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CALIFORNIA ENERGY COMMISSION

In the matter of:

Fountain Wind Opt-in Application)
For Certification) Docket No. 23-OPT-01
_____)

NOTICE OF JOINT ENVIRONMENTAL
SCOPING AND INFORMATIONAL MEETING

IN-PERSON, ONLINE BY PHONE AND VIA ZOOM

TUESDAY, NOVEMBER 28, 2023

2:00 P.M.

Reported by:

Marlee Nelson

APPEARANCES

COMMISSIONER

Noemi Gallardo, Lead Commissioner, CEC

CEC STAFF

Drew Bohan, Executive Director

Mona Badie, Public Advisor, Office of the Public Advisor,
Energy Equity, and Tribal Affairs

Leonidas Payne, Siting, Transmission, and Environmental
Protection Division

Eric Knight, Manager, Siting, Transmission, and
Environmental Protection Division

Hilarie Anderson, Siting, Transmission, and Environmental
Protection Division

PRESENTER

Henry Woltag, Director, Fountain Wind Project

EXTENDED COMMENT

Mary Rickert, District 3 Supervisor, Shasta County

Patrick Jones, Chairman, Shasta County Board of Supervisors

Paul Hellman, Director of Resource Management, Shasta
County

Ryan Baron, Special Counsel, Best Best & Krieger

APPEARANCES

Matthew McOmber, Senior Deputy County Counsel, Shasta County

Yatch Bamford, Chairman, Pit River Tribe

Brandy McDaniels, Madesi Band Cultural Representative, Pit River Tribe

Gregory Wolfin, Ilmawi Band Representative, Pit River Tribe

Radley Davis, Member of Ilmawi Band, Pit River Tribe

Agnes Gonzalez, Madesi Band Council Rep, Pit River Tribe

Louise Davis, Member of Itsatawi Band, Pit River Tribe

Awigust Afson, Member of Itsatawi Band, Pit River Tribe

Russell Ellick, Representative of Atsugewi Band, Pit River Tribe

Shaleesha Ward, Madesi Cultural Representative, Pit River Tribe

Michelle Lee, Counsel, Pit River Tribe

PUBLIC COMMENT

W. David Wardall, Chairman, Associated Aerial Firefighters

James Barnes, Associated Aerial Firefighters

Stephen Fitch, Former Forest Supervisor, Shasta Trinity Forest Service

Steve Kerns, District 2 Supervisor, Shasta County

Joseph Osa, Resident, Montgomery Creek

Antonio Mendoza, Vice Chairman, Pit River Tribe

APPEARANCES

Randall Smith

Mark Mulliner, State Building and Construction Trades
Council

John Gable, Residents of Moose Camp

Ruben Grijalva, Consultant for ConnectGEN

Shane Lauderdale

Anthony Gorman, Staffer for State Senator Brian Dahle

Tony Wilson Yiamkis

John Messina, Consultant

John Vona, FWS Forestry

Matt Goody, Northeastern California Building and
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Gary Sharete, Business Representative, Laborers Local 185

April Branson, Laborers Local 185

Jeannie Frazier, Laborers Local 185

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Doyle Radford, Business Manager, Construction & General
Laborers Local 185

Joe Schykerynec, State Building & Construction Trades
Council

Pete Scales

Rachel Hunerlach, Operating Engineers Local 3

APPEARANCES

Cody Freitas, Operating Engineers Local 3

Jeff Hunerlach, District Representative, Operating Engineers

Gary Cadd (phonetic)

Bradley McKinney, Business Representative, Laborers Local 185

Ray Thomas, District 3 Resident

Andy Main

Bill Walker, Former Lead Planner on Hatchet Ridge Wind Project

Nancy Rader, California Wind Energy Association

Beth Messick-Lattin

Patrick Wallner

Pete Marsh

John Lammers

Laura Hobbs

Sharon Golden, Labor Researcher, Operating Engineers Local 3

Steve Johnson

Patrick Boileau, Deputy Political Director, Operating Engineers Local 3

Maggie Osa

Rachel Hatch

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P R O C E E D I N G S

1
2 TUESDAY, NOVEMBER 28, 2023 2:00 p.m.

3 COMMISSIONER GALLARDO: (Speaking Spanish). Good
4 afternoon. I'm Noemi Gallardo, commissioner at the
5 California Energy Commission. I am honored to be here. I
6 wanted to start out with a very important item.

7 First, for those of you in the room, we do have
8 water outside this room here, in case you get thirsty.
9 It's available for everyone. So we're going to talk about
10 energy, but water is really important too. So I want to
11 make sure you stay hydrated, especially given all the
12 bodies in this room.

13 Second, before we get into the proceeding, we are
14 going to start with the Pledge of Allegiance. So I ask for
15 you to stand, and we should be seeing a flag. There we go,
16 up on the screen. So please join me.

17 ALL SPEAKERS: I pledge allegiance to the Flag of
18 the United States of America and to the Republic for which
19 it stands, one Nation under God, indivisible, with liberty
20 and justice for all.

21 COMMISSIONER GALLARDO: Thank you. Again, I'm
22 Commissioner Noemi Gallardo. One of my responsibilities is
23 to oversee siting proceedings, including the opt-in
24 certification process.

25 Today, we're here about the proposed Fountain

1 Wind Project, which is going through the opt-in
2 certification process. My major responsibility today is to
3 oversee the meeting and to listen to all of the information
4 being provided by those of you here, and we're going to
5 learn from that information. And I would like to clarify
6 as well that we are not making any decisions today. I am
7 not making a decision. No one else on Energy Commission
8 staff. We are here to listen to you and to learn from you.

9 We realize that there's a lot of interest in this
10 project, and we want to ensure that everyone here has a
11 fair chance to provide their perspective. So I ask
12 everyone to be respectful.

13 I would also like to thank the Pit River Tribe,
14 the County of Shasta, and the entire community for engaging
15 with us and for your participation in this proceeding. We
16 appreciate all of you who are joining via Zoom and who are
17 in the room. We also appreciate the over 200 written
18 comments that have been submitted by this community.
19 That's through our docket that we have. And aside from
20 conducting our own due diligence within our specialty
21 areas, we also meticulously review those written comments,
22 and we listen intently to the verbal comments provided.
23 All of it is extremely valuable for us in terms of the
24 issues that we might not otherwise know about.

25 Please also note that we are in an early phase of

1 our review process for the Fountain Wind application.
2 California law lays out very specific steps that the
3 California Energy Commission must follow when an opt-in
4 application is submitted. Staff will outline in more
5 detail that process in just a bit. We also will have an
6 opportunity for public comment later in the meeting. This
7 will be a time for anyone here to provide comments that
8 will be on the record.

9 And please remember that this is an information
10 gathering meeting, so the more information you can share or
11 point us to, the better we can do our job in analyzing the
12 proposal over the next several months. If you do have a
13 stance on this project, whether you support or oppose it,
14 you may state that during your comments, but there is no
15 obligation to do so either.

16 Again, we want to hear from all of you who wish
17 to speak, so I ask that everyone be respectful of the time
18 limits and each other so that we can hear everybody. We
19 have this room until about 10:00 p.m., and we intend to
20 stay here until we get kicked out, so that we can listen to
21 everyone.

22 The CEC's -- Energy Commission's public advisor
23 is Mona Badie. She is here raising her hand. Her job is
24 to assist you. She will provide more information and
25 instructions about public comment, but she can also provide

1 you guidance about when to speak, what information we need
2 -- if you want to submit written comments, she can help you
3 through that process as well. So please do not be shy to
4 reach out to her and ask her for assistance.

5 I would also like you to meet Elizabeth Huber,
6 who is on my left side. She's the director of the Siting
7 Division, the division who's in charge of this process. So
8 Elizabeth is also extremely helpful. She's here to answer
9 questions if you would like, and she may also step into the
10 meeting as needed.

11 Finally, I would like to note that this is the
12 first public meeting for the proposed Fountain Wind
13 Project. We will have at least two more. And I would like
14 to encourage everyone to continue following this
15 proceeding. I look forward to hearing from you today and
16 as this process continues. And on behalf of the Energy
17 Commission as a whole, the staff who have been diligently
18 working on this application, we want to thank you for being
19 here, for being so enthusiastic, for sharing with us all of
20 the insight that you have.

21 And then finally, I did want to introduce Drew
22 Bohan, who is here. He's our executive director at the
23 California Energy Commission. He is also here -- available
24 if needed.

25 So let me transfer this over to our staff. Thank

1 you again for listening to me, and we will be here.

2 Go ahead.

3 MS. BADIE: Good afternoon, everyone. This is
4 Mona Badie, the public advisor for the California Energy
5 Commission. I just wanted to introduce our comment
6 systems. So you might have seen blue cards floating around
7 the room, and we'll have staff handing them out, and pens
8 available. There'll be some presentations from staff and
9 also the applicant, and I'll come on the line again and
10 provide instructions another time. But we were hoping that
11 folks could fill out the blue cards, who want to make a
12 public comment, and turn them in -- Sierra from my office.
13 She has a gray cardigan on. You can also turn it in to me
14 or at the end of this table, so we can compile the cards
15 and estimate time periods for public comment.

16 We also have an extended comment period for
17 Shasta County, tribal leadership, and some other folks.
18 And so if you could mark on your card for extended
19 comments, that will help us as well. So, yeah, the sooner
20 you can fill it out and give us those cards, that'll help
21 us a lot. And I will turn it over to Lon.

22 MR. PAYNE: Good afternoon, everyone. I'm Lon
23 Payne with the Energy Commission's Siting, Transmission,
24 and Environmental Protection Division, which will probably
25 the hardest thing I have to say all day because it's a

1 mouthful. We also call it STEP. So if I use that, I mean
2 the entire division.

3 Welcome to today's informal - informational and
4 scoping meeting for the Fountain Wind Project. There will
5 be time for public comments following the presentations in
6 this first session.

7 Before we continue, I'm going to go over a few
8 housekeeping items. First, this meeting is a hybrid
9 meeting with attendees in person at the Gaia Hotel,
10 Himalaya Ballroom here in Anderson, California, and
11 virtually participating via Zoom. The meeting is being
12 recorded. The meeting recording will be available on the
13 Energy Commission's website.

14 Please note that to make the Energy Commission's
15 meetings more accessible, Zoom's closed captioning has been
16 enabled. Attendees can use this service by clicking on the
17 "live transcript" icon and then choosing either "show
18 subtitle" or "view full transcript." The closed captioning
19 service can be stopped by exiting out of the live
20 transcript or selecting the "hide subtitle" icon.

21 So next slide, please.

22 Attendees, to use close captioning, click on
23 "live transcript," select "show subtitle" or "view full
24 transcript." To stop, close out or click "hide subtitle."
25 I think that's probably the same thing, but that's on the

1 script, so I'm saying it.

2 Information about today's workshop can be found
3 here at the website, which is the Fountain Wind website,
4 which I do not see on the screen currently, but we will
5 hopefully be able to correct that in --

6 UNIDENTIFIED SPEAKER: It's in the -- it's in the
7 chat for online attendees.

8 MR. PAYNE: Great, thank you so much.

9 Next slide, please. Actually, previous slide,
10 because we're at the workshop agenda.

11 So today's workshop will include a general
12 presentation on the opt-in certification process from
13 STEP's Eric Knight, a presentation by the applicant on the
14 project as currently proposed, including information on
15 project features, which address mandatory requirements of
16 the opt-in licensing process -- a presentation from the CEC
17 project manager, which is me, on our ongoing analysis of
18 the project, including topic areas already identified,
19 which may involve significant environmental effects and
20 staff's requests for scoping input, and a presentation on
21 public participation opportunities by the CEC's public
22 advisor.

23 There will be an opportunity I, again, stress --
24 an opportunity for public comment later in the program. I
25 will now turn the mic over to Eric Knight for his

1 presentation on AB 205 and opt-in.

2 MR. KNIGHT: Thank you, Lon.

3 Could I get next slide, please? Thanks.

4 Good afternoon, everybody. My name is Eric
5 Knight. I am the manager of the Siting and Environmental
6 Branch at the California Energy Commission. As Lon said,
7 I'm going to give a brief presentation on the opt-in
8 process.

9 Next slide, please.

10 So Assembly Bill 205 signed by Governor Newsom on
11 June 30, 2022, established this new optional certification
12 program at the CEC for certain clean energy projects. This
13 opt-in certification program is the first significant
14 change to the CEC's licensing authority in over 45 years
15 and will be in effect through June 30th of 2029.

16 Next slide, please.

17 The intent behind the opt-in program is to
18 provide an optional and streamline permitting pathway for
19 certain clean energy generation, energy storage, and
20 related facilities to help in California's transition to a
21 clean energy future. Process provides for early tribal
22 consultation, robust public input, and rigorous
23 environmental review.

24 In adopting AB 205, the legislature intended for
25 California Native American tribes, local governments,

1 communities, and workers to reap the benefits of clean
2 energy development.

3 Next slide, please.

4 So prior to the signing of AB 205, the CEC's
5 permitting authority was limited to thermal power plants 50
6 megawatts or larger. AB 205 expands the type of facilities
7 that can be certified by the CEC to those that are listed
8 on the slide there. In addition, thermal power plants
9 already jurisdictional to the CEC may use this process --
10 so they don't use fossil fuel to generate electricity. At
11 205 megawatts, the Fountain Wind Project is a facility
12 eligible to opt in to the Commission's certification
13 program.

14 Next slide, please.

15 The issuance of a certificate or license by the
16 CEC is in lieu of any permit that would normally be
17 required by a local land use authority. Some state
18 agencies retain their permitting authority under this
19 program. So for Fountain Wind, this includes the Regional
20 Water Quality Control Boards or Board (indiscernible
21 00:11:52).

22 AB 205 require the CEC to develop coordination
23 plans with the California Department of Fish and Wildlife,
24 the water boards, and the Department of Toxic Substances
25 Control. These plans establish frameworks for interagency

1 consultation during the opt-in process to ensure each
2 agency's input is considered in the development of the
3 environmental impact report and reflected in any
4 certification.

5 Next slide, please.

6 So there are three base -- three main phases in
7 the opt-in process.

8 So phase one is pre-filing. So there's a
9 mandatory pre-filing meeting that must occur for any
10 application submitted to the CEC under this program, and it
11 must occur at least 30 days in advance of the filing.

12 Phase two is the completeness review of the application
13 itself, and the CEC has 30 days in which the -- to
14 determine if an application is complete. And the -- phase
15 three is the environmental review and decision phase. This
16 is after an application has been deemed complete. And the
17 statute specifies that the CEC has 270 days to complete its
18 assessment and reach a decision on whether to certify the
19 project. There are some identified circumstances if they
20 occur -- should they occur that the decision could be made
21 after that date. Let's see -- and with the executive
22 director's determination on October 30th of 2023, the
23 Fountain Wind application was deemed -- when it was deemed
24 to be complete, this proceedings entered -- has entered
25 into that third phase.

1 Next slide, please.

2 So this slide shows the 270-day process, how it
3 breaks down -- the statute -- I already said this -- excuse
4 me. The statute identifies certain circumstances should
5 they occur whereby the CEC would not be held to that -- to
6 this 270-day timeline. The agencies that retain their
7 permitting authority are required to make their permitting
8 decisions within 90 days of the CEC's decision to certify a
9 project should that occur.

10 I would like to highlight that there's a
11 mandatory 60-day public comment period on the draft EIR,
12 and there will be at least one public meeting in the
13 project area to take public comment on the EIR. So for
14 Fountain Wind, the draft EIR is anticipated to be published
15 by the end of March 2024. And the final EIR will be
16 available at least 30 days prior to the public meeting at
17 which the CEC will make its decision. And this meeting
18 will occur in Sacramento. And the final EIR for Fountain
19 Wind is anticipated towards the end of June of next year
20 with a decision then at the end of July.

21 Next slide, please.

22 To approve an opt-in project, the CEC must find
23 that the project will provide overall net economic benefit
24 to the local government and that the applicant has entered
25 into a community benefits agreement, and the applicant has

1 certified payment of prevailing wage or equivalent for all
2 construction and the use of a skilled and trained workforce
3 or equivalent for all construction.

4 The CEC must also find that the project will
5 comply with all applicable laws, ordinances, regulations
6 and standards. We use an acronym for that, LORS. You're
7 going to hear that a lot. If a project will not comply
8 with any applicable LORS, the CEC must find that the
9 project is required for public convenience and necessity,
10 as that term is defined in the statute, and that there are
11 not more prudent and feasible means of achieving that
12 public convenience and necessity.

13 And then finally, for any project found to have a
14 significant and unavoidable impact on the environment, the
15 CEC will need to adopt a statement of overriding
16 considerations that identifies how the project's benefits
17 will outweigh any unavoidable impact.

18 Next slide. I think that's the end. Yeah.
19 Thank you.

20 So that concludes my presentation. So, now,
21 we'll be turning over this to the applicant so they can
22 present on their project.

23 Excuse me. Henry Woltag, your turn. Yeah.

24 MR. WOLTAG: All right. Good afternoon, CEC
25 Commissioner, staff, and members of the public. My name is

1 Henry Woltag, and I am the director of the Fountain Wind
2 Project for ConnectGEN, and I appreciate the opportunity to
3 speak with you today.

4 We at ConnectGEN also appreciate the Commission's
5 review of this project under the CEC's opt-in permitting
6 pathway. The fact that we are here today is a testament to
7 the State of California's commitment to combating climate
8 change, and we commend both the California legislature and
9 Governor Newsom for taking the bold action that is needed
10 to fight climate change, improve air quality, conserve
11 precious water resource, and transition to renewable energy
12 with the passage of AB 205.

13 This project has been under development for over
14 10 years and has once before completed a CEQA review. It
15 is important to understand that over all the years of
16 assessment and many hours of public engagement and public
17 feedback, that this project has continuously been refined
18 for the better and will translate to tremendous benefits to
19 Shasta County and the State of California.

20 Next slide, please.

21 This presentation will focus on the following key
22 points critical to understanding the need and the benefits
23 of this project. First, we will establish the link between
24 the need for this project and the state's obligation under
25 Senate Bill 100. We will also detail the extensive siting

1 work to avoid, minimize, or mitigate potential impacts,
2 while also providing further clarification about how the
3 project will actually result in improved fire safety for
4 the area. We will explain the benefits to the local
5 economy and ConnectGEN's commitment to community benefits.
6 And finally, through this presentation, we'll demonstrate
7 that the project meets the requirements of AB 205 and how
8 it is required for both public convenience and necessity.

9 Next slide, please.

10 I've been asked many times, why is this project
11 so important and why here in Shasta County? The answer to
12 this question is multifaceted.

13 First, there are no projects like this left in
14 the State of California. For a number of reasons, the
15 development of new onshore wind in the State of California
16 has come to a standstill, and there are simply little to no
17 sites advancing through development. Fountain Wind, being
18 one of the few remaining wind projects, is a well-studied
19 project and a well-sited one. This project sits at the
20 confluence of three things that are critical to having a
21 viable wind project. Number one, a strong commercially
22 viable wind resource. Number two, access to an existing
23 transmission system that has sufficient capacity to deliver
24 additional energy to the grid. And number three, a
25 compatible land use, such as commercial timber operations.

1 Well-sited projects like Fountain Wind are critically
2 needed in order for California to meet its carbon reduction
3 goals. The State of California needs an extraordinary
4 amount of clean energy to meet those goals that are laid
5 out in SB 100. And these goals are not aspirational. They
6 are state law. The need for this project is abundantly
7 clear.

8 Next slide, please.

9 The project itself is located approximately 35
10 miles northwest of Redding, six miles west of Burney, and
11 immediately adjacent to the 43 turbine Hatchet Ridge
12 project located in the top right corner of this map, which
13 was built in 2010.

14 The project is sited on approximately 16,000
15 acres of privately owned and actively managed commercial
16 timberlands. And as you can see in this map, about two-
17 thirds of the project area is located in densely planted
18 monoculture timberlands, and one-third of the project area
19 occurs within an actively harvested pine plantation.

20 The project area is entirely south of Highway
21 299, and the project is bisected by the existing PG and E
22 230 KV transmission line that runs from the Pit Number 1
23 dam to the Cottonwood substation.

24 Lastly, the project is named after the historic
25 roadside water fountain used by travelers decades ago and

1 located off of Highway 299, a few miles west of the project
2 area.

