

DOCKETED

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Project Title:	Fountain Wind Project
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Notice of Preparation of a Draft Environmental Impact Report For the Fountain Wind Project (23-OPT-01)

In accordance with California Code of Regulations, title 14, section 15082, California Energy Commission (CEC) staff has prepared this Notice of Preparation (NOP) to inform the Office of Planning and Research (OPR) and each responsible and trustee agency that an Environmental Impact Report (EIR) will be prepared for the Fountain Wind Project (23-OPT-01) proposed by Fountain Wind, LLC (applicant) in unincorporated Shasta County. The project is being considered under CEC's opt-in authority established by Assembly Bill 205. The CEC is the lead agency under the California Environmental Quality Act (CEQA) for this project.

Project Location and Description

The Fountain Wind Project is a proposed wind energy generation facility on approximately 2,855 acres of private, leased land in unincorporated Shasta County, California. The property is located approximately 1 mile west of the existing Hatchet Ridge Wind Project, 6 miles west of Burney, 35 miles northeast of Redding, immediately south of California State Route (Highway) 299, and near the private recreational facility of Moose Camp and other private inholdings.

The project would have a total nameplate generating capacity of up to 205 megawatts (MW). The applicant proposes to construct up to 48 turbines, each with a generating capacity of up to 7.2 MW. Associated infrastructure and facilities would include a 34.5-kilovolt overhead and underground electrical collector system to connect turbines together and to an on-site collector substation; overhead and underground fiber-optic communication lines and/or a microwave relay station; an on-site switching station to connect the project to the existing regional grid operated by the Pacific Gas and Electric Company; a temporary construction and equipment laydown area; up to nine temporary laydown areas distributed throughout the project site to temporarily store and stage materials and equipment; an operation and maintenance facility with employee parking; up to three permanent meteorological evaluation towers (METs); temporary, episodic deployment of mobile Sonic Detection and Ranging or Light Detection and Ranging systems within identified disturbance areas (e.g., at MET locations); two storage sheds; and three temporary concrete batch plants. Up to 19 miles of new access roads would be constructed within the project site, and up to 19 miles of existing roads would be improved. No new transmission lines are proposed.

For a more complete description of project facilities, construction-related activities, and associated timelines, please consult the applicant's updated project description (TN 251663, submitted August 17, 2023) available on the project's docket.

<https://efiling.energy.ca.gov/GetDocument.aspx?tn=251663&DocumentContentId=86566>

The CEC maintains a website for this project at:

<https://www.energy.ca.gov/powerplant/wind/fountain-wind-project>

The application and related project documents are viewable by clicking the "Docket Log (23-OPT-01)" link located near the upper right corner of the project webpage. The direct link to the project docket log is:

<https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=23-OPT-01>

Probable Environmental Effects of the Project

Although the EIR will analyze the reasonably foreseeable direct, indirect, and cumulative effects of the proposed project in the topic areas specified in Appendix G of the CEQA Guidelines, and environmental justice (EJ), preliminary review of the application and other filed information indicates the following probable environmental effects:

Cultural and Tribal Cultural Resources

At least twenty discrete tribal cultural resources are in the proposed project site or within its viewshed. The cumulative archaeological and ethnographic evidence, and modern Native testimony presented in Shasta County's previous CEQA proceedings establish a *Native American cultural landscape*. According to members of the Pit River Tribe, trails link ridges like Hatchet Ridge to different valleys, settlements, and power places. Historical and current traditional medicine men and women travel to the power places to acquire their healing knowledge and visions. Successful vision quests at power places like Hatchet Ridge-Bunchgrass Mountain (in the project footprint) require those places to be isolated and tranquil, with sweeping natural vistas. Trails provide egress to hunting and plant-gathering areas, as well as to homes or trading partners. All these features of a cultural landscape coalesce in the Montgomery Creek drainage where the applicant proposes to build the project. Modern tribal communities retain their lengthy and intimate connection to this place and claim continuity of use today. In addition, over 20 known artifact and burial sites have been located in the area during planning work, which supports the conclusion that the region is rife with physical evidence of historical and cultural connection,

including numerous instances of found human remains, the disturbance of which is probable.

