities for a Better Environment v. Energy Resources Conservation & Development Commission* (1st District 2020) 57 Cal.App.5th 786.
9. The CEC hereby adopts the Conditions of Certification, compliance verifications, and associated dispute resolution procedures set forth in the Decision as its monitoring system required by Public Resources Code section 25532.
10. All Conditions of Certification take effect immediately upon adoption and apply to all construction and site preparation activities including, but not limited to, ground disturbance, site preparation, excavation, controlled detonations, and permanent structure construction.
11. This Order licenses the project owner to commence construction of the Willow Rock Energy Storage Center. Subject to the provisions of California Code of Regulations, title 20, section 1720.3, this license expires by operation of law when the Willow Rock Energy Storage Center's commencement of construction deadline passes with no construction.
12. The Executive Director shall transmit a Notice of Decision and appropriate accompanying documents as provided by Public Resource Code section 25537 and California Code of Regulations, title 20, section 1768.
13. The Hearing Officer shall incorporate the PMPD and Errata, as set forth in the Proposed Final Decision plus the two additional corrections identified on the record during the Public Hearing on December 19, 2025, into a single document as the Final Decision. Publication of that document shall not affect the adoption, effective, issuance or final dates of this Order established in paragraph 6, above.

**IT IS SO ORDERED**

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**CERTIFICATION**

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an Order duly and regularly adopted at a meeting of the California Energy Commission held on December 19, 2025.

AYE: Hochschild, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: Gunda

ABSTAIN: NONE

Dated: December 19, 2025

***SIGNED BY:***

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Kim Todd  
Secretariat

**ORDER NO: 25-1219-07**

**STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION**

***IN THE MATTER OF:***

***Fountain Wind Project***

**Docket No.: 23-OPT-01**

**ORDER DENYING THE OPT-IN  
CERTIFICATION APPLICATION**

**ORDER:**

**I. BACKGROUND**

Fountain Wind LLC filed an application on January 11, 2023, seeking certification for the proposed Fountain Wind Project (23-OPT-01) under the California Energy Commission's (CEC) Opt-In Certification Program. The Fountain Wind Project is a proposed 205 megawatt (MW) wind energy generation facility on approximately 2,855 acres of private, leased working forest land in unincorporated Shasta County, California, near the town of Burney.

The CEC's jurisdiction over the Fountain Wind Project application is authorized under Public Resources Code section 25545.1, which provides that a person proposing an eligible facility, which includes a terrestrial wind project with a generating capacity of 50 MW or more, may file an application on or before June 30, 2030, for certification with the CEC.

On March 25, 2025, after reviewing the Fountain Wind Project application and supplemental information, CEC staff filed its Staff Assessment, which includes a Draft Environmental Impact Report (DEIR). Staff evaluated the potential environmental effects of the construction and operation of the Fountain Wind Project in compliance with the California Environmental Quality Act (Public Resources Code section 21000 et seq.) (CEQA), the CEQA Guidelines (California Code of Regulations, title 14, section 15000 et seq.), the Warren-Alquist State Energy Resources Conservation and Development Act (Public Resources Code section 25545 et seq.) (Warren-Alquist Act), and California Code of Regulations, title 20, chapter 5, article 4.1 (Opt-In Certification Program).

After having thoroughly evaluated the Fountain Wind Project's benefits and the environmental impacts that could result from it, staff made a recommendation in the Staff Assessment that the CEC deny this project. As described more fully in the Staff Assessment and Response to Comments, staff's recommendation to deny the Fountain Wind Project is due to the following factors: (1) the numerous significant and unavoidable environmental impacts specifically associated with the Fountain Wind Project, and (2) findings that the particular circumstances of the Fountain Wind Project do not support a statement of overriding considerations for the environmental impacts.

On December 5, 2025, the County of Shasta (County) filed a Request for Dispute Resolution regarding invoice reimbursements. The request seeks formal dispute resolution pursuant to California Code of Regulations, title 20, section 1878.1 concerning reimbursement of the County's eligible costs incurred for services performed in reviewing the application for the Fountain Wind Project. Specifically, the County requests immediate resolution of the reimbursement dispute and an order directing the applicant to reimburse the County for its review and comment on the application and any necessary enforcement thereof.