3 Next slide, please.

4 The project components consist of up to 48
5 turbine locations with a maximum height of 610 feet each,
6 up to 19 miles of improved existing roads and 19 miles of
7 new access roads, up to 39 miles of underground collector
8 cables and up to six miles of overhead collectors, a single
9 project substation and interconnection switchyard to
10 facilitate connection with the electrical grid, a single
11 operations and maintenance building, and, importantly, the
12 project will not require any new high voltage transmission
13 lines.

14 Ultimately, up to 548 acres of commercial
15 timberlands will be temporarily disturbed during
16 construction, and there will be 510 acres of permanent
17 disturbance once construction is completed.

18 Next slide, please.

19 Turning to project need, as I mentioned, climate
20 change is already affecting the state, and urgent action is
21 required to stave off the worst of these impacts.
22 According to California's fourth climate change assessment,
23 by the year 2100, if we don't take immediate action,
24 studies have concluded that frequency of extreme wildfires
25 will increase, and the average area burned statewide would

1 also increase by 77-percent. Scientific experts agree that
2 without bold action related to climate change, climate-
3 related disasters will occur with increasing frequency and
4 greater devastation. The state's policies to vastly
5 increase renewable energy and drastically reduce carbon
6 emissions will not only help temper the effects of climate
7 change globally, but will also directly improve the health
8 of all Californians.

9 Next slide, please.

10 I mentioned previously that California has
11 specific and urgent renewable energy targets, and the
12 legislature recognize the need to meet these targets with
13 the passage of AB 205, but it's worth noting exactly what
14 those targets are and our progress in reaching those
15 targets.

16 California has a long track record of being a
17 world leader in its commitment to fighting climate change
18 through a state renewable portfolio standard or RPS. SB
19 100, which was signed into law in 2018, built upon
20 California's renewable energy leadership by establishing
21 bold new RPS targets, and the law requires 100-percent of
22 all retail electricity sold in California to come from
23 renewable and zero carbon resources by 2045.

24 The law also advanced interim RPS goals,
25 including 44-percent by 2024, 52-percent by 2027, which is

1 the year this project would have the potential to come
2 online, and 60-percent by the year 2030.

3 Next slide, please.

4 So where are we in meeting these targets? These
5 targets are ambitious but feasible with true commitment and
6 action. This Commission, in partnership with the CPUC and
7 California Air Resources Board, produced the 2021 SB 100
8 joint agency report titled Achieving 100-percent Clean
9 Electricity in California. In that report, it is concluded
10 California will need to roughly triple its current
11 electricity power capacity, and the state will need to
12 procure an additional projected 148,000 megawatts of new
13 clean energy to the grid, which is the equivalent of 740
14 Fountain Wind projects.

15 This table from the report shows that wind's
16 contributions will need to double from current productions.
17 And while some of this may end up coming from out of state,
18 there will never be enough transmission built to import it
19 all, and new transmission projects take over 10 years to
20 complete if they can get approved. The state must look
21 inwards at resources to meet most of this demand. The
22 requirements under SB 100 highlight the need for AB 205 and
23 for the CEC to make decisions at the state level for the
24 benefit of all of the residents of California. The
25 benefits of transitioning to renewable energy are clear.

1 It will improve public health while also supporting the
2 state's clean energy economy.

3 Next slide, please.

4 One of the many benefits of Fountain Wind isn't
5 just the total energy production that it'll put on the
6 grid. It's the time of day that that energy is put on the
7 grid. Power from this project will not only help
8 California meet its clean energy goals, it will also help
9 balance the electric system by providing important energy
10 production during the hours when there isn't any solar on
11 the system.

12 This slide here illustrates what we all know
13 about solar, that it only produces when the sun is up, and
14 the challenge is what to do with the other hours of the day
15 when we still need clean energy. This top line shows the
16 hours the Fountain Wind Project will produce power. The
17 resource in this location is robust and produces during the
18 hours of most need. While energy storage is starting to
19 shift some of the solar profile to the evenings, it will
20 never be able to fill the gap needed when solar is not
21 producing and certainly not at a price that is viable.
22 Therefore, this project is essential to meeting our
23 immediate needs for evening and overnight renewable energy.

24 Next slide, please.

25 Fountain Wind has extensively studied the site

1 and the surrounding area since 2017, completing all studies
2 required by and to the standards of Shasta County and state
3 and federal agencies. This included over 40 field
4 investigations, technical studies, and environmental
5 assessments performed by subject matter experts familiar
6 with the resources and the environmental issues associated
7 with the site. This effort included multiple years of bird
8 and bat surveys, habitat and rare species surveys, visual
9 impact studies, and a complete archeological field survey.
10 More recently, we have updated and supplemented studies to
11 meet the requirements of the CEC. Prior to submitting a
12 complete application, we performed additional supplemental
13 studies, including additional cultural resource literature
14 and data reviews, specifically prepared for the CEC
15 application.

16 I would like to take a moment here to clarify
17 some information that was presented in the notice of
18 preparation that was issued by the CEC earlier this month.
19 We believe that the NOP contain some information that may
20 be misinterpreted without the context of the cumulative
21 datasets and reports presented in the application.
22 Specifically, the NOP indicated that at least 20 discrete
23 tribal cultural resources are in the proposed project site
24 or within its viewshed, and we wanted to clarify that after
25 our extensive studies, we identified one discrete tribal

1 cultural resource within our project area, and the site
2 will be avoided by the project.

3 The NOP also indicates that Hatchet Ridge
4 Bunchgrass Mountain, a sensitive tribal cultural resource,
5 is located in the project footprint. To clarify, no parts
6 of the project would be located in Hatchet Ridge Bunchgrass
7 Mountain area. Hatchet Ridge Bunchgrass Mountain is
8 located north of Highway 299, and the entirety of the
9 project is south of Highway 299. While we continue to
10 recognize concerns with impacts to tribal cultural
11 resources, we also welcome the opportunity to work with the
12 Pit River Tribe and the CEC on how we can avoid, minimize,
13 or mitigate impacts to additional sensitivities if they are
14 identified through the CEC process. We acknowledge that
15 there are likely to be significant and unavoidable indirect
16 impacts on tribal cultural resources, and we stand ready to
17 continue to engage with the tribe to address these issues
18 to the extent possible.

19 The NOP also indicates that staff's preliminary
20 assessment indicates that the project would have
21 significant impacts and potentially have unmitigable
22 impacts on wildfire and also that the project would
23 introduce significant limitations on aerial firefighting
24 abilities to aid in controlling and reducing the intensity
25 of wildfires in the project area due to spacing and height

1 of the proposed remote turbines. Fire risk is an important
2 issue to both us and the local communities, and that's why
3 we've consulted the experts in fire risk prevention and
4 mitigation, and I'll talk about that on the following
5 slides, and you'll hear from the fire experts here later
6 today. While we agree that there is risk, we encourage the
7 CEC and the public to consider the beneficial and broader
8 cumulative effects that the project presents, which we'll
9 talk about shortly.

10 Next slide, please.

11 Over the last four years, the ConnectGEN team has
12 performed extensive community outreach. This stakeholder
13 engagement is a critical part of our development process,
14 and we have endeavored to meet and listen to as many
15 individuals as would share their thoughts with us. I
16 personally have had countless one-on-one meetings with many
17 small -- with many individuals and many small groups over
18 the years.

19 Our outreach has also included project open-house
20 meetings at the Round Mountain Community Center as well as
21 live online webinars. We've also conducted multiple site
22 visits with a range of stakeholders. And on top of all
23 these meetings, we have also sent information to thousands
24 of Shasta County households, all in an effort to improve
25 the public's education on the project and to make sure

1 questions are being answered. Through this engagement and
2 education, there have been hundreds of messages and letters
3 of support that were submitted to the county, and we
4 continue to see that support on the record on the CEC's
5 docket. We have been open and transparent in our
6 communication efforts from the start, and we remain
7 committed to the same level of coordination throughout the
8 life of the project if it is ultimately approved.

9 Next slide, please.

10 Since the project conditional use permit
11 application was initially submitted to Shasta County in
12 2016, this project has gone through tremendous amount of
13 refinements and improvements. Some of you may not know,
14 but in 2016, this project was originally proposed as up to
15 100 turbines and over 300 megawatts. Based on public
16 feedback received during the January 2019 public scoping
17 meeting, the project was reduced to 72 turbines for the
18 purpose of the Shasta County environmental impact report
19 and environmental assessment. As the EIR process
20 progressed ConnectGEN continued to listen to the community
21 and reduce both the size of the project and the number of
22 turbines yet again. The multiple project refinements that
23 were made were as a response to the direct public feedback
24 that was received during the Planning Commission hearing of
25 June 2021. We knew that in order to make this project a

1 better fit for the community, we had to address concerns
2 with specific turbine locations and reduce the project
3 footprint.

4 To summarize those refinements, we eliminated a
5 total of 28 turbines, indicated here in the map in red,
6 including seven of the higher elevation turbines north of
7 Highway 299, closest to Hatchet Ridge and Bunchgrass
8 Mountain, and five of the turbines closest to Moose Camp
9 and other inholding landowners. Twelve additional turbines
10 were removed from the south side of Highway 299. These
11 included the turbines closest to Highway 299, as well as
12 those on the west and south edge of the project, which were
13 the most visible from Round Mountain and Montgomery Creek
14 and the closest to Snow Mountain. These changes resulted
15 in a more compact project that was in direct response to
16 community feedback. These are the same 48 turbine
17 locations that the CEC is now reviewing as part of our
18 project on a de novo basis as part of this opt-in process.

19 Next slide, please.

20 ConnectGEN's commitment to resource protection
21 involves more than just the project design changes that
22 resulted in a smaller footprint with less disturbance.
23 Rather, the project has adopted various mitigation
24 measures, resource protection plans, and monitoring
25 commitments. And these result in on-the-ground avoidance,

1 minimization, and mitigation during construction and
2 operations. Many of these commitments were identified by
3 technical experts, agencies, environmental groups, and
4 Shasta County during the previous CEQA process. As a
5 result of this process, the county identified more than 130
6 conditions of approval and mitigation measures which the
7 project agreed to abide by. We have also committed to an
8 applicant proposed set of mitigation measures, which
9 specifically address some concerns that the environmental
10 stakeholders brought to our attention regarding avian
11 protection and post-construction monitoring and reporting.
12 The results of the CEC process may identify new or
13 different mitigation measures or conditions. Regardless,
14 we agreed to the more than 130 conditions and mitigation
15 measures the first time around, and we remain committed to
16 protecting sensitive resources through avoidance,
17 minimization, and mitigation.

18 Next slide, please.

19 A few examples of important resource protection
20 efforts include the development of a fire prevention plan
21 that will require construction work stoppages during higher
22 risk fire conditions as well as operational coordination
23 with Cal Fire. ConnectGEN also has continued to follow the
24 U.S. Fish and Wildlife Wind Energy guidelines in project
25 development and would continue to do so during construction

1 and operations.

2 Several other key commitments include worker
3 awareness trainings, which will be required for all
4 construction personnel who step foot on the site. And this
5 project will also perform wildlife post-construction
6 mortality monitoring, including three years of rigorous
7 monitoring and additional incidental monitoring for the
8 life of the project. And we will report that information
9 to agencies as well as local environmental groups.

10 Additionally, the project has minimized the number of
11 wetland and stream crossings through micrositing and will
12 further protect these resources through construction
13 protection buffers.

14 Next slide, please.

15 As mentioned previously, the project provides
16 important operational benefits to improve air quality
17 through emissions reductions. However, the project will
18 also construct or implement construction-related measures
19 such as fugitive dust controls and idling restrictions
20 during construction to minimize temporary impacts to air
21 quality. The 19 miles of existing roads will be upgraded
22 for improved egress and ingress, and traffic management
23 procedures such as flagging and signage will be used to
24 limit impacts to local traffic patterns on Highway 299.

25 While the site will remain in active timber

1 operations, we are committed to working with the landowner
2 to give community access to the surrounding timberland for
3 recreation and traditional use. And, importantly,
4 reclamation and decommissioning commitments will include
5 financial securities to ensure the project site will be
6 restored to a pre-project condition at the end of its
7 useful life.

8 Next slide, please.

9 With respect to wildfire risk, the bottom line is
10 that this project will enhance fire protection in and
11 around the project area. During the Shasta County review
12 process, Cal Fire applied their expertise and recommended a
13 wide range of mitigation measures and conditions of
14 approval, things like additional shaded fuel breaks and
15 helicopter dip tanks. And ConnectGEN has carried these
16 forward into its application to the CEC, and we remain
17 committed to enacting these conditions. These measures
18 will not only result in a safe project, but a project that
19 will enhance fire protection and firefighting capabilities
20 in the area within and surrounding the project. Key
21 protection features include approximately 687 acres of new
22 shaded fuel breaks along the project access roads, which
23 you can see on this map highlighted in yellow.
24 Additionally, state-of-the-art fire detection and
25 suppression systems will be installed in each of the wind

1 turbines. There will also be a network of 38 miles of
2 improved all-weather access roads, which will enhance
3 access for ground-based firefighting resources and improve
4 egress routes for inholding landowners. An additional fire
5 suppression water sources consisting of 5,000 gallon water
6 tanks will also be installed and maintained throughout the
7 property.

8 Simply put, we believe Cal Fire when they stated
9 in the Shasta County staff report that the presence of
10 turbines would not result in the creation of a no-fly zone.
11 We've also listened to the fire mitigation experts, experts
12 who were with Cal Fire for decades and who have boots on
13 the ground experience fighting wildfires, including the
14 Fountain Fire. We believe them when they say that the
15 project will be a net benefit to fire protection and
16 firefighting capabilities in and around the project. You
17 know, for those of you who are worried about wildfire, this
18 project is part of the solution, not part of the problem.

19 Next slide, please.

20 However, we do continue to hear concern about
21 wildfire associated with this area. We acknowledge that
22 this is a high risk area that requires special
23 consideration to understand fire risk, fire prevention, and
24 fire protection. And that recognition -- as I've
25 mentioned, we've gone out and sought the advice and

1 expertise of technical experts that have direct experience
2 in order to assess these issues. Combined, these experts
3 here on the screen have almost 150 years of firefighting
4 experience, including over six decades of Cal Fire
5 experience. Of note, they have been directly involved in
6 the response to the 1992 Fountain Fire, they've led the
7 incident response to the 2018 Camp Fire, and they have
8 decades of experience coordinating aerial firefighting
9 responses. These experts are providing direct support in
10 assessing risk, modeling the efficacy of fire protection
11 measures, and they will help us develop a cumulative fire
12 protection plan with the help of Cal Fire's
13 recommendations. The information that we've gleaned with
14 the help of these individuals have helped us, ConnectGEN,
15 to understand the impacts which we believe can be addressed
16 in a way that improves fire safety for the area.

17 Next slide, please.

18 This project represents a \$350 million
19 investment, which will be the largest investment in Shasta
20 County since the construction of the Shasta Dam in 1945.
21 With this level of investment comes significant economic
22 development and job creation. Perhaps the most significant
23 benefit is the over \$50 million in property tax revenues
24 that will be paid to the county over the life of the
25 project.

1 Property tax isn't the only revenue that the
2 county would receive from the project. During
3 construction, it is estimated that the project will pay
4 over three-and-a-half million dollars in sales tax
5 revenues. And since the project is in an unincorporated
6 part of Shasta County, the sales tax would go directly to
7 the county's general fund.

8 Over the two-year construction process, there
9 would be up to 200 well-paying union construction jobs
10 during peak construction. And I say "union" because we
11 have signed agreements with the State Building Trades to
12 ensure that these will include Shasta County union workers
13 working on a Shasta County project.

14 Finally, during the 30 plus years of project
15 operations, there will be up to 10 full-time employees
16 working at the site day in and day out. These will be
17 well-paying jobs with average annual compensation over
18 \$125,000 per year. And these individuals will not only be
19 working at the site, but they will be Shasta County
20 residents, neighbors, and active community members.

21 In addition to these direct benefits, there will
22 be a host of induced benefits to the economy and local
23 businesses of Shasta County. Some of the businesses that
24 will benefit include logging operations, material
25 suppliers, local quarries, heavy equipment rentals, gas

1 stations, hotels, and restaurants, along with many others.

2 For this and other reasons, the Shasta County
3 Planning staff recommended the original project application
4 be approved via a statement of overriding considerations.

5 Next slide, please.

6 On top of the jobs, tax revenues, and fire safety
7 benefits, Fountain Wind is committed to contributing \$2.8
8 million to community-based organizations. From the
9 beginning, we have been transparent in saying that we want
10 to bring as much benefit to Shasta County and to the
11 communities surrounding the project as possible, and we
12 plan on solidifying that commitment.

13 Prior to the requirement outlined in AB 205,
14 ConnectGEN spent multiple years engaging the community,
15 learning about local issues, and crafting a program to
16 address local needs. ConnectGEN is proud to support the
17 residents of Shasta County, and our goal is to focus this
18 funding for the benefit of the citizens of Round Mountain,
19 Montgomery Creek, and Burney.

20 We are currently finalizing binding agreements
21 with multiple community-based organizations, and we look
22 forward to providing more information on the docket and our
23 project website once those agreements have been finalized.

24 Next slide, please.

25 Taking all of the factors under consideration,

1 including the fact that California needs a tremendous
2 amount of renewable energy from a diverse set of resources,
3 and the project will harness a proven overnight wind
4 resource, we believe the project is absolutely required for
5 public convenience and necessity.

6 We also believe that there are no other more
7 prudent and feasible means of achieving these goals. Other
8 types of generation, like additional fossil fuels, are not
9 feasible given the state's mandate, and other forms of
10 renewable energy, like geothermal and more solar, are not
11 prudent. The state needs a diverse set of clean energy.
12 Additionally, other projects require significant
13 transmission upgrades, whereas this project uses otherwise
14 stranded existing capacity. Simply put, there are no other
15 sites in Shasta County or the State of California even that
16 have the same favorable attributes of those of Fountain
17 Wind.

18 With that, I conclude my presentation, and I
19 thank you for your time.

20 MR. PAYNE: Thanks, Henry. This is Lon Payne,
21 CEC project manager.

22 And, Jack, if you could pull up my presentation.
23 Thanks so much.

24 Again, thanks Henry for that presentation on the
25 revised project.

1 Thanks, Eric, for that general grounding in how
2 opt-in works.

3 My presentation will delve into CEC's ongoing
4 analysis of the Fountain Wind Project. A couple points I
5 would like to make at the onset.

6 First, although we are -- we were engaged in a
7 data completeness review effort from early January until
8 the end of October, nine-something months, our actual
9 analysis work is still in the very early stages. That's
10 why we're here engaged in project scoping efforts. We're
11 looking for feedback on what our analysis should include.

12 Second, I would like everyone to remember that
13 this is an accelerated analysis with the expectation that a
14 draft environmental analysis document will be produced in
15 approximately five months. Those of you who are familiar
16 with CEQA will understand the challenge that entails.

17 Anyway, let's jump right into it.

18 Next slide, please, Jack.

19 So what you see on the slide is a little preview
20 of what our staff assessment will look like. This is what
21 our CEC technical team of engineers and environmental
22 specialists will be producing. It's a staff assessment
23 that includes an environmental impact report. I want to
24 run over the topic areas that our staff assessment will
25 include because some of the groupings are unique to how CEC

1 analyzes projects and others are unique to doing an opt-in
2 analysis.

3 So if you look there on the top, we're breaking
4 out an engineering assessment, which will include topics
5 like facility design, reliability, transmission system
6 engineering, worker safety, and fire protection. These, in
7 many cases, are topics that we can break out primarily
8 because they don't have appendix -- CEQA appendix G
9 questions attached to them, and -- but they're typical to
10 how we analyze all sorts of power plant projects through
11 our AFC process. So we've incorporated that sort of
12 analysis into how we're doing opt-in as well.

13 Then moving on to the environmental impact
14 assessment topics. We've got air quality, biological
15 resources, climate change and greenhouse gases, cultural
16 and tribal cultural resources, efficiency and energy
17 resources, geo, paleo, and minerals, hazards, hazardous
18 materials and wildfire, which is where we'll do our
19 wildfire analysis. Land use, ag, and forestry, noise and
20 vibration, public health, socioeconomics, solid waste,
21 transmission line safety and nuisance, transportation,
22 visual, and water quality and supply. So as you can see,
23 that's quite a bit of topics to be including, which tends
24 to make a pretty thick document. Looking forward to it.