Mitigation for some found artifacts and burial sites is possible, but would not reduce the severity of impacts to a less-than-significant level for CEQA purposes.

Wildfire

Wildfire is a significant concern and public safety issue in California and locally. 21 years ago, the Fountain Fire, a significant damaging wildfire, burned through the area and destroyed more than 600 structures and indirectly lead to three deaths. A considerable number of documents addressing wildfire have been submitted to the docket from multiple sources. Staff's preliminary assessment indicates that the project would have significant impacts and potentially have unmitigable impacts on wildfire.

Three features of the project increase the risk of and potentially the severity of wildfires. First, the project creates open areas on ridgetops that allow wind to exacerbate fire risk to the exposed trees. Second, introducing fire sources such as electrical components (nacelles, electrical lines), and workers and associated equipment into the environment could create sparks and/or be a source of ignition in remote areas. Third, the project would introduce significant limitations on aerial firefighting abilities to aid in controlling and reducing the intensity of wildfires in the project area due to the spacing and height of the proposed remote turbines (over 600 feet tall).

Aerial firefighting uses several types of aerial firefighting assets including large and small fixed wing planes and helicopters; however, the use of these assets would be limited within the project area due to the presence and layout of the turbines. With the project layout, there are no clear straight paths for firefighting planes to fly across/through the project area and aerial firefighting would be primarily limited to small areas along the edge of the project site and areas outside the perimeter of the project. The ability of the California Department of Forestry and Fire Protection (CalFire) to use firefighting planes or helicopters within the project site during wildfires would be further dependent on other considerations such as fire conditions, wind, and topography that would increase the hazards related to the presence of the turbines. CalFire does not fly aerial firefighting craft within a minimum of 500 feet vertically or horizontally of turbine structures; for safety, this minimum distance would be increased, potentially significantly, during fires based on site and fire conditions.

Although the project will increase access to the project site area for ground-based firefighting, the limits on use of aerial firefighting assets within the project site would hamper the effectiveness of firefighting activities. The testimony from Shasta County's CEQA proceedings, the applicant's Opt-in application, and comment letters submitted to the CEC present conflicting assessment of the significance of the additional wildfire risk the project represents, but there is substantial evidence to support the finding of significant impacts. CEC staff is currently coordinating with regional CalFire experts to discuss CalFire's perspective on the wildfire risk from the project turbines and other project features, and how effective proposed or other potential mitigation would be in the event of a wildfire.

Visual Resources

The aesthetic effects of the Fountain Wind Project are being assessed from nine, representative Key Observation Points (KOPs) at eight different locations, ranging from nearby viewing locations on Highway 299 in Hatchet Mountain Pass (approximately 0.5 to 0.75 mile distant; KOPs 4a and 4b) to moderate distance views (3 to 8 miles) from local mountain communities including Round Mountain, Montgomery Creek, and Burney (KOPs 2, 3a/3b, and 5a/5b respectively) (TN 250566). More distant regional views (approximately 18.5 to 28.5 miles) are from the Pit River Overlook (KOP 6) and the City of Redding (KOP 7) (TN 248320-8). Based on an assessment of project-induced visual contrast, structural dominance, and view blockage or impairment, it is expected that the project's overall visual change is likely to result in significant impacts.

It is anticipated that project turbines and the eastern access road would substantially degrade the existing visual character and quality of public views of the site and its surroundings when seen from portions of Highway 299 through Hatchet Mountain Pass as documented in the visual simulations prepared for KOPs 4a and 4b. It is anticipated that these impacts would potentially be significant and unmitigable.

Biological Resources

Staff anticipates significant adverse impacts to or direct mortality of *bald and golden eagles* during project operations. Staff also anticipates significant adverse impacts due to mortality and injury to raptors as a result of collisions with wind turbines and electrical transmission lines during project operations. The United States Fish and Wildlife Service has advised the applicant to obtain a take permit for bald and golden eagles based on the potential for the take of these species.

Inconsistency with local ordinance

Effective August 11, 2022, Shasta County Code section 17.88.335 prohibits any wind generation electric system not allowable under the small wind ordinance, which allows a single turbine per 5 acres for the electrical use of the service property only, not for sale to the grid, and not to exceed 65 feet in height.

