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Sierra Meier Comments- Opposition to Proposed Fountain Wind Project

Additional submitted attachment is included below.

September 15, 2023

Commissioner McAllister

California Energy Commission

715 P Street

Sacramento, CA 95814

RE : Opposition to Proposed Wind Project: Fountain Wind

Dear Commissioner McAllister,

I am writing to you as a researcher of human rights and microbiology at the University of California, Davis. I have lived in California my whole life, developing a strong sense of connection and care for this land that provides us with shelter, stability, and food. I have deepened and shared this relationality through my faith as a Christian and my learning experiences. In both Native American Studies and Human Rights classes, my worldview has been broadened, and I feel blessed to see people in my community through new perspectives. In the future, I hope to apply my ways of understanding to my science-based background to advocate for people in a healthcare setting. Surrounding the Fountain Wind project, I hold concerns relating to cultural preservation, environmental damage, and ethical processes.

The purpose of the Fountain Wind project is to meet California's clean energy goals of 100% renewable energy by 2045 and to reduce carbon emissions. However, to generate this energy, up to 48 wind turbines will be built on sacred land of the Pit River Tribe. According to the project description, each turbine can reach up to 610 feet above ground—taller than the ARIA resort in Las Vegas. In addition to this, about 5 acres around each turbine site will be cleared for

construction—this space is equivalent to 75 tennis courts for each turbine. This includes 250–350-sq.foot crane staging areas—which will be leveled to less than 2% slope.

According to the Pit River Tribe, this same land is used for “refuge, ceremony, healing, prayer, fasting, hunting, gathering, and other sacred traditional uses” (2019). Hewisedawi Band Member and Cultural Representative of the Pit River Tribe, Daniel M. Forrest III states, “The Fountain Wind Project is an undesirable encroachment on the rural landscape and tranquility of the area that will cause more harm than good to local forests and wildlife, along with the destruction of tribal sites and traditional resources of vital importance to the Pit River People.” Because of the unique biodiversity to this area, the wildlife found in this ecosystem cannot be found anywhere else on the planet. The Pit River Tribe cannot simply relocate. These ancestral lands are not only their only home, but also the only place on Earth directly connected to their culture and spirituality. Separating Pit River people from their ancestral lands severs their ability to continue their culture. Without the space and resources where they have lived their lives and traditions for thousands of years, the Pit River Nation may be destroyed.

On December 16, 2010, the United States officially endorsed the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). This document is needed to support Indigenous rights because their cultural needs are interpreted differently by non-Indigenous people. Since UNDRIP is written by Indigenous perspectives, it includes rights for spirituality, land sovereignty, and water—which are fundamental values for many Indigenous groups.

This declaration contains articles which state Indigenous rights in relation to life in a non-Indigenous nation. Article 12 of UNDRIP states the right for Indigenous peoples to have access and privacy in their religious and cultural sites, and the right for the government to support their access to them. The Pit River Tribe states, “this proposed project infringes on the freedom of

religion in the cultural practices of the Pit River Tribe and other Indian tribal nations in the region for whom this ancestral area is of great spiritual cultural and religious significance” (2019). In the Fountain Wind project description, there are no mentions of communications between the CEC and the Pit River people regarding how the state will support their access to sacred land during the proposed 24-28 month construction period.

This project will also have significant impacts on the Indigenous way of life. The project description mentions removing plants to create nine two-acre staging areas and using herbicides to control vegetation growth. This will have harmful effects on native plants in these areas and affect all the animals who depend on these plants. The Pit River Tribe’s rights to these are laid out in Article 24 of UNDRIP. This affirms Indigenous rights to maintain traditional health practices—which includes the conservation of native plants, animals, and minerals.

Though they don't have legal possession of the land, the Pit River tribe has traditionally occupied and built a relationship with this land. UNDRIP Article 25 protects this traditional relationship—stating the tribe has a right to keep their spiritual relationship with their traditionally owned and occupied lands resources and waters. Aspects of this project such as removing plants for staging areas, redirecting the potable water for use in the project, and constructing under administration take responsibility out of the hands of the tribe.

Fountain Wind infringes on ancestral land for Pit River bands by disturbing the balance of the natural environment that this climate reform is striving to protect. The Shasta community is still recovering from the environmental destruction of the 1992 Fountain Fire—which took place where the Fountain Wind is proposed. In this already high-risk fire area, the Fountain Wind Project proposes adding electrical infrastructure—which will increase the risk of electrical fires,

deters aerial firefighters from coming near the area, and blocks the community's informal evacuation routes (Anewscafe.com).

In Article 11, UNDRIP also states that Indigenous peoples have the right to protect manifestations of their culture including historical sites. It mentions how the state must work in conjunction with the tribes to ensure this. In response to the draft environmental impact report, Pit River Member Radley Davis says the adverse effects “cannot be mitigated especially if you're digging up a grave and in the draft environmental impact report. . . they disclose the location of a known grave. . . they don't need to be disclosed, they need to be protected” (2021). While the Tribe and Shasta County have already resolved to deny this project twice, the state is seeking to override the decision made between the community and the tribe.