25 And then there's another of other topics that we

1 look at for various reasons under the law, environmental
2 justice, all -- resources, agencies, documents, including
3 environmental justice analysis, and this one (indiscernible
4 00:48:28) too. We'll also be taking a look at alternatives
5 to the project. And then there are this final grouping I
6 would call the mandatory opt-in requirements, which is
7 where we'll be looking at all sorts of things that are
8 unique to the opt-in statute, like community benefits, like
9 prevailing wage and labor agreements, economic benefits,
10 that sort of thing.

11 So if you could get to the next slide, please.

12 So CEC issued its notice of preparation on
13 November 2nd, which was just three days after the
14 application was deemed complete on October 30th. That
15 document -- again, we sometimes call that an NOP -- which
16 is viewable on the project docket identified several topic
17 areas where the project might result in significant
18 environmental effects. And, again, remember we are very
19 early in the analysis phase, so this is not intended to be
20 an exhaustive list. You can see some of the topics that we
21 highlighted in the NOP on the slide. Significant effects
22 may be present in other topic areas, and I just went
23 through a long list of them, or there may be additional
24 significant effects within one of the topic areas already
25 identified, which are the ones that you see on your slide

1 here. Anyway, identification of significant effects is key
2 to a CEQA analysis because it sets the stage for developing
3 mitigation to reduce such impacts. And you'll see that
4 I've included a TN number. That's how we note documents on
5 our project docket, in case you would like to access the
6 notice of preparation document yourself and read CEC's
7 detailed summary of all of these issues. But, again,
8 remember, this is at a very preliminary stage.

9 For the sake of brevity, I'll just go through the
10 topics that we've got here. Biological resources. That
11 was primarily associated with effects involving avian
12 species. Visual resources, involving the visual impact of
13 the turbines at various key viewpoints. Cultural and
14 tribal cultural resources. That's primarily impacts to
15 tribal cultural resources. Wildfire, which is impacts that
16 involve changes to firefighting tactics and strategies in
17 light of the presence and arrangement of the turbines.
18 There's also an issue regarding the local -- the local
19 ordinance adopted that bans large scale wind projects in
20 the county, which could end up impacting our land use
21 assessment as well as other topic areas.

22 All of our analysis topics include a discussion
23 of what Eric referred to earlier, which is LORS -- laws,
24 ordinances, regulations, and standards. So that -- when
25 you've got an ordinance that deals specifically with large

1 scale wind, that would obviously come into play in our
2 analysis. I want to hone down particularly on impacts to
3 tribal cultural resources.

4 Now, our tribal cultural specialists wrote up a
5 nice little summary for me, and I'm going to read it for
6 you now. At least 20 cultural and tribal cultural
7 resources are in the proposed project site or within its
8 viewshed consisting of Native American and Euro-American
9 archeological and cultural sites. The cumulative
10 archeological and ethnographic evidence and modern Pit
11 River Tribe's testimony presented in the Shasta County's
12 previous CEQA proceedings establish a tribal cultural
13 landscape that encompasses the entire Montgomery Creek
14 drainage. The proposed Fountain Wind Project would cause
15 impacts on individual cultural and tribal cultural
16 resources as well as the tribal cultural landscape.

17 Mitigation for some found artifacts and burial
18 sites is possible, but would not reduce the severity of
19 impacts to a less than significant level for CEQA purposes.
20 If you are familiar with the prior CEQA review of the
21 project, you may recall that Shasta County Planning staff
22 reached a similar conclusion with respect to impacts to
23 tribal cultural resources. They found impacts to be
24 significant and unmitigable, but then recommended an
25 override. The Shasta County -- and not necessarily for

1 that issue alone, but overall. The Shasta County Planning
2 Commission took additional testimony and concluded that
3 such an override was not warranted. The Shasta County
4 Board of Supervisors later denied a reduced turbine version
5 of the project on appeal. An ordinance was adopted
6 thereafter banning large scale wind projects in Shasta
7 County. CEC staff is aware of that record and has access
8 to materials associated with that review that have been
9 added to the docket. On this issue and on all issues
10 included in our staff assessment, we are in the process of
11 gathering information and conducting an independent review.

12 Next slide, please.

13 First things first, I want to stress that all
14 impact -- input and feedback is welcome, even if you just
15 want to make a quick statement in support of our opposition
16 of the project. We're here to gather scoping input for our
17 analysis, and the project docket is always open if the mood
18 strikes you and you decide you want to add something to the
19 proceeding record. I must say you've all done a great job
20 of that so far. We appreciate and value your input.

21 Second, I want to confirm that no one needs to
22 restate comments that are already in the docket. We've
23 already had a very large number of written comments
24 submitted thus far, and I can assure you that all such
25 comments are evaluated and considered by CEC technical

1 staff and decision makers, even if they were submitted
2 earlier in the process or before CEC deemed the application
3 complete.

4 I would also like to encourage anyone submitting
5 oral comments tonight to follow up by submitting written
6 comments to the project document just to make sure your
7 input is captured. There can often be some amount of lag
8 time before meeting transcripts like the one being
9 developed by our court reporter become available. So
10 submitting written comments to the docket is generally the
11 best way to ensure that your voice is heard.

12 Here's a few additional tips -- hold on a second.
13 Here are a few additional tips to help maximize the value
14 of your input. If your input is based on personal
15 knowledge of the project area or traditional knowledge or
16 any sort of knowledge or expertise, it's good to establish
17 that at the onset. It helps our technical staff to
18 understand the basis and depth of the perspective being
19 shared. Similarly, if your comment references an outside
20 source, such as a book or an article or a scholarly work,
21 it's good if you cite the source directly so that our
22 technical staff can verify the source and understand the
23 larger context. The audience for your scoping comments is
24 engineers, scientists, and topic area specialists, and
25 decision makers, of course. In my experience, our CEC

1 analysis teams don't shy away from doing additional
2 research, so it's always good to give them a roadmap for
3 further inquiry. In that regard, CEC posed several focus
4 questions in the meeting notice, and I hope that everyone
5 here had a chance to review and think about those
6 questions.

7 If you could go to the next slide, Jack, please.

8 These are questions that we developed to hone in
9 on specific feedback we're hoping to get tonight. Each
10 question goes to a critical issue we are wrestling with in
11 the context of our analysis and highlights critical
12 considerations that will factor into CEC's staff
13 recommendation that the project be approved or denied. And
14 now I'm going to go through these questions one by one and
15 have them hopefully be fresh in everyone's mind. So our --
16 hold on a sec. Eric is teaching me how to use PowerPoint.

17 Thank you very much, Eric.

18 So first question, what value to state goals such
19 as meeting renewable energy and greenhouse gas emission
20 reduction targets does the project and its 205 megawatts of
21 renewable energy generation bring, if any? What value to
22 local consumer benefits, local environmental goals, and
23 grid reliability will the county -- within the county does
24 the project create, if any?

25 Second question, the applicant is proposing to

1 contract with the Community Foundation of the North State
2 to fund grants to meet the legal requirement for the
3 applicant to enter into one or more legally binding and
4 enforceable agreements with, or that benefit, a coalition
5 of one or more community-based organizations. Does such an
6 agreement provide community-based benefits? What types of
7 projects should be funded to benefit local communities?

8 Third question, are there alternative renewable
9 energy generation technologies or project sites the state
10 should consider instead of Fountain Wind's potential energy
11 generation of 205 megawatts?

12 Fourth question, are there mitigation measures
13 sufficient to reduce significant impacts identified for the
14 biological resources, tribal cultural resources, visual and
15 wildfire topic areas that would get them below the level of
16 significance? What additional mitigation measures might
17 CEC staff consider to further reduce impacts in these topic
18 areas?

19 Fifth, are there other topic areas -- like that
20 group I listed in the first slide -- in which the proposed
21 project creates a potential significant environmental
22 effect that we haven't already talked about? The --

23 Six, the proposed project is inconsistent with
24 the Shasta County ordinance, which bans large scale wind
25 projects and concludes that such projects have no economic

1 positive benefit to the county. The opt-in law authorizes
2 the CEC to approve a project despite a conflicting local
3 ordinance. What factors are most important and should be
4 considered by CEC staff in developing a recommendation for
5 or against approval of the project despite the
6 inconsistency with the local ordinance? And I'm nearly
7 finished.

8 Final slide, please.

9 So thank you for listening. And with that, I'm
10 going to turn the mic back over to Mona in our public
11 advisor's office who will lead us into the next section of
12 where we're going.

13 MS. BADIE: Good afternoon, everyone. Again, my
14 name is Mona Badie, the public advisor for the California
15 Energy Commission. Today I'll be presenting on how tribes,
16 members of the public, and others can participate in this
17 proceeding.

18 Next slide, please.

19 Just want to take a step back and introduce the
20 California Energy Commission. The California Energy
21 Commission, also called the CEC, was created by statute in
22 1974, and we're the state's primary energy policy and
23 planning agency. We have a variety of functions and work
24 closely with other energy-related agencies, like the
25 California Public Utilities Commission and the California

1 Air Resources Board. Our primary functions include state
2 energy policy, energy innovation investments, developing
3 renewable energy, preparing for energy emergencies, energy
4 efficiency, clean transportation, infrastructure, and
5 intergovernmental collaboration.

6 Next slide.

7 So I'm with the Office of the Public Advisor,
8 Energy Equity and Tribal Affairs. Part of our mission is
9 to facilitate tribal and public engagement in our programs
10 and policies. We are a free resource available to anyone
11 that wants to engage with the Energy Commission. I'll be
12 sharing our contact information on a later slide.

13 Next slide, please.

14 So, now, I'm going to talk about the different
15 ways to participate in the CEC's Fountain Wind proceeding.
16 There are multiple ways to participate. The first is just
17 to follow the proceeding. Another is to comment in the
18 proceeding. And a third option, open to California Native
19 American tribes, is tribal consultation.

20 Next slide.

21 So I'm going to go into more detail now about how
22 to follow this proceeding. One of the most popular ways to
23 participate in our programs and policies is just to follow
24 them. You can follow our proceedings by reviewing
25 materials we post on our website, signing up for e-mail

1 updates, and attending events like the one today. Our
2 website is a great resource because we post a lot of
3 information there. We have a specific page for each
4 proposed project. On our website, you'll see the -- on the
5 left side of my slide, you'll see the webpage for the
6 Fountain Wind proposed project. It has information on the
7 project, the project status, and it has a place where you
8 can subscribe for the free e-mail updates. And it's under
9 the place that says, "Subscribe Fountain Wind Project." It
10 also has a link to the project proceeding docket, which
11 I'll explain in a moment. There's also a place on this
12 project -- proposed project webpage where you can submit a
13 written comment to the docket.

14 So, now, I'm going to talk a little bit about our
15 dockets that you've heard about before. The CEC has
16 publicly accessible online dockets for its proceedings.
17 And this is basically a place where application materials,
18 public comments, notices, agendas, and other documents are
19 filed and available online. On the right side of my slide,
20 you're going to see the docket for the proposed Fountain
21 Wind Project. With few exceptions, all materials in the
22 docket are linked and available for anyone to download and
23 view for free.

24 You can also follow this proceeding by attending
25 public events like you are right now. Our website has a

1 calendar of events, and our events are noticed via our
2 dockets and also e-mailed to our -- the related e-mail
3 subscription lists. Our events are almost always hybrid or
4 fully virtual via Zoom, so the public can attend our events
5 from anywhere with a phone or internet connection.

6 Next slide, please.

7 Okay. Another way to participate in this
8 proceeding is to comment. So in -- as in all of our
9 programs and policies, any person can comment verbally at a
10 CEC event or in writing. Please note that any comments we
11 receive do become part of the record, and they will be
12 searchable by general search engine. To comment verbally,
13 just attend our events and wait for the instructions during
14 the public comment period to make your comment. For our
15 hybrid events, you can comment in person or via Zoom online
16 or by phone. And coming up on our agenda, there will be a
17 public comment period, which I'll facilitate. The CEC also
18 welcomes written comments. So as I stated before, on the
19 CEC website, we have what is called a docket for each
20 proceeding. Written comments can be submitted to the
21 docket at any time, but they're definitely most effective
22 targeted to the specific comment periods. So like Lon
23 mentioned, there'll be a comment period specifically for
24 the draft EIR, and that's when you would file comments
25 about environmental impacts and specifics for the EIR. On

1 our website, you can submit a comment electronically by
2 typing it into our e-comment page. And we -- and you can
3 also upload a letter if you would like as well. And we
4 have e-mail and paper options available. And those are
5 described in the notice for today's meeting. I wanted to
6 also say if anyone wants to make a public comment today,
7 but they're not able to stay to do the verbal comments, at
8 the materials table near the entrance, there is a piece of
9 paper, and you can handwrite comments, and we will put it
10 in the docket for you. And also, after today's event, if
11 you need any assistance with participation, commenting, or
12 about accessing our events, you can contact my office.

13 Next slide, please.

14 The CEC invites tribal consultations in this and
15 other opt-in proceedings. Tribal consultation letters went
16 out from the CEC on November 3rd. And we are asking for
17 responses from tribes that want to consult no later than
18 December 13th. Here with us today virtually, we have
19 Gabriel Roark from the CEC Siting Division, and he will be
20 your point of contact for consultations in this proceeding.
21 Sierra Graves, a tribal engagement specialist in my office,
22 is also here today in person to support tribal
23 participation in today's event.

24 Next slide.

25 Thank you for attending this meeting and your

1 interest in this proceeding. So we are -- we're all here
2 to serve the State of California, and your participation
3 helps us do our jobs. I've put my contact information on
4 this last slide, and, again, my office is able to assist
5 you to participate in this and other proceedings that we
6 have.

7 And I just want to do a final reminder to please
8 turn in your blue cards to myself or Sierra. And if you
9 are part of the group that will be taking advantage of
10 extended comments, then please also flag that for me so we
11 know, and that would be for tribal leaders or designees,
12 Shasta County senators, assembly members, and other
13 government officials.

14 And that concludes my presentation. And I think
15 we're going to have a 30-minute break. And then what we'll
16 do is we're going to have -- a portion of the agenda is
17 going to be for the extended comment. And then after that
18 there'll be a short break, and we will go into general
19 public comment. And at that time, once I've got the blue
20 cards, we can kind of calculate timing and make sure we can
21 hear from everyone tonight before they kick us out of the
22 room, okay? So we're going to put a slide up with the
23 return time, and we're going to have a short break right
24 now.

25 COMMISSIONER GALLARDO: Could you please announce

1 the return time so folks know when to come back, be clear?

2 MS. BADIE: All right, 3:55 is the return time,
3 please, folks. Thank you.

4 MR. PAYNE: Welcome back, everyone. Lon Payne
5 again with the Energy Commission. I would like to invite
6 Mona to provide instructions and facilitate our comment
7 portion of the agenda.

8 MS. BADIE: Thank you.

9 Okay. So this next portion of the agenda we've
10 reserved for tribal leadership, Shasta County, and
11 legislatures. If we -- we have some blue cards. So what
12 I'll do is I'm going to call some names to come up. And if
13 you can please approach the podium. The mic will be on for
14 you. And if you can please state and spell your name for
15 the record before you begin your comments, that will help
16 our court reporter.

17 I'm going to start with Shasta County. So we
18 have Supervisor Mary Rickert, then we're going to hear from
19 Chairman Patrick Jones, also Paul Hellman, Matthew McOmber,
20 and Ryan Baron.

21 Supervisor Rickert, thank you.

22 SUPERVISOR RICKERT: Good afternoon and welcome
23 to Shasta County. I want to thank you for coming to what I
24 refer to as the jewel of the North State. My name is Mary
25 Rickert, spelled M-A-R-Y, R-I-C-K-E-R-T, and I have served

1 as a District 3 Shasta County supervisor for almost seven
2 years. District 3 is where the Fountain Wind Project is
3 proposed to be constructed. I have lived in Shasta County
4 for almost 50 years, and I have grandchildren who are the
5 sixth generation residents.

6 I'm speaking on behalf of the many constituents,
7 many who are here today, that I serve and voice their
8 strong opposition to this proposed project. I have been in
9 contact with many individuals and organizations in the area
10 and have received feedback. The vast majority are
11 adamantly resistant to the Fountain Wind Project. This is
12 also home to the Pit River Tribe, and they too disapprove
13 of this project. The proposed site is in a very high risk
14 fire hazard zone, and there are homes scattered throughout
15 the region. Residents are deeply concerned about how this
16 project will impact their land values. I have spoken with
17 accredited appraisers that have appraised wind farms, and
18 they are astounded that a project such as this would be
19 considered in a thickly forested area. It would also make
20 it extremely difficult for landowners to acquire property
21 insurance, a problem that plagues most of rural California.

22 In 1992, the Fountain Fire raced through Round
23 Mountain, Moose Camp, and Montgomery Creek communities. It
24 was terrifying me -- for me as I watched from Eastern
25 Shasta County to witness the huge plumes of smoke, and I

1 was desperately hoping that no one was in danger. I will
2 never forget the devastation that was left behind, the loss
3 of natural resources, homes, and outbuildings. It was a
4 miracle there was no loss of life. Shasta County has
5 experienced many catastrophic fires in the last few years
6 with several lives lost. The economic loss to a county is
7 huge when you experience a catastrophic fire. We have been
8 sensitized to the trauma and devastation from -- that these
9 fires leave behind. With this proposed project, it could
10 place up to 48 wind turbines scattered throughout the rough
11 terrain. The wind turbines are proposed to be almost as
12 tall as Shasta Dam. I ask you, how could an aerial
13 firefighting team successfully try to put out a raging
14 fire?

15 As a former member of the State Board of Forestry
16 and Fire Protection, I have traveled up and down California
17 and witnessed firefighting efforts. The ability to use
18 fixed-wing aircraft is invaluable in fighting a fire when
19 winds are howling at 30 to 40 miles an hour on a blistering
20 hot August day. With wind turbines towering several
21 hundred feet in the air, the use of our most effective
22 weapon to fight these fires would be severely hampered. My
23 heart goes out to the residents of this region, as they
24 already had to voice their opposition to the Shasta County
25 Planning Commission and the Shasta County Board of

1 Supervisors. Both bodies soundly rejected this project.
2 We listen to our people. We know what is best for our
3 communities. We know the increased fire risk these
4 turbines will place on fire fight -- fighting fires and the
5 negative economic impact it would have for landowners. We
6 respectfully ask that your commission honor our county's
7 decisions and reject this project. Thank you very much.

8 MS. BADIE: Thank you.

9 Chairman Patrick Jones. If you can please spell
10 your name for the record before you begin. That's helping
11 our court reporter,

12 CHAIRMAN JONES: Certainly. Patrick Jones, P-A-
13 T-R-I-C-K, J-O-N-E-S. I'm former mayor for the City of
14 Redding, and I'm currently the chairman of the Shasta
15 County Board of Supervisors. Thank you for coming to
16 Redding. I appreciate you being here.

17 The Shasta County Planning Commission, as you
18 know, rejected this project listening to the admin -- and
19 you have a copy of the administrative review. I encourage
20 you to thoroughly review that document. The Shasta County
21 Board of Supervisors also rejected this project. We
22 represent the people of Shasta County. We are the elected
23 legislative body. You are not. You do not live here, you
24 do not have the history, and you do not represent the
25 people of Shasta County. We have rejected this project,

1 and I hope you'll read the full administrative review and
2 do the same. Thank you.

3 MS. BADIE: Thank you.

4 Next, we have Paul Hellman.

5 MR. HELLMAN: Yes, good afternoon. My name is
6 Paul Hellman, P-A-U-L, H-E-L-L-M-A-N. I'm the Director of
7 Resource Management for Shasta County.