Section 17.88.335 was amended March 14, 2023, to add to the Legislative Findings in support of the Ordinance that "In light of the [impacts to biological, visual aesthetic, wildfire safety, historical, cultural, and tribal interests], the construction of large wind energy systems will not have an overall net positive economic benefit to the County of Shasta. The listed impacts outweigh any potential economic benefits to the County that may be available from such large wind energy systems." Also, subdivision (f) of the revised ordinance states that no County officer, agency, or department is authorized to agree to any community benefits agreement for large wind energy systems without the prior approval of the Board of Supervisors.

As currently proposed, the project is inconsistent with the Shasta County zoning prohibition against large scale wind. Therefore, the CEC cannot approve the project unless the CEC determines the facility is: 1) required for public convenience and necessity, and 2) that there are no more prudent and feasible means of achieving such public convenience and necessity. (Pub. Resources Code § § 25525 and 25545.8). In making the determination regarding the lack of a more prudent and feasible means to achieve the convenience and necessity of the project, the CEC must consider the impacts of the facility on the environment, consumer benefits, and electric system reliability.

Responsible and Trustee Agencies

Pursuant to the CEQA Guidelines (Cal. Code of Regs, tit. 14, § 15082(b)), each responsible and trustee agency and the OPR shall provide the CEC with specific detail about the scope and content of the environmental information related to the responsible or trustee agency's area of statutory responsibility that must be included in the draft EIR. At a minimum, the response shall identify:

- the significant environmental issues and reasonable alternatives and mitigation measures that the responsible or trustee agency, or the OPR will need to have explored in the draft EIR; and
- whether the agency will be a responsible agency or trustee agency for the project.

Responsible agencies for this project are State Water Resources Control Board and Regional Water Quality Control Board. The only trustee agency identified for this project is the California Department of Fish and Wildlife. **Responses to this NOP are due to CEC within 30 days of receipt of the NOP.**¹ Based on comments received by public agencies on the scope and content of the environmental impact report, CEC staff may request additional information from the applicant to address such comments.

Submitting Comments

Responding agencies may submit comments electronically. To use CEC's electronic commenting feature, go to CEC's webpage for this proceeding, cited above, click on the "Submit eComment" link, and follow the instructions in the online form. Be sure to include the project name in your comments. Once filed, you will receive an email with a link to them and the comments will be part of the proceeding's public record.

Interested parties may also subscribe via the project webpage (linked above) to receive electronic notices of all project-related activities and documents related to CEC's evaluation of the application—look for the box with the words "SUBSCRIBE FOUNTAIN WIND PROJECT" to add your subscription email.

Alternatively, you can go to CEC's subscription page (<https://www.energy.ca.gov/subscriptions>) under "Power Plants Licensing and Projects" and check the "Fountain Wind Project" box under "Projects Under Review Topics."

Project Scoping

The next required event in the process will be a public informational/scoping meeting to be held near the project site, and within 30 days of CEC's determination of completeness on October 30, 2023. CEC expects this event will occur during the final week of November, pending confirmation of a venue and the availability of key participants. The informational/scoping meeting will be noticed via the project docket at least 10 days prior to its occurrence and will contain information specific to the public meeting and how to participate.