Under Public Resources Code section 25538 local agencies may request reimbursement for the actual costs for reviewing the application and the CEC is authorized to request the fee from the project applicant. California Code of Regulations, title 20, section 1878.1 provides that the CEC's Executive Director shall resolve the dispute by filing a written decision based on good cause as demonstrated by any information provided by the applicant and local agency on the merits of reimbursement. The Request for Dispute Resolution process is independent of the CEC's consideration to approve or deny a project.

## **II. EXECUTIVE DIRECTOR'S RECOMMENDATION**

Public Resources Code section 25545.6 and California Code of Regulations, title 20, section 1879(c) require the CEC's Executive Director to file a recommendation on whether the CEC should certify an environmental impact report (EIR) and issue a certificate for the construction and operation of the facility.

Based on the entire record of this proceeding, the Executive Director recommends that the CEC deny the Fountain Wind Project application for certification to construct and operate the facility and not certify an EIR.

## **III. CEC FINDINGS**

Based on the exercise of independent judgment and review, and considering the record as a whole, including the Opt-In Application, public comments, Staff Assessment, and Response to Comments, we concur with the Executive Director's Recommendation to deny the Fountain Wind Project's application for certification to construct and operate the facility and not certify an EIR. The CEC adopts the following findings under CEQA,

the CEQA Guidelines, the Warren-Alquist Act, and California Code of Regulations, title 20, chapter 5, article 4.1:

1. The Fountain Wind Project is an eligible facility under Public Resources Code Chapter 6.2.
2. The project applicant filed an application for certification of the facility with the CEC before January 1, 2030.
3. The CEC issued a notice of preparation on November 2, 2023, within three days after the application was deemed complete as required under Public Resources Code section 25545.7.2(a).
4. Consistent with Public Resources Code section 25545.7.4, within five days after the application was deemed complete, the CEC submitted the application to all California Native American tribes that are culturally and traditionally associated with the area and initiated consultation.
5. The CEC held a public information and scoping meeting on November 28, 2023, to solicit input on the application, and identify a range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in an environmental impact report.
6. Consistent with Public Resources Code section 25545.7.2(b)(1) and (c), the November 28, 2023, combined informational and scoping meeting provided the public with information on the proposed site and related facility, information on how to participate in the commission's review of the application, and a reasonable opportunity for the public to comment on the application.
7. On March 25, 2025, the Staff Assessment including a draft EIR was published and subject to a 60-day public comment period.
8. Consistent with Public Resources Code sections 25545.7.2(b)(2) and 25545.7.6(a), on May 20, 2025, staff held a public meeting on the staff assessment, which included a draft EIR.
9. Staff reviewed all written and oral comments received in response to the Staff Assessment of the proposed project and determined the information received in the comments did not change the conclusions of the Staff Assessment.
10. On November 19, 2025, the Executive Director filed a recommendation that the CEC deny the Fountain Wind Project's application for certification to construct and operate the facility and not certify an EIR.
11. In accordance with Public Resources Code section 25901, the CEC's findings are based on substantial evidence and come after an independent analysis of project information contained in the docketed record, consultation with experts in the field, and independent research as described in each of the technical sections in the Staff Assessment as well as information from public events held pursuant to Public Resources Code sections 25545.7.2 and 25545.7.6.
12. A final EIR, certification of the EIR, complete response to comments, and a concurrent record of proceedings are not required to support denial of the project

application. The existing docketed record, including a detailed staff analysis and studies by the applicant, contains ample facts and expert opinion supported by facts, for the CEC to render a decision to deny the project consistent with Public Resources Code section 25901.