8 My department processed the use permit
9 application for the Fountain Wind Project between 2016 and
10 2021. During that period of time, myself, my staff, the
11 Planning Commission, and the Board of Supervisors learned a
12 lot about the history of the devastating Fountain Fire, the
13 Pit River Tribe, and the residents of the Montgomery Creek,
14 Round Mountain, and Moose Camp communities. With very
15 limited exceptions, the people that inhabit this area
16 united against this project despite their varied
17 backgrounds and connections to the land. In their minds
18 from the very beginning of their fight, they were David and
19 the project was Goliath. In spite of the obstacles, they
20 banded together, attended numerous Planning Commission and
21 Board meetings, expressed their concerns and opinions, and
22 submitted extensive written comments and research materials
23 in support of their positions during the approximately 18-
24 month period leading up to the consideration of the project
25 by the Planning Commission. After the applicant appealed

1 the Planning Commission's denial, they regrouped and
2 resumed their fight knowing that the Board could very
3 easily overturn the Planning Commission's decision. The
4 people prevailed once again as the Board upheld the
5 Planning Commission's decision on October 26, 2021, and the
6 project no longer posed a threat to their health, safety,
7 and welfare, but, unfortunately, only for a brief period of
8 time. Shortly after the project was denied by the Board,
9 the Planning Commission discussed and subsequently
10 initiated proposed amendments to the county's zoning
11 regulations regarding large wind energy systems due to the
12 inappropriateness of such developments in forested, high
13 fire hazard areas, among numerous other environmental
14 concerns.

15 The majority of Shasta County is designated by
16 Cal Fire as being within the high and very high fire hazard
17 severity zones. On May 12, 2022, the Planning Commission
18 recommended that the Board amend the county's zoning code
19 to prohibit large wind energy systems. Immediately prior
20 to the Board's consideration of these proposed amendments,
21 on July 12th of 2022, AB 205 was signed into law. The
22 Board enacted the amendments and directed staff to return
23 with subsequent amendments to reflect AB 205, which was
24 done.

25 The relief and hope that project area residents

1 and tribal members experienced on October 26, 2021, and
2 again on May 12, 2022, turned to fear and frustration when
3 AB 205 was signed into law since it enables the CEC to
4 approve the project in spite of the county's prohibition
5 against such developments.

6 When CEC staff considers their recommendation to
7 the Commission to approve or deny the project, Shasta
8 County implores staff to thoroughly and carefully consider
9 the wisdom and appropriateness of approving a project that
10 not only faced overwhelming opposition from the people who
11 would be directly affected by it, but which also led to the
12 county amending its zoning code to prevent any similar
13 project from ever being proposed again.

14 Shasta County and its people are not opposed to
15 renewable energy. In fact, numerous hydroelectric,
16 bioenergy, cogeneration, battery storage, and solar
17 projects have been developed, and others have recently been
18 approved by the county or -- and/or are in development.
19 The only exception to the county's support of renewable
20 energy projects is large wind energy systems due to their
21 massive scale, wildfire hazards, and impacts to tribal
22 cultural resources, biological resources, and visual
23 resources.

24 California is a large state containing a wide
25 range of terrain, flora, fauna, wildfire hazards, visual

1 resources, and tribal cultural resources. Shasta County
2 firmly believes that there are many suitable locations
3 throughout California, as well as offshore, where large
4 wind energy systems can be developed in a safe and
5 responsible manner with minimal environmental impacts.
6 Furthermore, Shasta County believes that it is neither
7 necessary nor justified to disrupt the health, safety, and
8 welfare of project area residents and tribal members in
9 order to facilitate the generation of approximately 200
10 megawatts of wind energy.

11 Please take the time necessary to fully
12 understand and appreciate what the project represents to
13 those who will bear the burden of its impacts far beyond
14 the CEC's brief role in processing and developing the
15 project. Thank you.

16 MS. BADIE: Thank you.

17 Matthew McOmber, if you can approach the podium.
18 Please spell your name for the record as well. Thank you.

19 MR. BARON: Sorry. I'm Ryan Baron, B-A-R-O-N.
20 Matthew is going to, like, clean-up here.

21 Good afternoon, Commissioner Gallardo, Commission
22 staff. Ryan Baron, special counsel Best Best and Krieger,
23 speaking today on behalf of the County of Shasta. I have a
24 few points about the process and some suggestions for the
25 Commission on a going forward basis.

1 First, a minor housekeeping item. The county has
2 filed a standing reservation of rights in this proceeding
3 challenging the Commission's jurisdiction over the project.
4 I just have to say, as the pointy-headed lawyer, that the
5 county's participation today and participation by the Board
6 of Supervisors doesn't waive any of those rights, et
7 cetera, and we know everybody understands that.

8 The county has a growing frustration, to say the
9 least, with what we consider a lack of process, a lack of
10 procedures, and transparency issues on behalf of ConnectGEN
11 and the application. Many of those comments have been
12 filed in the administrative record, and I'm not at all
13 going to go through the substance of them today, but I am
14 going to highlight a few of them and ask that the
15 Commission address them and, at least on a going forward
16 basis, ensure that there's some guardrails on this process.

17 The county filed some pretty extensive comments
18 on the Commission's jurisdiction that have gone unresponded
19 to. In prior proceedings, the Commission has clarified its
20 jurisdiction through a business meeting, through the five
21 commissioners, through an opinion by the General Counsel
22 Office. In this case, we really ask the Commission to
23 weigh in on this issue in a formal manner, and that has not
24 occurred.

25 Secondly, the application that was filed was

1 grossly deficient between January 3rd and January 11th. In
2 fact, disclosures that we received under the Public Records
3 Act indicate that staff may have even felt that that
4 application was deficient, maybe needed to be refiled.
5 But, instead, the application was allowed to go forward.

6 The county, on the other hand, has a duty under
7 AB 205 to review and comment on the application -- in fact,
8 it's required by law to do so. And as part of that, it
9 filed a cost reimbursement request in order to get
10 reimbursed for its participation in the proceeding. And
11 that was objected to by staff and summarily denied. And it
12 was denied outright, and it was asked to be withdrawn. We
13 have since refiled that cost reimbursement request, but
14 there was no guidance around that process. And while the
15 staff got to supplement their application, the county was
16 told to withdraw its reimbursement request.

17 There have been no information requests of the
18 county to date, as far as I know, other than an early
19 request in 2022 of Mr. Hellman having the offer -- getting
20 a copy of the county's wind ordinance. The county is a
21 required reviewer under AB 205. It was clear in the denial
22 for the reimbursement request that the county's
23 participation was needed or at least wanted, yet there has
24 been not a single request from staff. The county has
25 reviewed this project for over five years. It has more

1 information about this project than most anyone in the room
2 and certainly can provide more detailed information to the
3 CEC.

4 In terms of the community benefits plan that's
5 been put together by the applicant, we believe that there's
6 been a complete lack of transparency on this item. We
7 filed detailed comments this morning in the docket that
8 you've read or you can read or the public can read
9 outlining the process to date. We believe that there's
10 been misrepresentations about the community benefits plan.
11 There is not any negotiations ongoing with the Community
12 Foundation of the North State. We filed an information
13 request of the applicant. They refused to give us the
14 information, and now we've asked staff to issue a data
15 request or at least call for an investigation as to how
16 this process has been manipulated since the filing of the
17 application. Our comments are in the record.

18 Also on the public inconvenience and necessity
19 item, I would note that several of the initial slides of
20 ConnectGEN were dedicated to this issue, that this is the
21 only project that is needed in the state. That's not true.
22 We will be providing testimony in the form of the scoping
23 comments on December 4th and later on in the procedures
24 showing that if you look at the CAISO interconnection
25 queue, you look at the NP15 load forecasts, you look at

1 regional forecasts in the area, this project is not needed.
2 And so we do not believe that the public convenience and
3 necessity demands that the Commission approve this project
4 and -- or that it can make those findings, which
5 essentially those (indiscernible 01:22:05) that the
6 applicant wants the Commission to override the county's
7 wind prohibition and build the project in spite of what the
8 Board of Supervisors adopted.

9 A few other couple of minor points. One, there
10 was a docketing error related to the notice of completion
11 determination. We pointed that out in the record. We
12 followed up with the docket unit this week who put in
13 writing that there was an error. And normally that's an
14 inconsequential item and not something I, as a lawyer,
15 would bring up, but it determines the 270-day shot clock.
16 It determines the 30-day notice of preparation shot clock,
17 and that issue has gone uncorrected. The newspaper notice
18 for this proceeding was done at the end of February. So
19 the general public, other than the county, really wouldn't
20 have had any constructive notice that the application was
21 being filed until that notice was published in the
22 newspaper at the end of February.

23 I would lastly point out that the notice of
24 preparation has not been posted at the County Clerk's
25 Office as is required by the Public Resources Code and the

1 CEQA guidelines, and thus calls into question whether a new
2 30-day comment period is needed on the notice of
3 preparation.

4 So we ask that the Commission look into these
5 issues, respond to them. We feel like some of these
6 comments are just going into the docket, and they're not
7 being responded to. And we know you're reading them, and
8 we feel that you're genuinely looking at them, but we ask
9 that you address these issues, put some guardrails on the
10 process, and hold the applicant accountable on
11 transparency, particularly on the community benefits plan.
12 Thank you.

13 MS. BADIE: Thank you.

14 Do we have Matthew McOmber? If you can spell
15 your name for the record when you approach the podium.
16 Thank you.

17 MR. MCOMBER: Thank you. Matthew McOmber, M-A-T-
18 T-H-E-W, M-C-O-M-B-E-R. Commissioner Gallardo and
19 Commission staff, thank you for this opportunity to address
20 you here briefly. I won't reiterate points made by our
21 team here, but I am going to, as a courtesy, inform this
22 body and Fountain Wind that today the county, together with
23 the Pit River Tribe, has filed a lawsuit naming the
24 Commission and Fountain Wind in order to have a court
25 determine, as we have, that there is no valid jurisdiction

1 or authority for this project to be considered by the
2 Commission. And those are my comments.

3 MS. BADIE: Thank you.

4 Just a reminder. So -- right now, we're going to
5 ask for comments from tribal leadership, our designees,
6 also other government officials. If you're on Zoom, can
7 you please use the raise hand feature on your screen to
8 notify us if you're in any of these groups. And if you're
9 joining us by phone, you'll press star nine.

10 So next I would like to ask Chairman Yatch
11 Bamford from Pit River Tribe -- if you would like to
12 comment, we would appreciate if you could spell your name
13 for the record as you approach the podium. Thank you.

14 CHAIRMAN BAMFORD: My name is Yatch Bamford. You
15 spell it Y-A-T-C-H, B-A-M-F-O-R-D. Good afternoon,
16 commissioners and CEC staff. My name is Yatch Bamford, and
17 I am the elected chairman of the Pit River Tribe. I am
18 also a member of the Madesi Band of the Pit River Tribe.

19 The Pit River Tribe is a federally recognized
20 Indian tribe consisting of 11 autonomous bands that are
21 aboriginal to the 100 mile square, which is located in
22 Shasta, Siskiyou, Modoc, and Lassen counties. The
23 aboriginal territory of the tribe today consist of all
24 ancestral lands recognized in the 1959 Indian clans --
25 Indian Claims Commission. In its opinion in our land

1 claims case, docket number 347 noted that the tribe's
2 territory includes lands within the 100 mile square. Our
3 tribal trust land today includes the XL Reservation,
4 Montgomery Creek, Roaring Creek, Big Bend Lookout, likely
5 Rancherias, and trust lands in Burney. Our cultural ties
6 to the aboriginal lands are essential to the tribe's
7 identity and the continued existence as a tribe. As a
8 functioning tribal government, the tribe has inherent
9 sovereign governmental powers to protect and promote the
10 health and safety and general welfare of the Pit River
11 people.

12 Due to cultural ties in our aboriginal lands
13 essential to the tribe -- due to the time constraints of
14 this hearing, what follows is a short list of objections
15 from the tribe regarding the proposed Fountain Wind
16 Project. The Commission has previously received our
17 official objections as noted on project docket.

18 Number one, the project is within the Pit River
19 Tribe's aboriginal territory and will directly and
20 significantly impact the tribe and its citizens. The
21 project site is entirely within the ancestral boundaries of
22 the Madesi, Ilmawi, Itsatawi, and Atsugewi bands of the Pit
23 River Tribe. The tribe itself owns multiple trust land
24 properties in Montgomery Creek near the proposed site for
25 the wind turbines. The Montgomery Creek Rancheria

1 currently supports housings for dozens of tribal families.
2 We recently had acquired another 40 acres contiguous land
3 taken into trust for the benefit of the tribe, and we plan
4 to add much needed housing on that property as well.

5 Tribal members will be immediately adversely
6 impacted by the construction of this project in many ways,
7 including, but not limited to, mental and physical health,
8 land health, watershed health, increase landslide
9 potential, and restricted access to sacred waters and
10 springs. Our tribal members are resilient as we have had
11 to overcome genocide and the loss of our lands to settlers,
12 but we are still here. Despite all the terrible things
13 that occurred in our area in the past 150 years, our tribal
14 members are hoping for a better future. Unfortunately,
15 this project will be another direct hit on their ability to
16 live freely.

17 We are also concerned about the protection of the
18 important tribal cultural resources and the permanent
19 destruction of traditional historical areas that are
20 integral into the identity of the Pit River people which
21 cannot be mitigated. There are no mitigation measures
22 available to reduce the impacts to tribal cultural
23 resources below significant. Instead, Fountain Wind is
24 asking us to give up these resources for the benefit of
25 outside investors.

1 Number two, the project infringes on the tribe's
2 freedom of religion and cultural practices. Pit River
3 people have a sacred responsibility to maintain the health
4 and integrity of our lands, including the plants and
5 animals that live there for future generations. This
6 responsibility is passed on through our oral traditions
7 that tie us to the topography of the land. This
8 responsibility is a central element of our spiritual
9 traditional ceremony, practices, religious expressions and
10 identity. The project site has been a place of refuge for
11 the tribe since time immemorial for ceremony, healing,
12 prayer, fasting, hunting, gathering, and other sacred
13 traditional uses. The project will directly impact our
14 ability to participate in these traditional, religious, and
15 cultural practices. There are no mitigation measures
16 available to reduce the impacts of this project on the
17 tribe's freedom to practice our religion, which involves
18 the protection of the lands that will be impacted for this
19 project to be built and operated.

20 Number three, the tribe's water and biological
21 resources will be detrimentally impacted. The waters that
22 flow in and around the project site are of great cultural
23 significance to the tribe. The diversion of water for
24 construction of the project will cause erosion and habitat
25 loss, adversely impacting the biodiversity of the area and

1 these important resources to the tribe. The project will
2 also impact eagle and other waterfowl habitat and the
3 wetlands and plant species in the area. There certainly
4 are no mitigation measures available to mitigate the harm
5 that protection -- the project will have on the water and
6 biological resources. There will be sacrifice -- they will
7 be sacrificed for this project to occur.

8 Number four, the proposed project lacks community
9 benefit. The tribe contends that Fountain Wind has
10 submitted an illegitimate contract naming the Shasta
11 Regional Community Foundation as a recipient of funds to
12 distribute locally. Fountain Wind did this to meet the
13 requirements of Public Resource Code 25545.10. The tribe
14 has learned from members close to the organization that the
15 foundation wants nothing to do with Fountain Wind or its
16 project. We call on the CEC to view the community benefits
17 agreement submitted by the applicant as having served to
18 trick the CEC into deeming its application complete,
19 because that is what it did. The entire document, as it
20 relates to both the tribe and Community Foundation of the
21 North State, is unequivocally false and misleading. In
22 short, we have no intention whatsoever of accepting any
23 financial support from Fountain Wind in any way. We note
24 here that Fountain Wind presented similar false statements
25 to Shasta County during its first and second attempt to

1 have the project approved at county level. They stated in
2 a press and at the hearing that the Pit River tribe would
3 benefit from specific payments to the tribe. The Pit River
4 tribe has always rejected the idea that any amount of money
5 could mitigate the ongoing harm that the project would
6 cause to the land and to our members. We have no intention
7 of taking any funds from Fountain Wind.

8 Number five, the project unacceptably increases
9 the risk of wildfires in our aboriginal territory. The
10 project is located within the PG and E service territory
11 and will interconnect with PG and E infrastructure,
12 increasing the risk of ignition during the construction and
13 operation of the project. PG and E's failing
14 infrastructure and lackluster safety maintenance history do
15 not inspire confidence in their ability to prevent wildfire
16 at or near project site. Additionally, the urbanization of
17 the site will further exacerbate the risk. The site is a
18 high fire risk by the very nature of its topography. We
19 cannot afford another catastrophic wildfire in our
20 aboriginal territory.

21 Number six, the project harms the tribe's current
22 and future economic development goals. The tribe's economy
23 is significantly dependent on tourism, which will be
24 negatively affected by the aesthetic, biological, and
25 detrimental health impacts associated with the project.

1 The placement of 48 of these behemoth structures in the
2 middle of our forest is unimaginable. The project will be
3 a drain on what little economic opportunity there is in
4 this community and further hamper the progress of (sic) the
5 tribe has made to overcoming generational poverty resulting
6 from a history of genocide and the ongoing attempts to
7 destroy the tribe's aboriginal way of life. In short, this
8 project serves only to create revenue for Fountain Wind and
9 its distant investors, but does nothing but harm to the
10 tribe and the surrounding communities' economic outlook.

11 Number seven, the project recognizes the goals of
12 the state and its pursuit to clean energy transition.
13 Furthermore, the tribe in no way opposes renewable energy.
14 However, we feel that it is not the charge of the tribe to
15 suggest alternative technologies or project. What we do
16 know is that Shasta County is not the place for this
17 project generally and this technology specifically because
18 of the topography and rural nature of the area.

19 Number eight, construction and decommissioning of
20 the project may disturb the unmarked graves of our
21 ancestors. The highlands and ridges in the project area
22 are locations where specifically trained tribal members
23 would go for traditional purposes and may have ultimately
24 become the final resting place for those traditional
25 people. The presence of cultural obsidian within -- near

1 the project site is indicative of prior use. The potential
2 disturbance of our ancestors' final resting place is deeply
3 upsetting to the tribe. It is against the tribe's deep
4 cultural beliefs to remove, disturb, or displace our
5 ancestors.

6 Number nine, significant tribal cultural
7 resources will be impacted by construction, operation, and
8 decommissioning of the project. The project will impact
9 viewshed of Snow Mountain, Lassen Peak, which are held
10 sacred by the tribe. Additionally, tribal cultural
11 resources have already been impacted near the project site,
12 and it's very likely that additional discoveries will be
13 made due to ground disturbing activities during
14 construction. The tribe has deep cultural knowledge of the
15 project site, and the CEC must listen to our expertise.

16 Number 10, the project has already been
17 thoroughly vetted and opposed by the tribe and residents of
18 Shasta County. As you are aware, the tribe participated
19 extensively in the first attempt at this project. Tribal
20 leaders and members took the time out of their busy lives
21 and their own -- at their own expense to show up in person
22 and to oppose this project. We stand in unity with Shasta
23 County leadership. The Fountain Wind should not be given a
24 second bite at the apple, and the CEC should not stand for
25 itself being used as a political tool for corporate

1 interest. We stand resolutely in reminding the CEC that
2 they are officers of this state and serve the people of
3 this state. The residents have made their objections to
4 this project crystal clear by passing a ban on large wind
5 energy projects because they're not appropriate for this
6 area. With all of the new technologies being developed for
7 microgrids and local power generations, we believe that
8 extraction from our aboriginal lands for power to be sold
9 into the grid is not a solution that the CEC should choose.
10 We stand in opposition of the project. Thank you, guys.

11 MS. BADIE: Thank you.

12 Next, we have Brandy McDaniels from the Madesi
13 Band.

14 Brandy, if you're in person, please approach the
15 podium. And if you're online, can you please use the raise
16 hand feature on your screen to notify us you're online?
17 Thank you. And then if you could spell your name for the
18 court reporter, that would be helpful. Thank you.

19 MS. MCDANIELS: Brandy McDaniels, B-R-A-N-D-Y,
20 McDaniels, M-C-D-A-N-I-E-L-S. Okay. Can I move this over,
21 yes? I can? I'm down an arm, so bear with me.

22 (Speaking Achumawi). My name is Brandy
23 McDaniels, Madesi Band cultural representative for the Pit
24 River Nation. I oppose ConnectGEN's Fountain Wind Project,
25 as does my band and the wider Pit River Nation per their

1 previous resolution.

