

DOCKETED	
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SHASTA COUNTY BOARD OF SUPERVISORS

Tuesday, October 26, 2021

SPECIAL MEETING

1:02 p.m.: Chair Chimenti called the Special Session of the Board of Supervisors to order on the above date with the following present:

District No. 1 - Supervisor Chimenti
 District No. 2 - Supervisor Moty
 District No. 3 - Supervisor Rickert
 District No. 4 - Supervisor Jones
 District No. 5 - Supervisor Baugh

County Executive Officer - Matthew P. Pontes
 County Counsel - Rubin E. Cruse, Jr.
 County's Outside Counsel - Bill Abbott, Abbott & Kindermann, Inc.
 Chief Deputy Clerk of the Board - Stefany Blankenship

PLEDGE OF ALLEGIANCE

Pledge of Allegiance to the Flag was led by Supervisor Baugh.

REGULAR CALENDAR

SCHEDULED HEARINGS

RESOURCE MANAGEMENT

PLANNING DIVISION

FOUNTAIN WIND PROJECT APPEAL
USE PERMIT 16-007
RESOLUTION NO. 2021-110

This was the time set to conduct a public hearing to consider the appeal of Use Permit 16-007 for the Fountain Wind Project (Project). The Notice of Public Hearing and the Notice of Publication are on file with the Clerk of the Board.

Chair Chimenti described the procedures to be followed for public comment. County Counsel Rubin E. Cruse, Jr., explained the hearing procedure and possible decisions, and introduced Bill Abbott of Abbott & Kindermann, Inc., the County's outside counsel specializing in land use.

In response to questions by Supervisor Baugh, Mr. Cruse stated that the appeal concerned a Use Permit not involving a zoning change. Mr. Cruse explained that revisions involving a reduction in project scope which do not create significant new environmental impacts do not require a new environmental review, and therefore, the Board had the authority to hear the appeal as submitted with the reduced scope.

Supervisors Baugh, Moty, Rickert, and Chimenti disclosed ex parte communications with ConnectGen (the Applicant), staff, and community members.

Chief Deputy Clerk of the Board Stefany Blankenship advised that correspondence related to the hearing had been received and entered into the record.

Lio Salazar, Senior Planner, presented the staff report, discussed the Project, the denial by the Planning Commission on June 22, 2021, the appeal, and the revised Project memorandum provided by the Applicant. Jana Scott, Project Manager for Environmental Science Associates (ESA), discussed the California Environmental Quality Act (CEQA) and the Environmental Impact Report (EIR) prepared by ESA for the County regarding the Project. Ms. Scott explained that the revisions to the Project proposed by the Applicant reduced the possible impacts and fell within the scope of the EIR, so no revisions to the EIR were necessary. She discussed the potential impacts of the Project and the proposed mitigation efforts to address them.

In response to questions by Supervisor Rickert, Mr. Salazar clarified the distance between turbines in the revised Project and the nearest property lines.

The public hearing was opened.

Henry Woltag, Director of Development for ConnectGen, spoke in support of the project, stated the reasons for the appeal, and described the proposed revisions to the Project, which would reduce its size and impact. Mr. Woltag discussed the Applicant's proposed Community Benefits Program and community support.

In response to questions by Supervisor Baugh, Mr. Woltag discussed the conditions of approval from the California Department of Forestry and Fire Protection (CalFire) and the reduced impacts from the revised Project.

In response to questions by Supervisors Rickert and Baugh, Mr. Woltag explained the process that led to the Applicant's offer to fund fuel mitigation and other fire-related projects.

Ray Thomas, representing the Five County Central Labor Council; John Vona, representing FWS Forestry; Darin Quigley, representing the Northern California Fire Co-op; Chad Scott, representing the Shasta Builders Exchange; Mary Machado, representing Shasta VOICES; Chris Snyder and Patrick Boileau, representing the International Union of Operating Engineers, Local 3; Rustin Johnston and Mitchell Bechtel, representing the Northeastern Building and Construction Trades Council; Buddy Cox, of Cox & Cox Construction, Inc.; Doyle Radford; Jason Chipley; Marcus Partin; Eihnard F. Diaz; Corkey Harmon; Randall Smith Dave Kirk; Andy Main, of ShastaBeam; Bill Walker; William Hultgren; Ruth Rhodes; Mark Mezzano; Michael Dacquisto; Stan Green; Art Frolli; Korey Wygal; Brian Sellars; Ben Scott; and Anthony Debem spoke in support of the project.