13. Based on substantial evidence in the record, the project would result in significant unmitigable impacts described below in sub sections (a) through (h), and is in non-conformance with the Shasta County Municipal Code described below in subsection (f).
  - a. The project may result in the mortality of monarch butterflies and threatened or endangered species, such as greater sandhill crane and California spotted owl, that are present or have the potential to occur at the Fountain Wind Project site through turbine collisions and may enhance wildfire spread impacting offsite habitat.
  - b. The proposed wind turbines would be visually intrusive and cannot be camouflaged or screened given their size, color, and motion in comparison to the existing landscape.
  - c. Important tribal cultural landscapes coalesce in the drainages of Hatchet and Montgomery creeks. Modern tribal members retain their lengthy and intimate connection to this place for cultural identity. At least twenty discrete tribal cultural resources are in the proposed project site or within its viewshed.
  - d. The layout of the 48 turbines, each up to 610 feet tall, scattered throughout the project site represent aerial hazards and reduce the zones within the project site that aircraft can fly to deploy fire retardant.
  - e. The Fountain Wind Project site and surrounding area are entirely located within an area designated by the California Department of Forestry and Fire Protection as a very high Fire Hazard Severity Zone.
  - f. The construction and operation of the proposed Fountain Wind Project would not conform with the Shasta County Municipal Code, which specifically prohibits large wind energy systems in all zone districts due to the County's concerns regarding impacts to aesthetics, potential increased fire danger; impediments to firefighting efforts; damage to wildlife; damage to natural resources; and damage to cultural and tribal resources. Under CEQA, a project that is inconsistent with established zoning laws may be considered as having a significant impact to land use and planning if the conflict results in significant environmental effects that the zoning laws were intended to avoid or mitigate. This project would have a significant impact to land use.
  - g. The project is zoned as a timber harvest district limiting the project site for timber harvesting and related activities. The project would result in the permanent conversion of 518 acres of forest land to non-forest use. Forests within the project site have high to intermediate productivity

potential based on site class (primarily Site Class I, with some Site Class II).

- h. The California Independent System Operator determined that the Fountain Wind Project is not situated in a local reliability area, which is a transmission-constrained area without enough local generation, and therefore is not needed to support local reliability.
- 14. The proposed contribution of the Fountain Wind Project's 205 MW toward the SB 100 goals and potentially contributing 35 to 100 MW during peak demand to support wider grid reliability, in addition to its other benefits, including the economic benefits to the community such as jobs and property tax revenue, do not outweigh the unmitigable significant impacts to the environment in the areas of biological resources, wildfire, cultural and tribal cultural resources, visual resources, land use, and forestry resources, the financial costs to Shasta County, and the potential loss of some natural working lands to sequester carbon.
- 15. On December 5, 2025, the County of Shasta filed a Request for Dispute Resolution regarding invoice reimbursements. That request will be processed by the Executive Director under his authority to adjudicate disputes regarding local jurisdiction reimbursement for reviewing applications.

These findings are based entirely on facts specific to the Fountain Wind Project and are not applicable to other wind projects, or any other energy project.

#### **IV. LEGAL AUTHORITY**

Under Public Resources Code sections 21080(b)(5) and 21100(a) and California Code of Regulations, title 14, section 15270, the provisions of CEQA do not apply to projects that a public agency rejects or disapproves. See *Las Lomas Land Company, LLC v. City of Los Angeles*, which states, "To require a public agency to prepare and circulate a draft EIR, and prepare a final EIR including responses to comments, before rejecting a project would impose a substantial burden on the agency, other agencies, organizations, and individuals commenting on the proposal, and the project applicant. Such a requirement would not produce any discernible environmental benefit and would not further the goal of environmental protection...we conclude that if an agency at any time decides not to proceed with a project CEQA is inapplicable from that time forward" (*Las Lomas Land Company, LLC v. City of Los Angeles* (2009) 177 Cal.App.4th 837, 849. Here, a robust record exists for this proceeding, and a decision can be issued without completing CEQA.

If CEQA continued to apply, to approve a project with significant and unavoidable environmental impacts, the CEC would have to make findings under California Code of Regulations, title 14, sections 15091 and 15093, that the project's economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, outweigh its significant and unavoidable environmental impacts. For the reasons stated, the record does not support such a finding.

## **V. CONCLUSION AND ORDER**

The CEC hereby adopts the Executive Director's recommendation to

- (a) not certify an environmental impact report because (1) the CEC is denying the project and (2) the CEC cannot make the required findings to override the project's significant and unavoidable environmental impacts, and
- (b) deny the Fountain Wind Project's Opt-In application for certification to construct and operate the facility.

The CEC retains jurisdiction over the project for purposes of the Executive Director adjudicating the reimbursement dispute submitted to the CEC by the County of Shasta.

This Order is adopted, issued, effective, and final on December 19, 2025.

**IT IS SO ORDERED.**

### **CERTIFICATION**

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the CEC held on December 19, 2025.

AYE: Hochschild, Gunda, McAllister, Gallardo, Skinner

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: December 22, 2025

***SIGNED BY:***

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Kim Todd  
Secretariat