2 It is totally unbelievable that we are here today
3 after years of vetting this project, and we are now in year
4 seven in which our community educated ourselves on this
5 project and overwhelmingly opposed it. We are against this
6 project. Our Shasta County Planning Commission educated
7 themselves, and they voted it down, as did the Shasta
8 County Board of Supervisors. These are the homelands of my
9 people. This project is proposed to sit on our ancestral
10 lands approximately two miles from our reservation where my
11 people live and are still trying to build and rebuild our
12 communities with extreme lack of resources, in which some
13 of our people still live without running water and
14 electricity, continued injustices for my people.

15 While we are not rich -- we're not a rich tribe -
16 - we are rich in our connections to our land, our culture,
17 our ecosystems, and the pure water resources that these
18 lands provide. This hearing today is not happening in the
19 affected community. As a result, this creates a hardship
20 to those affected. While this is a hybrid meeting, we
21 don't have cell service in many of the areas my people
22 live. We talked about fire today, right? We have had too
23 many fires, right, all around us, right, in cities --
24 taking out entire cities, and they couldn't stop those
25 fires, right? We've already been there, and we're -- as I

1 said, we're still rebuilding from those fires. We have
2 schools that are shut down and haven't been able to reopen
3 because those people have not been able to overcome those
4 barriers to be able to come back home and rebuild. And
5 they want to come back home. They're willing to live
6 without water and electricity to be in our homelands,
7 because to our people, our land and ourselves are one of
8 the same, and you cannot be a whole person without each
9 other.

10 This project is not green or clean and can never
11 offset its carbon footprint or restore the land and
12 ecosystem it will destroy. Tying into a known dangerous PG
13 and E line makes no sense. PG and E knows the lines are
14 dangerous and constantly, on a regular basis, are turning
15 them off due to this. We are the Pit River Nation, and the
16 symbol of our people are the three salmon. Those three
17 salmon and all the salmon can no longer come back to their
18 homelands due to the damming of the Pit River by PG and E.

19 So we have already been doing our part to
20 contribute to your green and clean energy for a very long
21 time to the sacrifice of our people. How much more do my
22 people have to suffer and give and sacrifice, especially
23 for a fake green energy project? On that note, ConnectGEN
24 has proven to have no integrity and cannot be trusted,
25 continuing to use our name to confuse the public that we

1 support the project in -- which we adamantly, adamantly are
2 opposed to it and the destruction it will cause to our
3 ancestral lands.

4 Earlier this month, my 11-year-old's class voted
5 to invite their families to class to give presentations of
6 what they are thankful for. Their teacher was surprised as
7 kids this age are usually embarrassed of their families.
8 Yet these young children already understood the importance
9 of community. And, overwhelmingly, almost every student
10 expressed their thankfulness for water, nature, and animals
11 in their presentations. This is exactly what these lands
12 offer, the community benefit of water, nature, and animals.
13 Even school children know this. An ecosystem that provides
14 a real buffer against climate change.

15 The Pit River people, we are a living, breathing
16 people that rely on these lands. We are not just an
17 archeological site that Henry Woltag over here can talk
18 about. No, it's not just sites. We use these lands, we
19 gather on these lands. The medicinals are on these lands.
20 The -- everything is on these lands. These lands are the
21 store -- the topography of these lands tell the narrative
22 of our people, And any act to destroy that is an act of
23 trying to remove our people from history. And the history
24 of our people is the history of this nation, of this United
25 States.

1 We have already been dragged through the CEQA
2 process. It makes no sense to do it again. There is no
3 statements of overriding considerations. There are none.
4 We've already been through this. How much longer are you
5 going to do this to us? We are suffering because of -- we
6 are living in complete fear over this project, our
7 community.

8 In closing, I just say I thank our community
9 members for traveling here today during this holiday season
10 to protect these lands that are dear to all of our hearts.
11 (Speaking Achumawi). I am thankful for our county of
12 Shasta, our community. (Speaking Achumawi). I send love
13 to all my relations. (Speaking Achumawi).

14 MS. BADIE: Thank you.

15 Next, if we can hear from Feather Wolfin from the
16 Ilmawi Band.

17 And just a quick reminder to spell your name for
18 the court reporter, please.

19 MR. WOLFEN: Okay. My name is Gregory Wolfin, G-
20 R-E-G-O-R-Y, W-O-L-F-I-N. So I also have Radley Davis with
21 me as well. So I am an elected representative of the
22 Ilmawi Band, one of 11 bands of the Pit River Tribe. And
23 so we're one band that would be ultimately affected by the
24 project. Not the project per se, the windmill
25 installation. It would be towards Pit 1. And so that

1 includes some of the auxiliary facilities, whether it's
2 trenching or whatever else. And so that area is within our
3 ancestral band area. And so I kind of want to open up my
4 statement with a quote from an indigenous intellectual.
5 His name was Vine Deloria, Jr. And so it'll kind of
6 summarize, you know, the testimony that Brandy had
7 provided, as well as our chairman Bamford. So, "The
8 primary difference between the western and indigenous way
9 of life is that Indians experience and relate to a living
10 universe, whereas Western people reduce all things to --
11 living or not, to objects."

12 And so with the tribe's previous testimonies and
13 even the testimonies today, we're talking about
14 spirituality, we're talking about connectivity, we're
15 talking about epistemologies that are ancient. So this is,
16 you know, pre Doctrine of Discovery Papal Bull of Inter
17 caetera, as well as the United States Constitution and so
18 forth. And so what -- the Pit River people had existed
19 within these areas since time immemorial. So when you do
20 research on the Pit River Tribe, you begin to really
21 understand our interconnectivity to the area where our
22 culture, identity, everything else is shaped with our
23 environment and ecosystems. And so with this area being
24 within the territorial boundaries of the Madesi Band, as
25 well as Itsatawi and Atsugewi -- but there's one tribe

1 that's not represented, so that's Yana. And so if you
2 start doing research to why they're not there, it's because
3 they were decimated. They suffered, you know, mechanisms
4 of genocide and lands taken, property taken, and their
5 lives taken as well. So that's why they're not here to
6 provide a testimony to this very day.

7 And so I also want to point out the AB 205 and
8 overreach. You know, despite the Shasta County Planning
9 Commission, as well as the Board of Supervisors -- you
10 heard, you know, two supervisors provide testimony as well
11 to reject the project. And so here we are again. And I
12 also noticed that there was a lack of transparency with the
13 public benefits. And, also, as Brandy mentioned before,
14 how ConnectGEN had used the tribe's name and really just
15 was deceitful with that and continue to utilize the tribe's
16 name as well as some type of conversation that was had
17 between an employee of the tribe and ConnectGEN. And so
18 we've reached out to ConnectGEN to remove it, and they
19 would not, so that we have a lack of trust.

20 Another thing I want to mention is locality and -
21 - for the scoping meeting. This meeting ought to be
22 occurring within the Intermountain area, within the area of
23 impact. And so with that, it's -- it's a method, right?
24 It's a way to kind of get more people kind of in informed.
25 I guess you would say out of sight, out of mind, but it

1 should be taking place within the Intermountain area where
2 people live. And so, as Brandy provided testimony of the
3 impact of the fires in the area, is as -- you guys need to
4 hear the voices of the locals, so the people who live
5 within these project areas and who would be ultimately
6 impacted by mega fires.

7 And so I just -- (indiscernible 01:52:05) want to
8 toss that out to you all. And so another concern of mine
9 would be the influx of traffic of construction. So we've
10 had many fatalities through 299 that's from, you know,
11 construction workers or other industry that's occurring.
12 And so when you're in tour season as well, it's really
13 congested. And so we'll have an (indiscernible 01:52:32)
14 influx of people traveling through the area and really just
15 jeopardizing the safety of the local community as well as
16 travelers and disadvantaged communities. It's also a
17 mechanism to really just leave out the people of ground
18 zero, you know, people of impact and to really just negate
19 their availability to be present at these meetings.

20 So the reason why we're here or why I'm here, you
21 know, AB 52 tribal consultation, I think that's the only
22 mechanism that would allow the tribe to have a voice. And
23 so while doing some research -- it was really tossed out
24 within these documents of the privatization of the land.
25 And it's only private because it was taken from indigenous

1 peoples, right, mechanisms of genocide. Then you have
2 subsequent dominion of indigenous peoples through one law
3 at a time -- one inch at a time, land was taken. So the
4 only thing that we have, the Pit River Tribe has, is the AB
5 52 to be able to consult with the State of California, with
6 the CEC, but not with ConnectGEN or whomever else. And so
7 I've sat in meetings and had discussions with ConnectGEN
8 and with these individuals who they've consulted with -- to
9 -- people who've researched the Pit River Tribe, but they
10 didn't reach out to the Pit River Tribe, they didn't
11 consult with the Madesi Band, Itsatawi Band, Atsugewi Band
12 or the Pit River Tribe. They just sat back, took notes to
13 what was said or expressed to our concerns to our spiritual
14 impact of the area. And that's really about it. And so
15 when we did have meetings, the tribe and these
16 representatives disagreed to this project, and we have
17 expressed this ever since this project has come up to our
18 radar.

19 And so I want to read off a CEQA guideline to
20 include questions related to impacts to tribal cultural
21 resources. Section 17, tribal cultural resources. So
22 would the project cause a substantial adverse change in the
23 significance of tribal cultural resource, defined in Public
24 Resource Code section 21074 as either a site, feature,
25 place, cultural landscape that is geographically defined in

1 terms of the size and scope of the landscape, sacred place,
2 or object with cultural value to California Native American
3 tribes, and that is the tribe -- I'm sorry -- has expressed
4 these concerns via resolution and testimony. So that's
5 what we've done. We've provided testimonies, we've
6 provided a resolution in opposition to this project. And
7 so it's just interesting how this is a third go around.
8 And I want to say that, you know, even five more meetings
9 down the line we'll be here to oppose the project and
10 oppose, like, the AB 205 process. And so what I do want to
11 say is, these areas of impact would impact the spirituality
12 of the band, you know, past, present, and future. These
13 places have been used since time immemorial to find power
14 and place, right? Your -- the reason and purpose to why
15 you exist in this day and age and whatever else. And so
16 that's why we are here to provide this testimony and to
17 oppose this project to you all, to the CEC as well as
18 ConnectGEN.

19 So with that, you know, I want to end my
20 testimony and allow Radley Davis to speak. Thank you.

21 MR. DAVIS: My name is Radley Davis. I'm Ilmawi
22 citizen of the Pit River Nation, R-A-D-L-E-Y, D-A-V-I-S.
23 And I'm just one of the many people who use the land, who
24 have immense respect for our lands and support the tribes
25 and county and everyone else's determination that the

1 project will adversely impact not just the land but the
2 tribal cultural resources and the ability to continue for
3 cultural use.

4 There are no sufficient mitigation measures that
5 would lessen the massive impact the proposed turbines and
6 road development would have on the rural and forested area.
7 The impacts on tribal cultural resources would be immense
8 as tribal cultural sources are both site specific and also
9 encompass a spiritual understanding and relationship to the
10 landscape, wildlife, visual sources, and soundscapes.
11 These turbines and their supporting infrastructure would
12 continue the legacy of extraction and exploitation for the
13 goal of others outside of our region. We know this by --
14 because of the -- which was mentioned earlier about, like,
15 Shasta Dam. We don't enjoy that resource that goes down
16 south. When our electricity goes out, Hatchet Ridge Wind
17 does not affect us nor would these wind turbines. They
18 would go somewhere else. We would be a community who would
19 be -- because we're rural and considered out of sight out
20 of mind and poor, that this would be a legacy of where
21 other -- we feel other big, mega infrastructures and these
22 developments would come and make their home. It's not what
23 it needs to be or should be. That was said in the other
24 hearings.

25 Now, you all claim to be with CEQA -- part of the

1 process, a process that we acknowledged and that we
2 respected. And that's what we do, we respect the systems
3 and processes. I take it you reviewed CEQA before you got
4 here. I'm just going to quote from the 2023 CEQA
5 guidelines right on the front page of your own website, and
6 the very quote on the first -- when you click in. I won't
7 read it all to you, but I want to -- environmental impact
8 report on negative declaration determination by lead agency
9 finality consultation. "The lead agency shall be
10 responsible for determining whether an environmental impact
11 report, a negative declaration, or a mitigated negative
12 declaration shall be required for any project which is
13 subject to this division. That determination shall be
14 final and conclusive." That's the law. That was done way
15 before you were involved, way before AB 205. And that
16 needs to be respected. That's the law. And Shasta County
17 exercised that. Yeah. The other person who read and
18 talked about the draft environmental impact report when it
19 came out, and there was -- they wanted to do a mitigation
20 using the statement of overriding considerations. It's
21 okay to kill eagles, it's okay to kill bats, okay to kill
22 any other species on -- that's listed for protection,
23 federal level, state level. Our lives, they don't care
24 either. During that time, by the way, we were surrounded
25 by fires, we were being choked by smoke, we were being

1 impacted by COVID. But that impacted us. And we asked for
2 reprieve for even a year or more, but we began to work
3 together and came together, and we dealt with the final
4 environmental impact report. So the other person that
5 talked about we need to -- we're going to find out and have
6 these meetings for you, well, guess what, I'll answer it
7 for you, it's been done for you. Our -- we've done the
8 work for you already. Recognize your rules, your law.
9 It's already been done. The CEQA process has been done
10 deeply, very deeply. How could you not recognize that? I
11 know that -- the governor is not here. He should be here.
12 My tribal chairman is here. You know, the staff are here
13 for a consultation. Our governor needs to be here. That's
14 who we work with. He signed that law.

15 So I'm going to quote one more thing here that's
16 related to that. On March 29, 2012, Pit River Tribe, my
17 tribe, adopted the United Nations Declaration on the Rights
18 of Indigenous Peoples, which was adopted by the United
19 Nations General Assembly in 2007. I invoke this to bring
20 up Article 32, part two, which states, "States shall
21 consult and cooperate in good faith with indigenous
22 people's concern through their own representatives,
23 institutions in order to obtain their free and informed
24 consent prior to the approval of any project affecting
25 their lands or territories and other resources,

1 particularly in connection with the development,
2 utilization, or exploitation of mineral, water, or other
3 resources." So what I say to you is that we -- with AB
4 205, the tribe wasn't consulted, the county wasn't
5 consulted, the city wasn't consulted. Where was the
6 consultation for this law? That -- who developed this?
7 It's a flawed law. And what time do we get? You couldn't
8 even say how much time we have. And it's very true. The
9 impacted area is up in the mountains, not here. There's
10 the elders in here right now I talk with, their children
11 did not want them to drive here, you know, their adult
12 children, because it's getting dark. They knew that they
13 got to go back to Big Bend. You're putting us at risk
14 right now. You did not think about this. And our concern
15 is that we have to go through this, and you're -- and so
16 there's all these different processes, but that's what
17 we're doing. We're following the process. So I say to you
18 that, yeah, take these considerations, the full record from
19 the county. The -- there is a bad recording at the
20 college, 11 hours of testimony. I don't know if that's
21 truly captured from the testimony that was given there, and
22 that was a very important testimony. But all the testimony
23 is important. And the other thing about what the other
24 person said earlier from your staff about everybody's --
25 your comments count. Well, in the final environmental

1 impact report, we looked for all the other tribes that
2 supported and the no to Fountain Wind. It finally said
3 their letters were in the appendix, that they did not
4 follow CEQA. So thank you for submitting a letter, but it
5 did not follow the process of CEQA. So those letters were
6 not considered. So I say to you, no, that's not true. The
7 -- you have to follow the rules of CEQA, answer them
8 effectively, scientifically in that process. So it's not
9 fair. I think it needs -- all these things need to be
10 looked at and amended. If you're going to do -- have good
11 due diligence on this and other projects, then you need to
12 look at the law that you're working with and look at the
13 flaws in it. Where's the Native American Heritage
14 Commission? I think they should be up here too. There's
15 nine people in that circle. They should be obligated --
16 you should make sure that the Native American Heritage
17 Commission has an obligation to be here. They're elected
18 by their tribes appointed by the governor. There's just so
19 many things that it just seems like the system -- that
20 we've done for you, that you're redoing it again. And
21 that's why it doesn't make any sense to any of us. It
22 should -- you should take this and think about it, because
23 it won't make any sense. And I know other people are going
24 to talk, but there's just more -- there's not any long-term
25 jobs. Where are the long-term jobs? The Hatchet -- is

1 there long-term jobs? No, there's not. The fires that are
2 around us -- mega fires, as Feather mentioned, we -- that's
3 what we are faced with, and it's not going to change. And
4 if you really consider listening to us about what would be
5 good energy that would be done by here, controlled by our
6 community and looking at that, put your energy and money
7 towards that. That's what AB 205 should be doing. Not the
8 citizenry -- arguing that the citizenry of California and
9 using climate crisis as an excuse -- and who cares about
10 what Shasta County thinks? We're looking at the total
11 citizenry. And so you're going to exercise a statement of
12 overriding considerations? I say to you that that's what
13 you should review is your own policies and use that as how
14 flawed it is. And everyone else that is here to not
15 support Fountain Wind, that that's what Ilmawi and Pit
16 River Tribe says to you is to not support this project and
17 consider anymore beyond this.

18 MS. BADIE: Thank you.

19 Next, we're going to hear from Agnes Gonzalez
20 joining us virtually from the Madesi.

21 I'm going to open your line, Agnes. You'll
22 unmute on your end, and you may begin your comment. Please
23 spell your name for the record as well.

24 MS. GONZALEZ: (Speaking Achumawi). Good
25 afternoon. My name is Agnes Gonzalez, A-G-N-E-S, G-O-N-Z-

1 A-L-E-Z. I'm a Pit River Tribe Madesi Band member and a
2 council rep.

3 I'm here today to voice the Madesi Band's
4 opposition to the ConnectGEN's Fountain Wind Project. The
5 project site is within Pit River Tribe's ancestral
6 boundaries of the Madesi, Ilmawi, Itsatawi, and Atsugewi
7 Band. The Madesi Band has an honor of duty to protect and
8 promote the health, safety, and general welfare of our
9 tribe and natural resources. A key challenge facing the
10 wind industry is the potential for turbines to adversely
11 affect wild animals, both directly via collisions as well
12 as indirectly. Turbines produce noise and alter visual
13 aesthetics, reported health risks -- wind turbine syndrome
14 is an idea that wind power endangers the health of people
15 who live near windmills. Reported symptoms include
16 headaches, nausea, sleep problems, night terrors, tinnitus,
17 irritability, anxiety, concentration and memory problems,
18 and issues with equilibrium and dizziness. Data from a
19 meteorological field campaign shows that such wind farms
20 can significantly affect near surface air temperatures.
21 These effects result from enhanced vertical mix due to
22 turbulence generated by wind turbine rotors. There's
23 research that shows that the operation of wind turbines
24 will cause significant drying of the soil, thus endangering
25 our land. And this drought effect differs significantly

1 according to season and wind direction. We can assume that
2 the baseline wind energy resource is a constant. Why would
3 wind energy potential change because of climate change? At
4 the most fundamental level, winds are driven by the unequal
5 distribution of the sun's energy across the surface of the
6 earth, which in turn creates regions of different
7 atmospheric pressure. Disadvantage of wind energy is it
8 needs wind to work. Wind turbines should be placed in
9 spots where wind flow tends to be particularly strong. The
10 wind turbines that are located in our ancestral territory
11 don't always operate, and I've witnessed that myself. The
12 blades at times can be seen at a standstill, and there's
13 turbines that have blades that are broken off.

14 The application for the project was already
15 denied by the county for valid reasons at both the Planning
16 Commission and Board of Supervisors levels, yet the
17 Commission is asserting jurisdiction. This authority was
18 not granted by the legislature. This action to illegally
19 overturn the county's action without judicial review should
20 not be allowed to continue. The tribe has been opposing
21 this project for many years, and the threat of this project
22 impacts our tribal members' mental health. I ask this
23 matter be resolved by denying this project's application.
24 I ask this application be denied. I have so much more to
25 say, but I know that it was stated earlier that we

1 shouldn't repeat what was stated in the past. But I just -
2 - I got to know, you know, if the turbines fell into
3 disrepair or the chemicals and lubricant inside the
4 turbines leak, who's going to be there to put the fire out?
5 I just don't believe that our -- that we have the
6 emergency, you know, providers knowledgeable to handle an
7 emergency of this -- of an -- of a magnitude that a
8 collapsed windmill would cause. So that's something that I
9 really ask that you all think about. I mean, I know we've
10 talked about fire here. I don't have to say it over and
11 over, you know, that the tribe has been opposing this.
12 This is the third time that I've spoken, you know, opposing
13 this application, and I'm going to show up every time. I
14 can't be there in person this time, but I'm in opposition,
15 and I'll continue to be in opposition, as well as my band
16 and the tribe. And I thank you for giving me the time to
17 speak today.