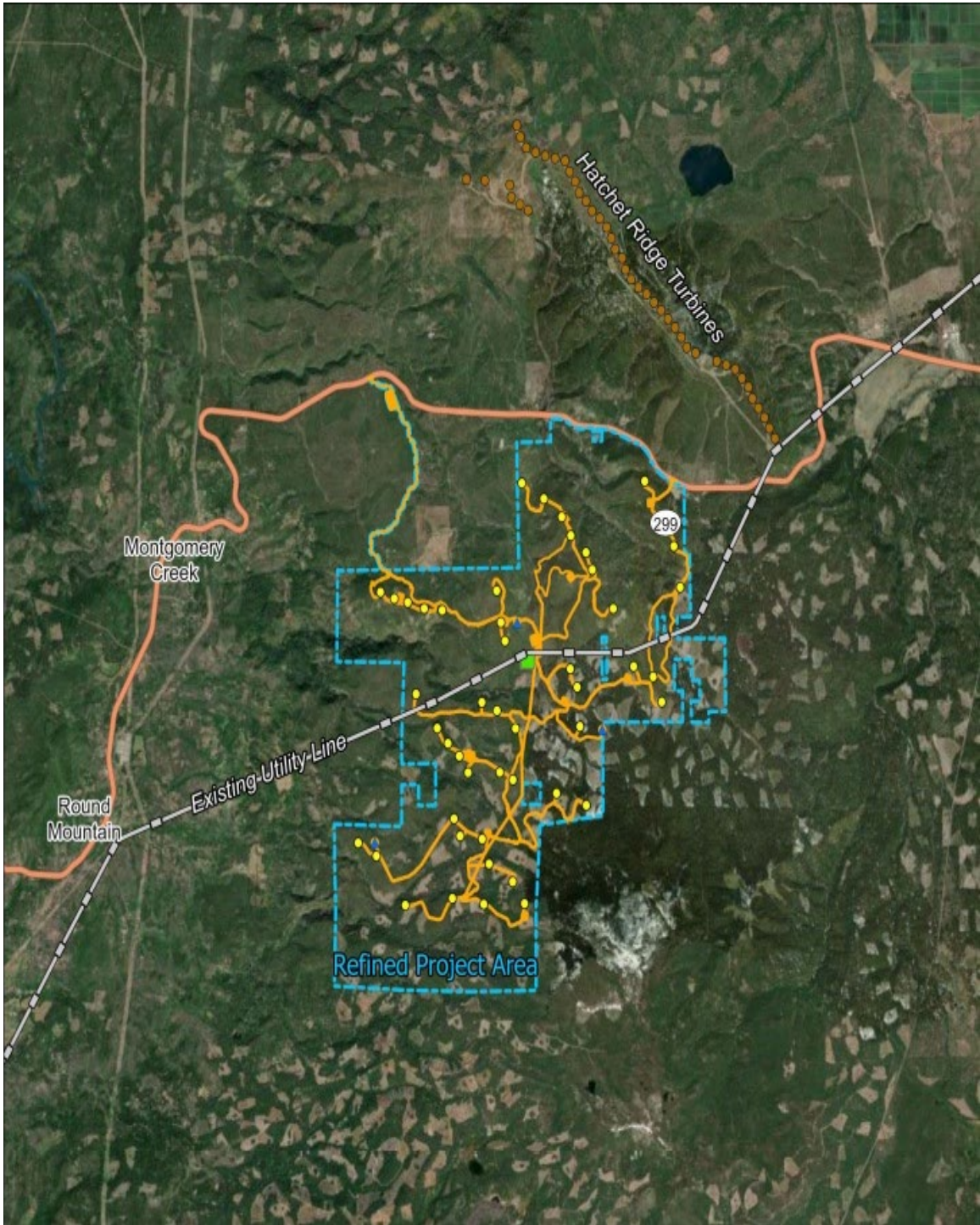
¹ If a responsible or trustee agency, or the OPR fails by the end of the 30-day period to provide CEC with either a response to the notice or a well-justified request for additional time, CEC staff will presume that none of those entities have a response to make.