The costs and benefits of this project proposed by the government are not considered from the Indigenous worldview. Even with the considerations taken to get permits to abide by clean water laws, hazardous waste disposal, building permits, CDFW, and much more (Payne), these actions don't sufficiently account for the effects on the Pit River Tribe—given they only require collaboration with the state and private landowners. In the ConnectGen community benefits program for the Fountain Wind project, they mention donations to local public schools and a \$250,000 donation to the Pit River Tribe with access to their lands for hunting and gathering. ConnectGen is also offering job opportunities to community members surrounding the project including tribal members—even though the project is not on official Pit River-owned land (CG Fountain Wind Community Benefits Program).

These communications and relationships being formed between the Tribe and ConnectGen are important steps, but the Tribe asking to be included in the construction process does not indicate acceptance of the project itself. Radley Davis, states, “what the leaders need to

be doing is talking to us, not to the Fountain Wind corporation and others who have no interest in our community and don't live here” (2021). Though they will eventually be allowed to hunt, gather, and visit their ancestral lands, this doesn't account for the devastating effects the project will have on this environment—some of which have already been seen in the neighboring Hatchet Ridge wind project (Tetra Tech). Simply supplying money and jobs is not much compensation in comparison to the value of relationships and the significance their land holds to continuing cultural traditions that keep their tribe alive. Radley Davis best- explains the long-term adverse effects of this project cannot be mitigated “not just for tribal cultural resources, including the biological resources, the mountains itself, the underground water that many of us depend on.”

This project goes against the CEC's own commitment to tribal affairs. In California's Resolution to Committing to Support California Tribal Energy Sovereignty, the CEC mentions that they are committed to following Governor Gavin Newsom in his acknowledgment of the damage caused by developments that have separated California Tribes from their ancestral and sacred lands. They seek to provide sovereignty to tribes for energy development, and true sovereignty includes more than just consultation, it requires maintaining a relationship with the Tribe.

If the CEC wants to move forward while upholding UNDRIP and its commitment to Tribal energy sovereignty, the best way for them to do this is to talk to the Tribe. A great way for the CEC to build direct relationships with the Pit River Tribe and the greater Shasta community is engage in free, prior, and informed consent with the Tribe before taking any actions. This means to come to a mutual agreement without coercion, while being up-front and open about what the project will entail and giving the Tribe adequate time to deliberate on the decisions. It is

also vital to acknowledge the reasons the Tribe and county have already set forth to cancel the project twice before. Any use of this land for extractive and developmental purposes will ultimately lead to the destruction of the ecosystem. The logging, planting large turbines, and permanent effects on the ecosystem as a whole all pose danger to survival of the Pit River Tribe. As many submissions by Pit River members, including Virginia Amoroso, Buzz Ward, and many others, to the docket already state, the best alternative project to this project is to simply not build on the land. Development on this land will harm a vital ecosystem. While California looks to renewable energy to offset CO2 emissions and environmental harm caused by oil drilling, the building and life cycle of turbines alone has high environmental waste and transportation impacts (Rueda-Bayona).

Planting Wind turbines in the Fountain area brings chilling concern to both the Pit River Tribe and the community surrounding the project. The proposed costs and benefits by the government do not accurately align with the needs and priorities of the community they are serving. To retain their commitments to previous policies regarding Tribal affairs, I urge leaders in the California Energy Commission to work with Pit River Citizens and listen to the communities they have jurisdiction over. I stand in support of the statements made by the Pit River Tribe over decisions being made for the alteration of their ancestral land. No project built on this land will serve the environment better than the natural ecosystem that already exists there. The best way to protect the environment in general is to look out for the environment in our own backyard.

Sincerely,

Sierra Meier

Sierra Meier

References

- Anewscafe. Guest Speaker. (2021). Scorched Earth, Part 1: Prevent Another Fountain Fire; Reject Fountain Wind Project. <https://anewscafe.com/2021/06/20/redding/scorched-earth-part-1-prevent-another-fountain-fire-reject-fountain-wind-project/>
- Davis, Radley. Exter, Robert. *Fountain Wind: Too Much Risk/Harm for Too Little Benefit!!* - Radley Davis. YouTube, YouTube, 20 Feb. 2021, <https://www.youtube.com/watch?v=gwphjlUb-Ys&t=224s>. Accessed 15 Sept. 2023.
- Rueda-Bayona, Juan Gabriel J.R, Juan Jose Cabello Eras, J.C, Tatiana R. Chaparro, T.C. (2022). Impacts generated by the materials used in offshore wind technology on Human Health, Natural Environment and Resources. *Energy, volume 261 part A* (ISSN 0360-5442)
- Payne, Leonidas. (2023). *FWP Project Description* [Docket No. 23-OPT-01]. Stantec Consulting Services, Inc. file:///C:/Users/19512/Downloads/TN251663_20230817T153946_fwp_project_description.pdf
- Pit River Tribe. (2019). Pit River Tribe Opposition to the Fountain Wind Project (Use Permit (16-007) [resolution NO 02-02-19]. <https://drive.google.com/file/d/1uQaUAo5fby29KwVoSmcnAD5ZNMXUnEok/view>
- State of California. (2023). *Resolution Committing to Support California Tribal Energy Sovereignty* [23-0302-09]. <https://www.energy.ca.gov/filebrowser/download/5280>
- Tetra Tech. (2014). *Hatchet Ridge Wind Farm Post-Construction Mortality Monitoring Comprehensive Three Year Report*. <https://files.ceqanet.opr.ca.gov/123569-2/attachment/H2->

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