18 MS. BADIE: Thank you.

19 Next, we're going to hear from Louise Davis from
20 Itsatawi Band. And then after that, we'll hear from
21 Russell Ellick from Atsugewi. I'm sorry if I've
22 mispronounced your band name. Thank you.

23 Louise, if you can also spell your name for the
24 court reporter before making your comment, that would be
25 helpful. Thank you.

1 MS. DAVIS: Can you hear me? Good afternoon. My
2 name's Louise Davis. It's L-O-U-I-S-E. Davis, D-A-V-I-S.
3 I am a citizen of the Itsatawi Band of the Pit River
4 Nation. Can you still hear me? I feel like it's echoing.
5 As a tribal member and a citizen of my nation, we -- I'm
6 opposed -- we are opposed to the ConnectGEN project. This
7 is actually the third time we've been here. And just as
8 our chairman had said and our past chairman, I'm, you know,
9 in support of what chairman Bamford had said, Councilman
10 Wolfen, and all the other tribal people that are in the
11 room today and all the people that object to this project.
12 Again, just like Bradley had said, this should be held
13 where the project is going to be. And it is not, because
14 they're all opposed. And you come again and ask, well,
15 we're going to push this through, which you're pushing over
16 people that we live there. That's our area. In our
17 creation stories, it says we are created from that land.
18 My DNA is in that land. You, a company -- and I don't know
19 why ConnectGEN has a company -- or what's it -- you have a
20 seat at the table. We should have that seat at the table.
21 We are from there. Our DNA is in that land. Whatever
22 happens to that land happens to us. Things are destroyed
23 that can never be replaced, areas that we pray. We're not
24 going to tell you what specific place we're going to go
25 because that's our area. That's where we go. We pray, we

1 bury our people there, we go and we mourn the loss of so
2 many things that have happened into our area. Our people
3 have been devastated over and over again. And all we ask
4 is to let us be. Let us take care of the land that we were
5 meant to take care of, where we were placed. We were
6 placed there to take care of that land. And, again, just
7 like -- all the people that live in that area, they don't
8 want it. Why do you come and come again? So, again, we
9 are opposed, and we will be there. Each time you come and
10 ask or have any type of meeting, we will come, and we will
11 be there, and we will be oppose -- if you even try to go
12 and plant or build, we will be there. We will be there to
13 oppose any kind of building in the area. Thank you.

14 MS. BADIE: Thank you. Do we have Russell
15 Ellick? Thank you.

16 MR. AFSON: Hi, my name is Awigust Afson. It's
17 A-W-I-G-U-S-T, A-F-S-O-N. And I just want to say, as a
18 member of the Itsatawi Band, we oppose this project, and we
19 always will. And you -- this project has been denied
20 multiple times, again, like my people are saying. And I've
21 been speaking at these things since I was 15, 16 years old.
22 I'm 18 now. And just like those European ancestors tried
23 to get rid of us and failed, so will this project. You
24 people will fail trying to get rid of us. We will always
25 be here, and we'll always fight this. Thank you.

1 MS. BADIE: Thank you.

2 Next, we have Russell Ellick. Just a reminder to
3 spell your name for the court reporter. Thank you.

4 MR. ELLICK: My name is Russell Ellick. I am a
5 member of the Atsugewi Band of the Pit River Nation. I'm
6 also the cultural representative of the Atsugewi Band of
7 the Pit River Nation. I'm also a member of the RTOC, which
8 is the EPA Regional Tribal Operations Commission (sic).
9 And so myself and Feather are a part of that organization
10 as well.

11 And we're here today. I thank everybody for
12 being here. It's been a -- you know, it's been a long day.
13 There's been a lot of testimony here today, and I just want
14 to thank everybody for their points of views and for their
15 attendance. And on behalf of the Pit River people, on
16 behalf of the Atsugewi Band, we oppose this project, and
17 for many reasons. You know, one of the main reasons that I
18 stand here today is to say that I live in Hat Creek. Our
19 territory spans Mount Burney all the way to Mount Lassen,
20 to Bald Mountain. And so every day I wake up, I see the
21 blinking lights of the wind turbines, I see the direct
22 effects, you know, of what that project -- when it was
23 developed, because I was a part of that project, because we
24 opposed that project of the Hatchet Ridge Project. And
25 just like we stand here today, we opposed that then, and we

1 oppose this project now for the simple and direct effect
2 that it opposes (sic) on our people. You know, when I was
3 a kid, I remember stories being told of our ancestors that
4 as a part of our development and as a part of our coming of
5 age, we would go to the high places. And at these high
6 places, we stood and we looked as far as our eye could see.
7 You know, with this proposed project -- this Fountain Wind
8 Project, that directly affects that ability to grow and to
9 develop and see the power that we're expected to see when
10 we do go to these high places for those specific reasons,
11 you know. So there are a multitude of stories that I --
12 that our people could tell you if you guys would come up
13 and take the time to listen to our people, you know. And
14 so I'm just one of many people that oppose this project.
15 And, again, I stand here today and say that we as the Hat
16 Creek people, we oppose this project. Thank you.

17 MS. BADIE: Thank you for your comment.

18 Next, we have Shaleesha Ward from the Madesi
19 Band.

20 Shaleesha, if you're here.

21 MS. WARD: Good evening. My name is Shaleesha
22 Ward, S-H-A-L-E-E-S-H-A, Ward, W-A-R-D. I come from seven
23 different California tribes plus Cherokee. Most of the
24 time people don't want to say you're Cherokee when you're
25 native because of course the majority of other people say

1 they are. But I come from three of those band areas that
2 are affected. I come from the Madesi -- I'm the Madesi
3 cultural rep for my band -- the alternate cultural rep. I
4 am Atsugewi from Hat Creek, and I am Yana. Like Feather
5 had mentioned earlier, the Yana are gone, but on the
6 census, my grandmother's grandpa is listed on there.

7 So I'm here today to let you know that I oppose
8 this. I grew up in Montgomery Creek as a lifelong member.
9 Where I live, my grandfather occupied this land in the
10 70's. So I've been occupying land my whole life. Where I
11 grew up, the people that are going to lease this land are
12 trying to give my tribe land, 500 acres on top of the 40
13 acres that we are already occupying. So I grew up along
14 this creek, Hatchet Creek that is, and one of the creeks
15 that come off of that sacred mountain up there. And in
16 that creek -- in that -- well, I am 36 years old, so in '92
17 when that fire happened, I was five. And so I've watched
18 those trees. My home burned up in that area. I grew up in
19 that creek, and watching all the plants and all the
20 resources come back that we used as sacred resources to
21 make baskets where -- along Hatchet Creek, a part of where
22 they're going to give our tribe back our land, Hatchet Fall
23 sits, and that's a woman's spot -- and to know my tribe is
24 going to get that land back and to be able to say I could
25 take my niece there to gather basket materials. But you

1 put this project up and it affects the waterway, then what?
2 Then you -- the water goes somewhere else. You poison the
3 water, something happens to the water, that water flows
4 into the Pit River, which the Pit River goes into the
5 Sacramento River goes along and feeds all you guys
6 (indiscernible 02:19:28) the fruit and vegetables.

7 But what I have to say is -- so being a lifelong
8 member, swimming in this creek, being connected to this
9 land, like everybody else stated, these lands -- those
10 mountains -- when you're in Redding, and I look up that way
11 and I'm down this way, I can look up that way, and I pray,
12 because where I pray is in Mother Nature or -- in Mother
13 Nature. A lot of people go to church to pray. Not me.
14 Where I go, I go into nature. I go along the river, the
15 creeks, the high mountains. So I oppose this. And the
16 people that are leasing this land -- or like I said, the
17 water gets poisoned like Flint, Michigan. You guys know,
18 those people don't care. They -- those people are left
19 with contaminated water, pipelines. Those people that live
20 along there, what -- they're screwed with water that's not
21 good for them. So being a caretaker of the land, some
22 people don't understand that. But when you come from here
23 and you're an indigenous -- I'm an indigenous woman -- I am
24 connected to this land. So I'm just here today to oppose
25 this and let you know that the Madesi Band, the Yana, the

1 Atsugewi, I -- we are not for this. Thank you.

2 MS. BADIE: Thank you.

3 Next, we have Michelle Lee.

4 MS. LEE: Hi. Good afternoon or good evening.

5 My name is Michelle Lee. I am an attorney for the Pit
6 River Tribe. I'm also a member of the Hammawi Band which
7 is a band that's up around Likely, so we're not in the
8 immediate area.

9 But I'm here today just to, as -- you know,
10 provide support for our tribal members that are here
11 speaking today. And I'm very proud of them for sharing
12 with all of you how they feel. And what I want to do is
13 give a little bit of just kind of cleanup, I guess, on AB
14 205. So at the beginning of this hearing, there was talk
15 of how there's going to be early consultation and a lot of
16 references to Native American tribes, which on its face is
17 really great because it didn't use to be that way. It's --
18 there was a time 20 years ago where tribes were not
19 recognized or included and consulted with. But the new law
20 actually undermines the tribal consultation process that
21 occurred between Pit River and the Shasta County folks. So
22 obviously lots of testimony about that tribal consultation
23 that had occurred under AB 52. And AB 205 just added harm
24 by adding another process to create a new opportunity to
25 revive this project. Tribal representatives came across

1 from the state back when AB 205 was originally proposed.
2 It was originally proposed in the legislature at the end of
3 session in a Trailer Bill and tribal representatives from
4 across the state. We had conference calls about it because
5 we were concerned about it streamlining over the existing
6 protections under AB 52, which we -- you know, we've spent
7 many -- we've spent the last two decades building up a body
8 of law to protect tribal cultural resources and to provide
9 a meaningful and robust tribal consultation regime. And so
10 AB 205 cut -- was -- we caught it on our radar, and we were
11 worried about the streamlining, because what it did, in our
12 view, is it -- you know, it took away the tribe's voice.
13 And at the time, the governor's energy advisor, I'm not
14 going to mention her name, refused to meet with us. We
15 wanted to talk about AB 205 and the impact that it would
16 have on tribes and projects that could be happening in our
17 particular tribal areas. And so the passage -- from our --
18 from my perspective, the passage of AB 205 was a failure
19 from the start. It only really benefits the large scale
20 developers, and it obviously streamlines over local
21 concerns.

22 So, you know, this region, as was stated, already
23 provides more power to the grid than probably any other
24 region in the state. The PG and E hydro projects on the
25 (indiscernible 02:23:50), the Pit River, Fall River, they

1 already provide significant renewable energy to the people
2 of the State of California. And there's -- the extraction
3 culture that has been imposed upon the Pit River Tribe and
4 Shasta County has resulted in the destruction of the
5 fisheries that the Pit River Tribe depend upon. And that -
6 - you know, the tribe -- as was stated, the tribe has
7 already paid a huge price for the good of the State of
8 California. You know, our lands were taken, our lands --
9 our waters were taken after our ancestors were driven from
10 our homelands by militia. We've already paid the ultimate
11 price for the good of the State of California. And really
12 -- I mean, the theme in this comment is just enough is
13 enough. You know, we have the salmon, the steelhead, the
14 sturgeon, the sucker fish. We -- they were all lost to us,
15 and that was the primary source of sustenance for the Pit
16 River Tribe. And, you know, now the wind turbines would
17 harm the rest. You know, everything in the air. We lost
18 the water. And now what they're taking is in the air, the
19 birds, the bats, all the plants that will be damaged and
20 irrevocably impacted as a result of the project. And,
21 again, you know, enough is enough. The CEC doesn't need to
22 consider proposals like Fountain Wind to save the state.
23 And I feel like there was this false narrative that was
24 presented earlier today, that there's this binary choice
25 between a project like Fountain Wind, which is ill-suited

1 for the location that is being planned, and the people of
2 the State of California who need this power. There's more
3 choices. You know, there's microgrids, there's small scale
4 utilities. At one point, the CEC had a process where they
5 were evaluating an initiative called the Renewable Energy
6 Transmission Initiative, the RETI Initiative. And I know
7 there was RETI 2.0. And then it disappeared. But the RETI
8 Initiative was guided by the idea that this -- that the
9 grid was going to fail. And this was in the first Jerry
10 Brown administration -- well, the first of his second
11 opportunity to be the governor. And the idea was the grid
12 was going to fail. And they were -- it was true. The grid
13 did fail. It -- we -- failed. We had blackouts, we had
14 fires. And the grid does need to be replaced. We don't
15 need to be just plugging in a new project into a failed
16 infrastructure that has already proven that it's going to
17 be resulting in catastrophic fire. So, you know, I think
18 that there are other alternatives, and I think those were
19 part of the questions that you had posed to us is, what are
20 the alternatives? They're out there, and the RETI
21 Initiative really provided a really good framework for
22 that. They -- there was an opportunity for tribes to be at
23 the table and to look at these more local projects that
24 would understand the impacts and provide the benefits and
25 not have it be extractive where the impacts are borne by

1 one community for the benefit of some other good.

2 And as was mentioned earlier, you know, for
3 tribal -- as tribal people, we do treasure our tribal
4 cultural resources, but we're not just focused on the past.
5 You know, we are concerned about our present, and we're
6 concerned about our future. And this project will have
7 irrevocable ongoing economic impacts to the tribe now and
8 in the future that cannot be mitigated. And I think we've
9 said -- you've heard it a lot of times, there's not a way
10 to mitigate the harms that the project will cause. Right
11 now it sounds like it is this sort of need by the state,
12 and that's driven by policy. And those policies need to be
13 looked at. And that, I think, would be your charge is to
14 look at those policies and pull up these other ideas
15 instead of forcing these ill-suited projects into a place
16 where it's not wanted and it's not suitable. And I do
17 think it is time to upgrade the grid and, you know, not add
18 more to it. And that is why the tribe -- one of the many
19 reasons why the tribe joined in with the county in filing a
20 lawsuit this morning. And we challenged the use of AB 205
21 as granting jurisdiction to the CEC to review the Fountain
22 Wind application for that reason. And at that -- with
23 that, I am just going to ask you to deny the application.
24 I know we're not at that stage yet, but we believe you
25 don't have jurisdiction to review it anyway, so thank you.

1 MS. BADIE: Thank you.

2 All right. I think we're going to delay the
3 short break that we'll take so that we can begin public
4 comment. I know there's been a few people that have
5 requested to make their comments so that they are not
6 traveling when it's too dark outside. Although I'm -- I
7 apologize that it has already started getting dark outside.
8 So I'm going to provide some brief introductions about our
9 public comment period.

10 We're going to take public comment in the room
11 using the blue cards that you've been filling out. So
12 there's still time to fill out the blue card if you want to
13 make a public comment and you haven't turned one in yet.
14 Sierra is in the room. She has a gray cardigan on, and she
15 will collect cards. Also, we have a table up front. We
16 can collect cards there. And also we're going to do Zoom
17 comments as well. And if you're on Zoom, you're going to
18 use the raise hand feature on your screen. It looks like
19 an open palm. That's how you'll let us know you want to
20 make a comment. If you're on the phone, you'll press star
21 nine to raise your hand. And you can start raising your
22 hand on Zoom now if you would like. That'll help us
23 estimate time. We have between 40 and 50 blue cards in the
24 room. And I'm not sure, because we're populating right now
25 with the raised hands on Zoom how many folks we'll have on

1 Zoom. We're planning to limit public comment to two
2 minutes per person. There'll be a timer on the screen, and
3 the mic will mute after two minutes. This is so we can
4 hear from everyone before we have to give up the room. If
5 you need to leave before making your comment, or you wanted
6 to write your comment and have it entered into the docket,
7 we do have handouts at the materials table by the exit.
8 And you can put your name -- you can put your comments in
9 there. We'll make sure they get docketed. And, again, all
10 the public comments will be part of the record, but that
11 also means that they are viewable online and searchable via
12 search engine. So I just wanted to make that disclosure.

13 Okay. So I'm going to -- what I'm going to do is
14 I'm going to call on folks. I ask that you approach the
15 podium. I'll call a few names at a time. So if you can --
16 if you're next, if you can be near the podium -- we're
17 asking folks to spell -- state and spell their name for the
18 record. Also state any affiliation you would like to share
19 and your position on the project, if you oppose or support
20 the project. That's requested as well.

21 So first we have Scott Swinderman (phonetic).
22 And after that, we'll hear from W. David Wardall.

23 Scott, if you can approach the podium?

24 Do we have a Scott Swinderman? Okay. So, next,
25 we'll go to W. David Wardall. And after David, we'll hear

1 from James Barnes.

2 MR. WARDALL: Members of the Commission, thank
3 you for letting me comment. I came up here at the request
4 of some locals. I'm chairman of the Associated Aerial
5 Firefighters. It's a 503 nonprofit, and we are primarily
6 interested in aerial firefighting safety, accident
7 investigation and training. So I've been a pilot since
8 1967. And I'm going to give you a little -- real quick,
9 about 10 seconds. I'm an airline transport pilot, a
10 certified flight instructor of single and multi-engine
11 instrument, a flight engineer, heavy jet. I am a aircraft
12 structures engineer. I do consultant work for NASA, the
13 Air Force, Army, and NTSB. I'm a power plant engineer, and
14 I probably left out a few ratings. But the reason I give
15 the background is you got a real hell of a serious
16 operation here, dead serious. And I say that because what
17 I'm looking at is the wind turbines that you have are
18 around 600 feet. They're going to create vortices
19 downstream that'll take a DC-10 and flip it upside down.
20 Now, maybe I got your attention, but you can't fly in that
21 area. It's a no-fly zone. You will not be able to fly
22 aerial firefighting aircraft unless you're at least about
23 6,000 feet above those wind turbines. So you're basically
24 out of luck.

25 Now, I've investigated about 200 fatal accidents,

1 aerial firefighting accidents -- let's see, what else here.
2 The Associate Aerial Firefighters has approximately 150
3 members nationwide representing pilots and provides a forum
4 for advocate safety, effectiveness, and efficiency in
5 wildland aerial firefighting. I had examined the proposed
6 Fountain Wind Project and determined it's an accident
7 looking for a place to happen and testified in person at
8 the county level hearings wherein it was unanimously
9 rejected. Real world dispatch and safety issues created by
10 these huge wind turbines are many, no consideration for
11 huge vortex -- vortex that are produced downwind from these
12 turbines --

13 MS. BADIE: Thank you, James. We have to move on
14 to the next comment.

15 MR. WARDALL: I'm sorry?

16 UNIDENTIFIED SPEAKER: (Indiscernible 02:34:10)
17 get three minutes. Two minutes (indiscernible 02:34:13).

18 MR. WARDALL: I've got about 10 seconds to finish
19 up, and I've traveled 300 miles and spent a lot of money on
20 fuel to get here. Let me -- please, let me -- sorry
21 (indiscernible 02:34:24) is 150 feet above ground, and
22 we've gone across a ridge or down about 25 to 50 feet. So
23 this is -- the retardant coming out an aircraft, you want
24 to have zero forward movement when it hits the ground so it
25 doesn't tear up the ground or houses or whatever. That's

1 about a 100, 150 feet. A 600 feet turbine and another
2 couple thousand feet up there, the retardant drop would be
3 useless. I urge you to consider that flying heavily laden
4 aircraft, fixed or rotary, with poor visibility and smoke
5 and very tall obstructions and whirling immense blades
6 prescription for fatal accident. And understand the
7 importance of air attack have been over the years.
8 Recently, air attack (indiscernible 02:35:11) saving
9 numerous communities from Tulare to Redding.

10 Finally, consider the threat you would be
11 imposing on three communities immediately adjacent to the
12 proposed -- proposal by limiting the possibility of fixed-
13 wing air attack. Don't take my word for it. Behind me is
14 a 5,000 hour tanker pilot. I'm going to say this, that I
15 think that this is a really a bad idea, and I look at it at
16 -- very sad to see this. And for the Indian community, my
17 grandson is a Wailaki Indian.