In response to questions by Supervisor Baugh, John Vona and Shasta County Fire Marshal Jimmy Zanatelli discussed the proposed water tanks in the Project area, fire mitigation efforts, and how fire fighting would be impacted within the Project area.

In response to questions by Supervisor Jones, Chad Scott agreed that the majority of the construction jobs for the Project would come from outside areas due to the specialized nature of the jobs, but explained that other labor and support jobs could be filled by members of the community and that the Project's permanent employees would live within the County. He also stated that many other permanent jobs were estimated to be created due to the effects of the Project.

Supervisors Rickert and Baugh discussed rural property appraisal processes, land values near comparable wind turbine installations, and the recent history of property values within Shasta County.

In response to questions by Supervisor Jones, Mr. Woltag stated that the Applicant had submitted pricing for electrical power to the City of Redding and they had the opportunity to purchase electricity from the Project. Mr. Woltag stated that the Applicant could not sign a contract to sell power until they had a final permit.

The following comments were received via telephone:

An Anonymous Individual; Maurine, representing the Western Shasta Resource Conservation District; and Pete Main spoke in support of the project.

Jim Barnes, representing Aerial Firefighters; An Aerial Firefighter; Robert Siderine; David Ledger, representing the Shasta Environmental Alliance; Sharon Narducci; Jess Lattin; John Livingston; and Kathy Willett spoke in opposition to the project.

4:58 p.m.: The Board of Supervisors recessed.

5:43 p.m.: The Board of Supervisors reconvened.

Steve Johnson and Kelly Tanner, representing Citizens in Opposition to the Fountain Wind Project; John Gable, representing Moose Camp; Radley Davis, representing the International Indian Treaty Council; Brandy McDaniels, the Madesi Band Cultural Representative for the Pit River Tribe; Agnes Gonzalez, representing the Pit River Tribe; Tony Yiamkis, the Cultural Representative for the Illmawi Band of the Pit River Tribe; Gregory Wolfen of the Illmawi Band of the Pit River Tribe; Connor Yiamkis of the Pit River Tribe; Michelle LaPena of the Pit River Tribe; Gill Wright, representing the Private Pilots Association; Jim Chapin of the Shasta County Planning Commission; Caleen Sisk of the Winnemem Wintu Tribe; Buzz Ward of the Pit River Tribe; Beverly Wakefield; Ed Baier; Charlie Palatino; Beth Messick Lattin; Mark Baird; Steve Kerns; Stephen Fitch; Joseph Osa; Maggie Osa; Bob Kloepfel; and Fred Ryness spoke in opposition to the project.

In response to questions by Supervisor Moty, Mr. Cruse clarified that all information received by the Board concerning the Project was part of the public record, including the revised Project memorandum from the Applicant, and that no laws were violated by the Applicant sending the memorandum to the Supervisors.

In response to questions by Supervisor Baugh, Agnes Gonzalez clarified the Pit River Tribe's opposition to the Project and stated that their communication with the Applicant did not constitute coordination with or support of the Project.

In response to questions by Supervisor Baugh, Maggie Osa discussed issues with the Round Mountain Substation due to thermal overload and overvoltage, which affects all transmission lines that tie into the substation, and which have been tied to renewable energy sources.

9:05 p.m.: The Board of Supervisors recessed.

9:24 p.m.: The Board of Supervisors reconvened.

John Lammers; Lisa MacDonald; Thomas Hildebrand; Donn Walgamath; Robert Simonis; Gary Cadd; Louis Gustafson; Shalesha Ward of the Pit River Tribe; Awi Gustafson; Louise Davis; and A Local Resident spoke in opposition to the project.

Michael Tauscher; Andrew Meredith of State Building Trades; and Cameron Middleton spoke in support of the project.

No one else spoke for or against the matter, and the public hearing was closed.

Henry Woltag spoke in rebuttal to comments made in opposition to the Project. Mr. Woltag stated that all electricity generated by the Project would use the Cottonwood transmission lines and would remain within the area. Mr. Woltag described modern fire suppression techniques, stated that the modern design of the Project had a low fire risk, and discussed the environmental benefits of renewable energy.

Supervisor Rickert discussed the importance of aerial attacks on fires, the reduction of land values, and the increase in insurance costs from wind farms.

