

| <b>DOCKETED</b>         |                              |
|-------------------------|------------------------------|
| <b>Docket Number:</b>   | 23-OPT-01                    |
| <b>Project Title:</b>   | Fountain Wind Project        |
| <b>TN #:</b>            | 253180                       |
| <b>Document Title:</b>  | Request from Pit River Tribe |
| <b>Description:</b>     | N/A                          |
| <b>Filer:</b>           | Ngoc Tran                    |
| <b>Organization:</b>    | California Energy Commission |
| <b>Submitter Role:</b>  | Commission Staff             |
| <b>Submission Date:</b> | 11/17/2023 8:45:10 AM        |
| <b>Docketed Date:</b>   | 11/17/2023                   |

YATCH BAMFORD  
TRIBAL CHAIRPERSON

ANTONIO MENDOZA  
VICE CHAIRPERSON

JOLIE GEORGE  
TRIBAL SECRETARY



ALEXANDRO URENA  
TRIBAL TREASURER

RUSSELL ELECK  
RECORDING SECRETARY

ANDREW MIKE  
SERGEANT AT ARMS

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**ELEVEN AUTONOMOUS BANDS**

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11-02-2023

VIA Email: chair. Hochschild @energy.ca.gov  
California Energy Commission  
Attn: Chairman David Hochschild  
715 P Street  
Sacramento, CA 95814

RE: Request for Voluntary AB 52 Consultation as allowed under the California Environmental Quality Act Public Resources Code 21080.3.1 for the Fountain Wind project.

Dear Chairman Hochschild,

On behalf of the Pit River Tribe (the "Tribe"), a federally recognized Indian tribe, I am writing regarding consultation with the Tribe for the Fountain Wind Project ("Project"). The Project proposes a development by Fountain Wind LLC ("Developer") of a wind energy generation facility composed of wind turbines and associated infrastructure on 4,500-acres in unincorporated Shasta County ("Project Site") located on the Tribe's ancestral lands.

The Tribe is a federally-recognized Indian tribe consisting of the original eleven (11) autonomous bands that are within the "100-mile square" ancestral territory expressly recognized in the constitution of the Pit River Nation, which is located in Shasta, Siskiyou, Modoc, and Lassen Counties, as stated in the Constitution of the Pit River Tribe and adopted by the Secretary of the Department of the Interior on August 16, 1964. Through this constitution, the Tribe has inherent sovereign governmental powers to protect and promote the health, safety, and/or general welfare of the people of the Pit River Tribe.

MADESI

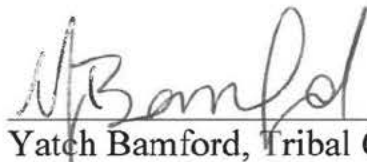
ATWAMSINI  
ATSUGEWI  
ASTARAWI  
APORIGE  
AJUMAWI

HAMMAWI  
HEWISEDAWI  
ILLMAWI  
ITSATAWI  
KOSEALEKTE

Prior to approving an environmental impact report for a project, the lead agency must begin AB 52 Consultation with California Native American tribes traditionally and culturally affiliated with the geographic area of the proposed project, if the tribe requests notice.

**Accordingly, the Tribe requests the CEC engage in voluntary AB 52 Consultation going forward with the project. Tribal willingness to engage in consultation does not indicate support for the project and should not be used in furtherance of the project by the project proponent. The purpose of the consultation is for the Tribe to obtain more detailed information about the project site, specific location, and allow tribal cultural practitioners access to the site to establish whether specific traditional tribal cultural sites are located within the areas of potential effect, and what specific concerns are raised by the presence of such sites.**

Please respond to Yatch Bamford at [Chairman@pitrivertribe.gov](mailto:Chairman@pitrivertribe.gov) with a response to this request with a copy to legal counsel, Michelle Lee, at [michelle@thecirclelaw.com](mailto:michelle@thecirclelaw.com)



Yatch Bamford, Tribal Chairman  
Pit River Tribe