18 MS. BADIE: Thanks. Next, we have James Barnes.
19 And after James, we'll hear from Stephen Fitch.

20 MR. BARNES: Well, good evening, ladies and
21 gentlemen. My name is James Barnes, air tanker pilot for
22 35 years, former board -- chairman of the board of the
23 Associated Aerial Firefighters and the California Fire
24 Pilots Association.

25 And I liken the Cal Fire approach to the Marine

1 Corps. We're a balanced force of combined arms. When you
2 got a fire in that kind of a situation out there, you have
3 to get out there fast. The window of opportunity is small,
4 and you have to stop it at or below 10 acres. If you fail
5 to do that, it goes into an extended attack, and that means
6 a greater threat to life and property. I've flown all over
7 the State of California. I've flown in -- at fires in
8 turbine fields. And what I've concluded is you can't fight
9 fires in turbine fields with fixed-wing airplanes. The one
10 that we used to go to once a year was at Antioch -- not
11 Antioch -- Altamont. And that fire would burn from the top
12 of the pass all the way to I-5 every year. Nobody
13 attempted to stop the fire in that turbine field. Well, it
14 didn't matter because it was all grass. Same thing down at
15 Tehachapi. That was kind of rugged terrain and scruffy
16 vegetation, but there weren't a lot of houses there. And -
17 - well, you just waited until the fire burned out of the
18 turbine field before you started fighting the fire.

19 So our holy grail is a rapid response initial
20 attack, and the turbine field will hinder initial attack.
21 We won't be able to support our ground troops dropping four
22 tons of fire retardant to turbine blades and towers. It
23 would constitute a tremendous risk to the firefighters that
24 we're trying to support. So I canvased my group of pilots.
25 We all came to the same conclusion. It's infeasible to use

1 air tankers in turbine fields. I listened to the gentleman
2 give a very thoughtful presentation on the reduced fire
3 risk. Those are good things to do, but I don't believe
4 it'll be enough. And in consideration for our firefighters
5 on the ground -- they're (indiscernible 02:38:21) to me.
6 You know, our main job is to support those people. We
7 can't do that (indiscernible 02:38:28), so we should pay
8 special attention to the (indiscernible 02:38:32). Thank
9 you.

10 MS. BADIE: Thank you. Mr. Fitch, if you can
11 just briefly pause. We're going to switch out our timer
12 really quick. But as soon as we're ready, I'm going to cue
13 you up. Thank you.

14 MR. FITCH: I'm Stephen Fitch, S-T-E-P-H-E-N, F-
15 I-T-C-H. I'm a former forest supervisor of the Shasta-
16 Trinity National Forest.

17 I believe the review and sequence teams were
18 apparently not aware that the Fountain Wind Project is
19 surrounded on three sides by congressionally established
20 lands with the objective of preserving scenic qualities.
21 These include the National Recreation Area to the west and
22 north, the Pacific Crest Trail to the east and the north,
23 and the Volcanic Legacy Scenic Byway, one of the nation's
24 all-American highways passing just to the east. I managed
25 two of these areas, the National Recreation Area at Shasta

1 Lake and the Pacific Crest Trail, and helped establish the
2 Volcanic Legacy Scenic Byway. Together, these are key
3 parts of California's legislated scenic features and all
4 impacted by the project. I spent 10 years making sure
5 these proposals that are within and around these areas did
6 not destroy their scenic values. Your staff should note
7 that "scenic" is the first word describing the values
8 contributing to the public enjoyment in the law
9 establishing the National Recreation Area at Shasta Lake.
10 The governor often notes the great scenic values of
11 California and importance to tourism. If approved, this
12 will be just the beginning of an incremental aesthetics
13 destruction of the Sierra Nevada. As they march south with
14 additional proposals in its beautiful, highly flammable
15 forest, the project will seriously compromise one of the
16 major gateways into this great scenic force of Northern
17 California. Keep in mind that Shasta Cascade Wonderland is
18 the theme and title of the county. Tourism is the economic
19 foundation of Shasta County. Millions of visitors each
20 year would have their views from the NRA to the east
21 towards the mountains and Lassen peak destroyed or look
22 directly down at the whirling giants from the Pacific Crest
23 Trail, or looking west from the Volcanic Legacy Scenic
24 Byway. Mitigation -- you simply cannot hide this project,
25 and it does not fit within the form, line, and texture of

1 the environment. Therefore, it destroys the very scenic
2 value of the region that millions come to see in Shasta --
3 in the Shasta case (sic) Wonderland.

4 Now, concluding, it's hard to imagine a project
5 more disruptive to the visual quality of the county for
6 visiting and recreating public. The economic impact on a
7 recreation dependent county will be significant. And I
8 want to conclude by mention that the folks here, pilots,
9 know every one of those folks that you pictured up there
10 from the Cal Fire, and he -- and they said they don't know
11 anything about aviation firefighting. They -- so I thought
12 just (indiscernible 02:41:56) pass that on to -- thank you.

13 MS. BADIE: Thank you. Next.

14 COMMISSIONER GALLARDO: This is Commissioner
15 Gallardo. I'm going to interrupt real quick.

16 MR. WARDALL: Could I make a 30-second statement?

17 COMMISSIONER GALLARDO: Sir, could you --

18 MR. WARDALL: I have a tremendous respect for
19 these firefighters. Cal Fire is the greatest firefighting
20 organization in the world. We have 54 aircraft, but the --
21 and I have personally carried the director there. "Hey,
22 Dave, I got a problem in San Diego." "Okay. I'll take
23 you. We'll be down there in an hour." But with all due
24 respect, they don't have the engineering background or
25 aerodynamics and understanding of the implications of those

1 wind turbines on aerial firefighting. They cannot be
2 mitigated. Thank you.

3 COMMISSIONER GALLARDO: All right. This is
4 Commissioner Noemi Gallardo. I wanted to interrupt real
5 quick to emphasize that our public advisor is trying to run
6 a smooth process for public comment so that everybody has a
7 fair chance to speak, given that we know that there is a
8 lot of interest, we've received a lot of blue cards, and
9 there's -- I believe people are raising their hands online
10 as well. So please be respectful. And we've shifted the
11 time from two minutes to three minutes so that people have
12 a little bit more time. And whoever's handling the timer,
13 if you can start the timer after folks have said their name
14 and their titles, because some titles and names will be
15 longer than others, so we could wait for that. And that
16 way, people have a fair chance to -- or have enough chance
17 to speak the content.

18 And also, I would like to say I've noticed that
19 some people have come with their comments in writing. You
20 can also leave those with us if you're not able to get
21 through the entire document that you have. Feel free to
22 leave that, and we will accept it into the docket as well.
23 Thank you.

24 Go ahead, Mona.

25 MS. BADIE: Thank you. We have also

1 commissioners from the Shasta County Planning Commission.
2 So we will not use the timer. We have Steve Kerns, and
3 then after that we'll hear from Joseph Osa.

4 Steve, if you can approach the podium, please
5 spell your name for the record.

6 MR. KERNS: Good evening. My name is Steve
7 Kerns, K-E-R-N-S, and I'm a Certified Wildlife Biologist
8 and a Shasta County Planning Commissioner from District 3.
9 That's the area that this project is in.

10 As a planning commissioner, I'm under obligation
11 to follow our county codes. County code 17.92 states, in
12 part, "The proposed project will not, under the
13 circumstances of particular project, be detrimental to the
14 health, safety, peace, morals, comfort, and general welfare
15 of persons residing or working in the neighborhood or
16 injurious to the property or the improvements." This
17 project violates that code entirely and poses an
18 unacceptable risk to the citizens of our county due to the
19 severity of the threat of catastrophic fire and the
20 inability to use aerial attack to fight those fires. AB
21 205 may give you the authority to ignore this issue
22 considering community benefits. However, there are more
23 prudent ways to achieve benefits than the Fountain Wind
24 Project. This last month, our commission approved a
25 construction of a cogeneration power plant. This will be

1 the third of such facility in our county. While Fountain
2 Wind Project dramatically increases the fire risk and
3 eliminates the ability to use aerial attack, cogeneration
4 power plants remove excess forest fuels and thereby improve
5 forest health with no increased fire risk. While Fountain
6 Wind has significant impacts to tribal and religious
7 culture sites as you've heard, cogeneration plants have no
8 impacts at all. While Fountain Wind has significant visual
9 impacts, cogeneration has none at all. While Fountain Wind
10 have ongoing taking of listed wildlife species over time,
11 cogeneration will not have any taking at all. And while
12 Fountain Wind produces power sporadically, cogeneration is
13 dependable 24/7. A biomass cogeneration power plant is a
14 much greater and safer community benefit. I don't see my
15 timer, so I'm going to keep going. The men and women who
16 serve on the Shasta County Planning Commission Board of
17 Supervisors are all longtime residents of our county, and
18 they have witnessed, in many cases experienced,
19 catastrophic fires. They know and understand the
20 significance of the religious and cultural heritage of our
21 Native Americans, and they know and experience the beauty
22 of the mountains surrounding our valley, and their lives
23 are intertwined with the land and the resources thereof.
24 Those asking you to overturn our ban on wind farms are from
25 Texas and have hired international corporations to submit

1 their environmental documents. They do not know our land
2 or our ground. They have little appreciation or care of
3 the impacts to our citizens and the resources of this
4 county if their project is approved. We stand before you
5 testifying for the safety of our citizens, for the
6 protection of our Native American cultural heritage, for
7 the natural resources of our county, and we stand before
8 you to testify that there are better ways to achieve
9 community benefits with significant effects, and we are
10 doing them. And we know of what we speak. And we ask of
11 you, if you do have the authority, to listen to us and not
12 approve this project. Thank you.

13 MS. BADIE: Thank you. Next, we have Joseph Osa,
14 also with the Shasta County Planning Commission.

15 MR. OSA: Slight correction. I'm not with the
16 Commission, but I work with them on opposition to this, but
17 -- so you can start the timer if you want. I wrote it for
18 three minutes. My name is Joseph Osa, J-O-S-E-P-H. Last
19 name is O-S-A. I'm a retired electrical engineer, and I
20 reside in Montgomery Creek along with my wife and my 86-
21 year-old mother who I moved up from Chico recently after we
22 were sure we stopped the Fountain Wind Project, didn't want
23 her in harm's way.

24 Shasta County is already one of the top five
25 renewable energy producers amongst all other California

1 counties and one of the lowest consumers of energy.
2 Biomass is a suitable renewable energy technology that is
3 synergistic with both California's clean energy goals and
4 the dire need to manage our overgrown forest with their
5 dangerous abundance of dead and dying trees. Multiple
6 biomass plants, like the recently approved Hat Creek
7 biomass facility would produce -- with process materials
8 produced by forest standing and tree salvage operations
9 provide even more long-term local employment and is the
10 right type of renewable energy project for our area.
11 Transportation of biomass fuels is costly, so a large --
12 larger number of smaller plants would help to solve the
13 transportation problem. Other suitable technologies could
14 include large scale solar. There are lands throughout
15 Shasta County that would likely be suitable, some of which
16 are adjacent to existing electrical transmission lines.
17 Solar, even at the commercial scale, would not have the
18 same environmental impacts, particularly that of aerial
19 firefighting impediment. Another problem with the Fountain
20 Wind Project is the impact it would have on existing
21 Hatchet Wind Development. The wake effect of the Fountain
22 Wind Project would have a significant impact on the Hatchet
23 Project, so much so that Pattern Energy, the developer and
24 owner of Hatchet Wind, was concerned it would prevent them
25 from meeting their contractual requirements with PG and E

1 as stated in the comment letter they wrote during the
2 previous county-led CEQA process. The alternative
3 technology suggested above would not produce this negative
4 impact on an existing clean energy development. Of the
5 above technologies, only biomass produces dispatchable
6 energy. It can generate power as needed, vice, only when
7 the wind blows or the sun shines. As such, it aids in grid
8 stability and does not require that it be curtailed as wind
9 and solar power does because they often produce power when
10 it isn't needed.

11 Also, the 205 megawatts of the Fountain Wind
12 Project is nameplate capacity, where actual production is
13 likely to only be 30 to 35-percent of that. And even then,
14 it will be further reduced by another 20 to 25-percent as
15 renewable energy typically is here in California due to it
16 producing at inappropriate time or time when it is no
17 longer needed. So only about 23 to 26-percent will be
18 usable or 47 to 53 megawatts. The equivalent power could
19 easily be and reasonably be produced by biomass. So please
20 explore these other viable and much more suitable
21 technologies for our area and deny the Fountain Wind
22 Project. Thank you.

23 MS. BADIE: Thank you.

24 Next, we'll hear from Antonio Mendoza, tribal
25 leader from the Pit River Tribe. After Antonio, Randall

1 Smith, we'll hear from you.

2 MR. MENDOZA: Hello. My name is Antonio Mendoza.
3 That's A-N-T-O-N-I-O, M-E-N-D-O-Z-A. I'm the Pit River
4 vice chairman, a member of the Ajumawi Band and a U.S. Army
5 veteran. I just wanted to express how sad it is to hear
6 how Fountain Wind doesn't really seem to care about our
7 homelands and how much destruction it would cause with the
8 project going through if they decide to try to continue to
9 -- pushing it through. To hear how much more dangerous
10 it's going to be for the firefighters on land to not have
11 that backup support through the air. It's just truly
12 heartbreaking to hear that. I grew up in these -- in the
13 Intermountain area for my first five, six years of my life,
14 moved away. And the entire time I was gone, all I remember
15 is how much I wanted to come home. These lands have a
16 power that just want to draw you back home. It's a sacred
17 place to me and my family. These will always be my
18 homelands for me and my children and future generations to
19 come. (Indiscernible 02:52:17) take this into
20 consideration how much destruction this is going to cause
21 to our homelands and how much pain this is going to cause
22 our people. Thank you.

23 MS. BADIE: Thank you.

24 Next, we're going to hear from Randall Smith.

25 Just a reminder, we're having the timer up out of respect

1 also from everyone else that's here tonight so we can hear
2 from everyone before we have to give up the room. And so
3 what we'll do is the timer will be on the screen. Once the
4 time is up, they're going to lower the mics, and then the
5 folks on Zoom won't hear you -- so the participants -- we
6 have about 70 people on Zoom -- will not be hearing you,
7 and we won't be able to hear from everyone tonight before
8 we get kicked out of the room. So I'm just trying to make
9 it so that we can hear from everyone respecting everyone's
10 time as well. So we ask that you respect the timer so we
11 can hear from everyone. So after Randall, we'll hear from
12 Mark Mulliner.

13 And, Randall, please spell your name for the
14 record before you begin. Thank you.

15 MR. SMITH: Randall is R-A-N-D-A-L-L. Smith is
16 S-M-I-T-H. Members of the Commission and staff, thank you
17 for this opportunity. Fountain Wind is the right project
18 in the right place and at the right time. Next June, my
19 family and I will have lived in Shasta County for 50 years.
20 I practiced medicine here for 30 years. In my retirement,
21 I have been active in resource conservation and riparian
22 restoration. I consider myself to be a strong advocate for
23 environmental stewardship. I am a founding member of the
24 Allied Stream Team of the Rotary Club of Redding.

25 Fountain Wind offers many benefits to our area

1 and to the cause of sustainable energy production. For
2 some reason, many facts about the project have been
3 misconstrued, patently denied, or negatively presented by
4 opponents. The first of these has been labored, and that's
5 fire prevention and the reduction of risk, not the
6 ascendancy of risk. Watershed protection has been
7 discussed and is, again, advanced, not retarded by this
8 project. My understanding was that Native Americans will
9 have permitted access to this private property they
10 presently do not enjoy if the project lease is extended.
11 Jobs, taxes, and community benefits are well described in
12 literature you already have. We need this energy and its
13 type so that fossil fuels can be reduced and we are not
14 leaving a legacy of radioactive material for future
15 generations to fix. Another consideration which has been
16 mentioned are aesthetics. Beauty is surely in the eye of
17 the beholder. We can only hope that one day others will
18 question this resistance to change for a better tomorrow.
19 The Dutch have been looking at windmills for over 900
20 years. They are proud of their landscape and what it still
21 affords. I can see the existing installation from my
22 Redding backyard if I use binoculars. I look at them as a
23 statement of Shasta County's ability to greet the future
24 while protecting and providing for the present.

25 My query to the Shasta County Board of

1 Supervisors is still unanswered. How is it that a county
2 which once welcomed the Central Pacific Railroad is now
3 afraid of such a beneficial change as Fountain Wind? Once
4 the nation's premier source of needed copper, our county
5 now with a Superfund site does not allow a motherhood and
6 apple pie renewable energy project to move forward. You
7 are enabling legislation that allows you to (indiscernible
8 02:56:43) the situation. Thank you.

9 MS. BADIE: Thank you.

10 Next, we're going to hear from Mark Mulliner.
11 And after Mark, we'll hear from Jim Chaplin (phonetic).

12 MR. MULLINER: Good evening. Mark Mulliner. I'm
13 the Northern Director of the State Building and
14 Construction Trades Council of California. I represent
15 500,000 union affiliates and their members, 83,000 which
16 are apprentices.

17 I just want to say that this is a good project.
18 This project is -- has been vetted, it's been shrunk. I've
19 been involved with this project personally for the last
20 three years. I came into this position -- actually, I was
21 there the night that the supervisors voted it down. You
22 know, it's disappointing from a builder -- from a
23 construction worker's point of view. We want jobs, and we
24 want good paying union jobs. And when a developer comes in
25 and makes commitments in rural America to pay union wages,

1 middle class benefits, and hire the best trained, highest
2 skilled union workers in the world -- the State Building
3 Trades is a legislative arm, and we legislate for our
4 members. We create laws and legislation and lobby, and we
5 put people to work, and we put them in the middle class.
6 We bring in all the local young people through our MC3
7 programs and our Hard Hats to Helmets. I would just want
8 to say a shout out -- a lot of us have left. There was
9 over 40 of us here. A lot of people had to go home, pick
10 up their kids, you know, get ready for tomorrow. Doyle
11 Radford, the business manager of the laborers brought over
12 20 people here, okay? Doyle has got a lot of local
13 workers. The Operating Engineers are in the house. They
14 have got a lot of local workers. Not a 100, not 200.
15 We're talking thousands. The work that needs to happen up
16 here is jobs. The money that needs to be made for our
17 families is only going to be through union jobs. And our
18 members, they need jobs. And that's what we're here --
19 that's why we're here. And the developers made a
20 commitment, and they made them to everybody. And they --
21 and they've done their due diligence, and they're working
22 with everybody in the community. And right now, I can say
23 that the union and the State Building Trades are 100-
24 percent behind this project. Thank you.

25 MS. BADIE: Thank you.

1 Next, we'll hear from Jim Chaplin. And then
2 after that, we'll hear from John Gable. If I've called
3 your name, please stand near the podium so we can hear you
4 right away. After John, we'll hear from Ruben Grijalva.

5 Jim, are you in the room with us?

6 All right. We'll hear from John Gable next.

7 John, please spell your name for the record, and
8 we're asking for comments to be three minutes or less.

9 MR. GABLE: J-O-H-N, G-A-B-L-E. Good evening.
10 My name is John Gable, and I speak today on behalf of the
11 residents of Moose Camp.

12 Moose Camp opposes this project. Moose Camp is a
13 rural community of 50 cabins founded in 1929, where the
14 largest neighborhood with planned turbines is approximately
15 a mile away from our fence line. The main service road for
16 the entire Fountain Wind Project borders our fence line.
17 ConnectGEN does not want to identify Moose Camp on any of
18 their maps, including the ones we saw today, and they do
19 not consider putting key observation points so they would
20 know what we're going to see all the time. A couple fun
21 facts, ninety-six-and-a-half-percent of all wind turbines
22 are not in a forest. There must be a reason for that.

23 Number two, I wanted to bring up the fact that 17
24 million trees were planted after the Fountain Fire to cover
25 the burn. That's where these wind turbines are going to

1 be. And plantation pine trees burn far faster and much
2 worse than native growth forests. So that's an additional
3 fact that I don't think anybody has taken into
4 consideration. So -- and there's plenty of research on
5 that that I've already pointed out.