In response to questions by Supervisor Moty, CalFire Unit Chief and Shasta County Fire Chief Bret Gouvea clarified the differences between CalFire and County Service Area No. 1-Shasta County Fire, and stated that the fire mitigation conditions for the Project were set by Fire Marshal Zanatelli according to California Fire Code. Chief Gouvea explained that every fire is unique and that aerial resources used are determined by aerial hazards in the area.

In response to questions by Supervisor Moty, Mr. Hellman stated that the initial staff recommendation for the Project was approval, as the Applicant followed all required processes and agreed to the various conditions and mitigation requirements. Mr. Hellman explained that re-zoning was not necessary as the Shasta County Zoning and General Plans allow power-generating facilities in most zones. He confirmed that a bond would be required before the first building permit was obtained for the Project, but the amount and type of insurance would be determined after Project approval.

In response to questions by Supervisor Moty, Mr. Woltag stated that undergrounding utilities is an engineering consideration, based on topography and being able to safely trench underground cables. Mr. Woltag confirmed that the turbines in the Project would be shut down if a fire occurred. Mr. Hellman stated that 35 of the 40 miles of power lines for the Project would be undergrounded.

In response to questions by Supervisors Moty and Baugh, Ms. Scott explained that areas of tribal cultural importance were determined through feedback from the local tribes. She stated that the tribal cultural impacts of the Project would be significant and unavoidable, even with implementation of the suggested mitigation methods.

Supervisor Baugh discussed the importance of business to the County and expressed his concerns with the visual impact of the Project's turbines throughout a large part of the County.

In response to questions by Supervisor Baugh, Mr. Woltag explained that the Project was approved to tie in to the existing power grid and that the Applicant was not involved in any planning for future power grid improvements.

Supervisor Jones discussed the importance of large projects in Shasta County for improving business and income. He also discussed the visual impact of wind turbines and his concern for the ability to effectively fight fires around the Project.

Supervisor Jones made a motion to, by resolution, deny Use Permit 16-007 for the Fountain Wind Project, as originally proposed or as revised by the Applicant or as may be otherwise modified. Supervisor Rickert seconded the motion.

Supervisor Chimenti expressed his concerns regarding climate change and the importance of renewable energy in managing that. He stated that he supports job growth and trade training, but that the area's largest concern is wildfire. Supervisor Chimenti further expressed concerns with further impact to local tribes.

Supervisor Moty discussed the importance of private property rights, job growth, and how detrimental the continued use of fossil fuels will be to the environment and the climate.

Supervisor Baugh stated his support for job and income growth, but he felt that the long-term impact outweighed the Project's benefits and the possibility of it encouraging similar projects in the future.

Mr. Cruse clarified that, as staff had not presented resolutions to the Board in connection with the matter under discussion, the motion should be a motion of intent to adopt a resolution affirming the Planning Commission's decision in denying the Use Permit. He explained that, should the motion pass, staff would request a brief recess to prepare the resolution, then bring it back to be adopted by the Board.

Supervisor Jones amended his motion as recommended by Mr. Cruse, and Supervisor Rickert seconded the amended motion.

Supervisor Rickert stated that she supported renewable energy but felt that the location was not right for the Project. She and Supervisor Baugh spoke in support of biomass projects.

By motion made, seconded (Jones/Rickert), and carried by roll call vote, the Board of Supervisors expressed the intent to adopt a resolution affirming the Planning Commission's decision in denying the Use Permit 16-007 for the Fountain Wind Project.

AYES: Supervisors Chimenti, Rickert, Jones, and Baugh
NOES: Supervisor Moty

11:14 p.m.: The Board of Supervisors recessed.

11:23 p.m.: The Board of Supervisors reconvened.

County Counsel Cruse read into the record the text of the resolution.

By motion made, seconded (Rickert/Jones), and carried, the Board of Supervisors took the following actions regarding the Fountain Wind Project appeal: Conducted a public hearing and, by Resolution No. 2021-110, denied Use Permit 16-007 for the Fountain Wind Project, as originally proposed or as revised by the Applicant or as might be otherwise modified.

AYES: Supervisors Chimenti, Rickert, Jones, and Baugh

NOES: Supervisor Moty

(See Resolution Book No. 67)

11:26 p.m.: The Board of Supervisors adjourned.

Chair

ATTEST:

MATTHEW P. PONTES
Clerk of the Board of Supervisors

By _____
Deputy