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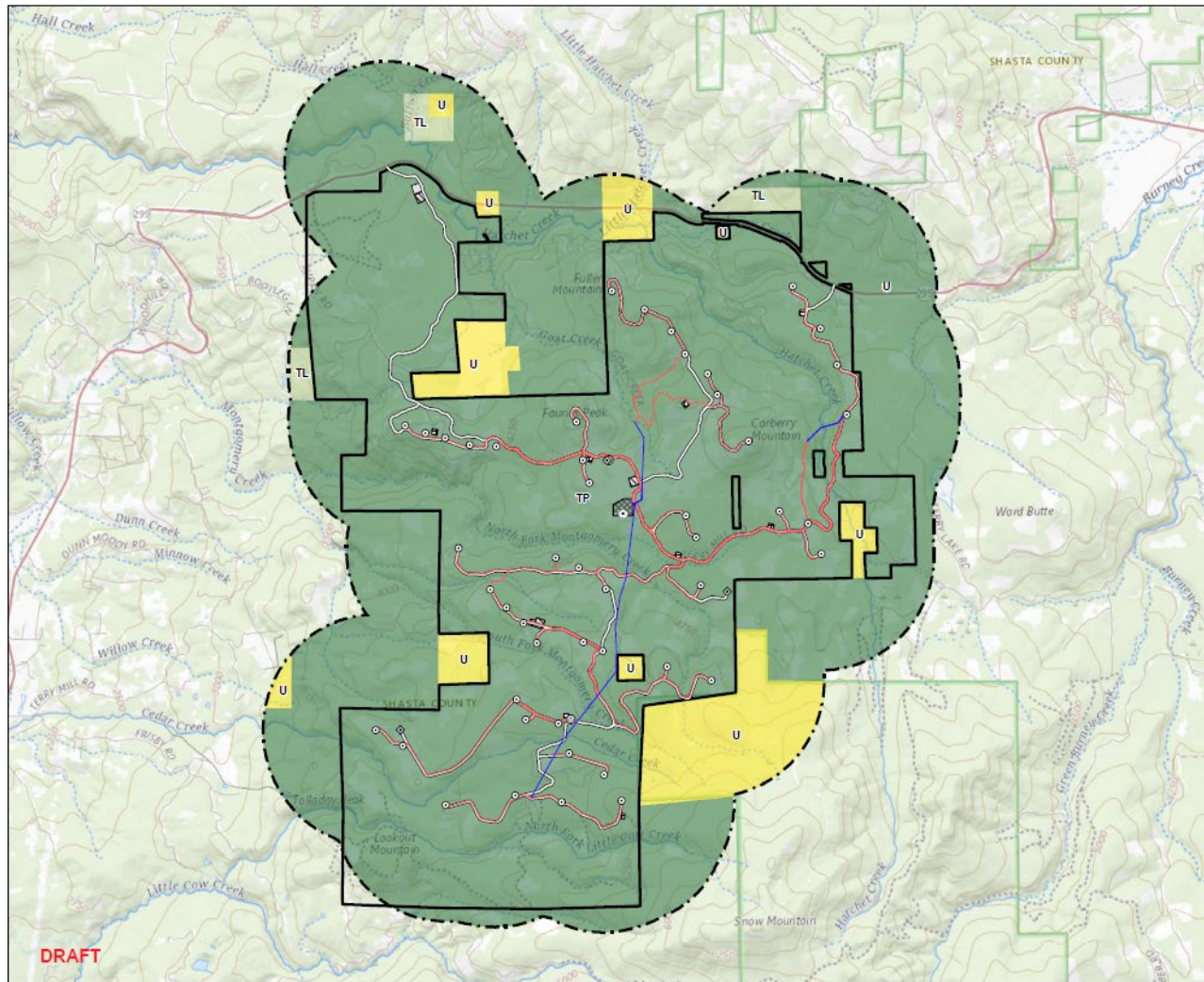
If you have any questions or need additional information on how to participate in CEC's review of the proposed project, please contact Leonidas Payne, Project Manager, by email to leonidas.payne@energy.ca.gov.

Attachments:

1. Overhead View--Project Area, Nearby Communities, and Hatchet Wind Project
2. Project Facilities and Project Area Land Uses



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- Legend**
- Turbine Location
 - ◇ Met Tower Location
 - ⊙ Microwave Tower Location
 - ⊙ Storage Shed Location
 - Overhead Collection
 - Underground Collection
 - Access Road
 - ▨ Batch Plant
 - O&M Facility
 - ▨ Staging Area
 - ▨ Substation/Switchyard Site
 - ▭ Project Area
 - ⊕ 1 mile from the Project Site
- Shasta County Zoning**
- TL Timberland District (TL)
 - TP Timber Production District (TP)
 - U Unclassified District (U)



0 1 Miles
 (At original document size of 11x17)
 1:63,360

Notes

1. Coordinate System: NAD 1983 StatePlane California 1 FIPS 5401 Feet
2. Data Sources: Shasta County GIS Division
3. Background: The USGS National Map



Project Location
 Shasta County
 California

Prepared by GC on 2023/07/26
 TR Reviewed by JG on 2023/07/26
 TR Reviewed by CB on 2023/07/26

Client/Project
 Fountain Wind LLC
 Fountain Wind Project

2023/07/26

Figure No.
 3

Title
 Zoning

DRAFT