6 I would like to bring up four alternatives to
7 building Fountain Wind. Number one would be repowering
8 existing old turbines. The State of California has at
9 least 2,500 turbines that are over 17 years old. We could
10 repower any number of those turbines, all located not in a
11 forest, and that would greatly enhance the energy that we
12 would produce from renewable energy. Number two would be
13 offshore wind farms. There's enough wind off the
14 California coast, both in the Humboldt area and down south
15 to provide more energy than the state consumes at this
16 point. Number three, there are massive, massive wind
17 turbine farms being built in other states right now, along
18 with the transmission lines to get that power to
19 California, especially to the Los Angeles area where it's
20 needed. I refer to New Mexico and Wyoming. Wyoming is
21 building a 900 wind turbine project right now with the
22 transmission line to the south state, which would provide
23 over 3,000 megawatts of power compared to 200 megawatts
24 with Fountain Wind. And last, but not least, California is
25 building renewable energy projects faster than they can

1 handle them, so that we are outpacing the ability to move
2 that renewable energy to where it needs to be consumed.
3 Therefore, it's pretty much fact from the California
4 websites that the state curtails over 2.4 million megawatts
5 last year alone in renewable energy because they couldn't
6 use it at the time. Thank you.

7 MS. BADIE: Thank you.

8 Next, we're going to hear from Ruben Grijalva.
9 After Ruben, we're going to hear from Shane Lauderdale.

10 MR. GRIJALVA: I guess it's good evening now. My
11 name is Ruben Grijalva, R-U-B-E-N, G-R-I-J-A-L-V-A. I have
12 36 years in the fire service, working actively as a
13 firefighter. I also have 10 years working as a consultant
14 in fire and life safety issues. Today, I'm here
15 representing ConnectGEN as a client.

16 During my career, I've been to plenty of
17 wildfires as Director of Cal Fire and the State Fire
18 Marshal of California. I was appointed by Governor
19 Schwarzenegger in 2004 and worked there through 2009. My
20 focus, however, was on fire prevention, not fire
21 suppression. When we get to the point where we're fighting
22 a fire, we've already lost the battle. We have to be
23 upfront with preventive measures. And in that regard, I
24 spent most of my career working on developing fire and life
25 safety codes and building code, fire code, mechanical code,

1 et cetera -- required fire sprinklers in every residence in
2 California, developed hazard maps for identifying where
3 hazards were and how to mitigate those hazards, increasing
4 defensible space requirements in 4291 -- I did that when I
5 was director -- and then we worked very closely, putting
6 together a committee to deal with developing a new standard
7 for how to protect structures in high -- very high fire
8 severity zones. And we developed Chapter 7A of the
9 California Building Code and Chapter 49 of the California
10 Fire Code. So an EIR should include consideration of all
11 those measures. I had the opportunity to look at the
12 requirements that Cal Fire, Shasta County Fire placed
13 during the Planning Commission process in Shasta County,
14 and they're right on target with the kinds of fire
15 prevention measures that are necessary for this project.

16 I guess two points I would like to make that I
17 hope you can remember that is different than what you've
18 been hearing is that a project like this can actually
19 improve fire safety for the entire area, and it can improve
20 forest health. One of the things we have not done well in
21 California is maintain our forests. We haven't thinned
22 them, we haven't provided shaded fuel breaks, we haven't
23 done the kinds of prevention measures necessary to reduce
24 the risk of wildfire and to stop a rapidly moving wildfire.
25 Somebody mentioned that aviation is the most effective

1 weapon. Aviation is a good weapon. Fire prevention is the
2 most effective weapon. You have to build in fire
3 protection. And this project does that. It builds in
4 shaded fuel breaks -- 687 acres of shaded fuel breaks.
5 They go beyond the 100 foot of defensible space, and
6 they'll have two acres of defensible space below each wind
7 turbine. That's a huge fire prevention measure. The wind
8 turbines themselves will have an internal fire
9 extinguishing system. And people have talked about a
10 number of fires here -- I'm going to run out of time here.
11 But none of those fires have ever come from turbines that
12 were provided with a fire extinguishing system. So you
13 look at the old fires and the new fires, it's night and day
14 the way we build them today.

15 MR. BADIE: Thank you.

16 Next, we're going to hear from Shane Lauderdale.
17 After Shane, we'll hear from Anthony Gorman.

18 MR. LAUDERDALE: Good evening, commissioners and
19 staff. Thank you for the opportunity to address you. In
20 my 38 years in the fire service -- 24 years of that I did
21 in the City of Redding. And then I was the fire chief in
22 Chico. I do not take any of the comments I will make
23 lightly. I've been -- I've spent my entire career
24 dedicated to finding a better way to protect our citizens
25 from fire, especially wildfire, as one of the operations

1 chiefs that's led the firefight of the Camp Fire, the
2 Thomas Fire, and many other of the most devastating fires
3 in California history.

4 So when ConnectGEN asked me to look at the fire
5 behavior that would be a result of the mitigations that
6 Shasta County Fire has required as part of this project, I
7 went to my fire behavior analyst and had him start to do
8 scientific evaluation of that fire mitigation. And what I
9 have found is that the resulting mitigations drastically
10 reduce the fire threat to the area around this Fountain
11 Wind Project. Some of the modeling shows that fuel spread
12 rates reduce from 3,300 feet per hour to 330 feet per hour
13 where these mitigations are done. What's that change?
14 That change is the ability for firefighters to actually get
15 in on the ground and make access due to all these new road
16 systems and the shaded fuel breaks that are being built and
17 to stop a fire on those ridges before they extend. If this
18 had been the case when the Fountain Fire happened in 1992
19 when I was a firefighter in the City of Redding,
20 firefighters would have been able to engage the fire much
21 quickly -- much more quickly, pardon me. Unfortunately,
22 those mitigations weren't there, and they weren't able to.
23 And, as you know, your county -- the state is actively
24 trying to encourage shaded fuel breaks all over the state
25 to do this very thing. And so I don't know how we could in

1 any way discourage a project that is going to add 600 acres
2 of shaded fuel breaks and reduce the fire threat to the
3 communities around the project. How could we want to stop
4 something like that from happening? As a fire official,
5 that's something I would encourage.

6 MS. BADIE: Thank you.

7 Next, we'll hear from Anthony Gorman. After
8 Anthony, we'll hear from Tony Wilson Yiamkis.

9 MR. GORMAN: A-N-T-H-O-N-Y, G-O-R-M-A-N, Anthony
10 Gorman. Good evening, Commission, members of the public.
11 I'm Anthony Gorman. I'm a staffer for Senator Brian Dahle,
12 who represents Shasta County in our state legislature. I'm
13 here on his behalf to voice his strong opposition to the
14 reopening of this application. The people of Shasta County
15 spent four years debating the Fountain Wind proposal and
16 lobbying their local elected officials to make a decision
17 that reflected their desires. Local governance worked, and
18 this issue was put to bed. It is nothing short of abusive
19 to the public to circumvent their desires and relaunch this
20 application process. On behalf of the senator and on
21 behalf of Shasta County, I strongly urge you to respect the
22 locally made decision, reject this application, and let the
23 community move forward. Thank you.

24 MS. BADIE: Thank you.

25 Next, we're going to hear from Tony Wilson

1 Yiamkis.

2 I'm sorry if I mispronounced your name, Tony.

3 After Tony, we'll hear from John Messina.

4 MR. YIAMKIS: Yeah. Tony, T-O-N-Y, Wilson, W-I-
5 L-S-O-N, Yiamkis, Y-I-A-M-K-I-S.

6 Real quick, I just did some research, new
7 technology, bladeless wind turbines. And in Germany they
8 have SkySails, which are fully automated kites proposed to
9 offer -- in the near future are proposed to offer megawatt
10 capability. So, like Brandy mentioned, we are about in
11 year seven now. So I was just thinking, you know, Henry --
12 I mean, ConnectGEN, why don't you guys, like, invest in
13 some, you know, new technology? Because, you know, seven
14 years is a long time. If we can send astronauts to the
15 moon, now they're proposing maybe Mars, you guys could get
16 something going, you know. The Bladeless has no turbines.
17 Of course, SkySails have no turbine blades. So birds
18 migration, bats, other animals would be safe. We the Pit
19 River Tribe members have our own NEPA and CEQA. It is
20 called time immemorial knowledge. It's a powerful feeling
21 to know that your ancestors have been here and passed down
22 our history, stories, songs, and language for countless
23 generations. During the Shasta County Commissioner
24 Fountain Wind Project hearing and the Shasta County
25 Supervisors Hearing, I listened to numerous community

1 private landowners and area residents. They conveyed over
2 time that they have grown to understand and feel like us,
3 Pit River tribal ancestral people, that the whole 3.68
4 million Northeast California ancestral area is a sacred
5 site. Our tribal and mountain residence community has
6 already issued a statement of overriding adverse impacts
7 for the proposed Fountain Wind Project. I'll leave it at
8 that.

9 MS. BADIE: Thank you.

10 Next, we'll hear from John Messina. And after
11 John, we'll hear from another John, John Vona. Again,
12 we're asking for comments to be three minutes or less, and
13 we'll have a timer on the screen.

14 Please spell your name for the record as well.

15 Thank you.

16 MR. MESSINA: John Messina, J-O-H-N, M-E-S-S-I-N-
17 A. Good afternoon, honorable commission members and staff.
18 My name is John Messina. I'm a consultant. I was tasked
19 with evaluating this project and its impact to aerial
20 operations. Now, in response to the two gentlemen that
21 spoke earlier today, I've got a great respect from them.
22 One of them I worked for -- with for years. I'm going to
23 respectfully disagree with a couple of their comments,
24 except one. I am not an aircraft structural engineer.
25 That is the truth. That is a fact. However, I'll tell you

1 what I am. I've got 33 years in the fire service, and I
2 just recently retired as the Assistant Region Chief for Cal
3 Fire, overseeing all of Northern California operation and
4 resource management, including six operational units, which
5 include the Shasta unit. During that time, I've got 15
6 years of aviation experience, which includes aviation
7 supervision, which is the person that flies around and
8 coordinates the aircraft attack on fires.

9 So there's a few things when I started to read
10 the comments on this project. And there's a little bit of
11 perception that there's going to be some sort of Bermuda
12 Triangle created over this project area, one associated
13 with aircraft and aircraft's ability to function with that,
14 and that's just incorrect. There are hazards all
15 throughout California that our aerial operation can
16 function in and around on a daily basis. They're
17 successful with it. They put in mitigation measures to
18 address those things so that we reduce the risks associated
19 with those hazards. Specifically for this project, the way
20 that the project is laid out, there's clusters of wind
21 turbines with corridors of open space between the next
22 cluster. Some of those clusters are over a mile in
23 distance, so that right there could give plenty of room for
24 our aircraft, whether it's fixed-wing or rotor wing to
25 function within those corridors.

1 So if there was (indiscernible 03:15:46) some
2 sort of hazard that was going to impede operation or create
3 some flight risk, every firefighter, including the aerial
4 supervisors, is trained in identifying those, making them
5 known, and then implementing mitigation measures to reduce
6 those risks, simply as changing the direction of the entry
7 and the exit from the fire, changing the location where we
8 deploy our aircraft, or utilizing a different type of
9 aircraft to implement the operation. A smaller S-2
10 aircraft, much more nimble and maneuverable, or
11 helicopters, which can get in tight spaces, and we could
12 utilize those in places where -- yes, there might be areas
13 where the DC-10 cannot function. However, that happens
14 everywhere throughout California due to terrain,
15 visibility, smoke, and other hazards. In 2012 -- August
16 2012, I was dispatched out of the Chico Air Attack Base to
17 a fire -- a 12-acre fire that sat right next to the ridge -
18 - the Hatchet Ridge Project windmill. That fire was 1,200
19 feet from those turbines, and we were easily and effective
20 with the aircraft, and it had no bearing on our action.

21 In closing, after analyzing this project, the
22 conclusion, the aircraft can operate in and around the
23 project, and the project is (sic) less than significant
24 impact on the aerial operation. Also -- and I know I just
25 got cut off. My final comment, the benefits of the -- as

1 stated before, the benefits of the ground mitigation, which
2 the increased road access, the fuel reduction, far
3 outweighs any restriction or negative impact that would be
4 created to the aircraft. Thank you.

5 MS. BADIE: Thank you.

6 Next, we'll hear from John Vona. After John,
7 we'll hear from Danny Rolez (phonetic).

8 John, we're asking for comments to be three
9 minutes or less, and we'll have a timer on the screen.

10 MR. VONA: I'll be brief. John Vona, J-O-H-N, V
11 as in Victor, O-N-A. I work for FWS Forestry. We are the
12 timberlands manager for Shasta Cascade Timberlands on
13 behalf of our client New Forests. We manage approximately
14 450,000 acres on behalf of our client. And I'll respect
15 the request of not rehashing topics that have already been
16 spoken, but I will address the fire issue.

17 Over the past five years, we've lost about 30,000
18 acres to wildfire. We spent a lot of time talking to
19 firefighters at both Cal Fire and the Forest Service. An
20 often quoted topic that comes up is better access and fuel
21 breaks -- shaded fuel breaks, open fuel breaks along the
22 ridges, along strategic areas of the timberlands. And one
23 of the benefits of this project that we think is fantastic
24 is the Fountain planted stands or the Fountain plantations
25 that were established. We have about 30,000 acres of

1 continuous pine cover along Hatchet Ridge. We need fuel
2 breaks. And when we talk to the public and people that are
3 not in our business, they say, why don't you just put in a
4 fuel break? And when you have immature timber, it's
5 extremely costly putting in fuel breaks, widening roads,
6 and building fire resiliency. It's extraordinary. And so
7 having a partner that's willing to put in over 600 acres of
8 fuel breaks and also enhancing many miles of roads that
9 will enhance the fire resiliency, we believe, and we are
10 not -- if this was a fire threat our client, we wouldn't
11 support this project. That's all I have. Thank you.

12 MS. BADIE: Thank you.

13 Next, we'll hear from Danny Rolez, and then we'll
14 hear from Matt Goody.

15 Danny, do we still have you in the room?

16 All right. We'll move on to Matt Goody next.

17 And after Matt, we'll hear from Beverly Wakefield.

18 MR. GOODY: Good evening. My name is Matt Goody,
19 M-A-T-T, G-O-O-D-Y. I am the president of the Northeastern
20 California Building and Construction Trades, which is a
21 labor organization that is based in Shasta, Tehama,
22 Trinity, Modoc, and Siskiyou counties.

23 So we represent thousands of workers in the area.
24 I have a tremendous amount of respect for the opinions that
25 were expressed. I do believe that some of the information

1 has been misconstrued in order to favor the opposition in
2 this project. Bottom line is I've lived in this area my
3 whole life, 47 years. Fifteen, 20 years ago, you didn't
4 hear about these fires that raged out of control, these
5 mega fires that you can't put out and you cannot fight.
6 Why? Why are we seeing seeing this now? Climate change.
7 It is imperative for all of us to be stewards of this land,
8 not just of Shasta County, not just of California, of this
9 planet, to take measures to mitigate the carbon footprint
10 that we're having on this planet. It is imperative for us
11 to do that. And this project would significantly help and
12 reduce that carbon footprint.

13 To the gentleman's point of the biomass projects,
14 those are good projects, cogen projects, great projects.
15 Three megawatts, the project that he spoke of in Shasta
16 County. Three megawatts as opposed to 205. So you would
17 need to put -- you know, quick math there -- 100 to equal
18 the output of this one project. So on behalf of the
19 Northeastern California Building Trades, we stand in
20 support of this project. Thank you.

21 MS BADIE: Thank you.

22 Next, we'll hear from Beverly Wakefield. After
23 Beverly, we'll hear from Gary Sharette.

24 MS. WAKEFIELD: Hi, my name is Beverly Wakefield.
25 B-E-V-E-R-L-Y. Wake up in a field, Wake -- W-A-K-E-F-I-E-

1 L-D. And I mean it, wake up in a field. I live directly
2 one mile away from the windmill towers that are going to be
3 erected. If they happen, it'll be 600 feet tall. And as I
4 go for my walk -- I have a MPH, a Master's in Public
5 Health. It doesn't mean miles per hour. And as I walk
6 down that road, there'll be blades going. And when the sun
7 comes up in the east -- I'm directly west of the sun -- and
8 I'll be seeing big shadows coming over my head as I'm
9 walking on the road, if you know what I mean by that. And
10 so -- that's just one thought. And at night, when we go to
11 bed, if there's any kind of -- I have a degree in public
12 health. If there's any kind of effect on my husband not
13 being able to sleep at night -- he's a general contractor.
14 He understands what it means to build. He worked in Napa.
15 And when he built the Napa Hospital -- it's called the
16 Cancer Center -- they had to put a footprint in the ground
17 to do this project, and the footprint went down 50 feet to
18 be able to do a cancer reversing proton accelerator when
19 they built it. We understand that the footprint of this
20 project is going to be very deep, and you have to have a
21 deep footprint if you're going to hold up in the winds that
22 come up there -- because we live on the top of the
23 mountain. We know what those winds are like. They come in
24 the nighttime. If a windmill is put up -- I'm sorry, I'm a
25 little bit beyond my ability. So what I'm suggesting is

1 that it's really difficult because my husband lost his home
2 in that fire, the Fountain Fire that happened. There was
3 another fire that came also real close to our home two
4 years ago when I was at camp meeting on the coast in
5 California. Calling him on the phone, he says, "You can't
6 come home. There's a fire near our home." It was
7 happening on a Tuesday, the very same week that the Carr
8 Fire hit Redding. They took the airplanes from Redding --
9 from the Carr Fire and flew them out to our direction, put
10 out all that fire, because there was a substation right
11 next to us. And when the fire was put out, then they went
12 back to the Carr Fire. And guess what? The Carr Fire that
13 was not taken care of, it got out of control, it went right
14 into Redding, and you know what happened. I'm standing
15 here now, but I do not know if I'll be standing here in
16 five years if there's a fire up there and those windmills
17 are up there.

18 I'm going to end with one more thought. We had a
19 neighbor come to our house, and he began to express to us,
20 "Hey, you know what? I made it past this certain area, and
21 I got to see in the woods up there where they're working.
22 The helicopters have been flying over a lot to take
23 something and do something over there where the windmill
24 project is supposed to be happening." And when he told us
25 that the footprints have already been laid -- large

1 concrete foundations have already been laid up there
2 already -- you can take a helicopter, you can take a
3 airplane trip and you can see it for yourself. Three of
4 them he saw -- I'm just giving his testimony in his behalf
5 right now. Thank you.

6 MS. BADIE: Thank you.

7 MS. WAKEFIELD: So it should be criminal to start
8 the project before it's been approved.

9 MS. BADIE: Thank you, Beverly.

10 Next, we're going to hear from Gary Sharette, and
11 then we're going to hear from April Branson.

12 MR. SHARETTE: Gary Sharette, G-A-R-Y, S-H-A-R-E-
13 T-T-E. I am a business representative for Laborers Local
14 185 here in Redding and represent over 1,000 members and in
15 favor of the project. Thank you.

16 MS. BADIE: Thank you.

17 Next, we'll hear from Eric -- excuse me, April
18 Branson. After April, we'll hear from Jeannie Frazier.

19 MS. BRANSON: Hi, my name is April Branson, and I
20 work for Local 185. I'm a union member, and I totally
21 support this project.

22 MS. BADIE: Thank you.

23 Next, we're going to hear from Jeannie Frazier.
24 After Jeannie, we're going to hear from -- I think it's
25 Eric Manley (phonetic). I'm sorry I can't make out your

1 first name.

2 MS. FRAZIER: Hi, Jeannie Frazier. J-E-A-N-N-I-
3 E, F-R-A-Z-I-E-R. And I'm a member of the Local 185. I've
4 lived in Shasta County for 62 years, so I think I got a lot
5 of you people beat here. But I've seen some -- our county
6 council makes some good decisions, some bad ones, push
7 through some good and some bad projects. I think that the
8 Fountain Windmill Project would be a very good project for
9 our county. I think we can all agree that electricity is
10 something that we're going to continue to need well into
11 the future. As Ms. Rickert, I also have grandkids, and I
12 know for a fact electricity is going to be a big part of
13 their life. I hope that you will approve this project.
14 Thank you.

15 MS. BADIE: Thank you.

16 Next, we'll hear from -- I think it's Eric
17 Manley. And after Eric, we'll hear from Mike Lamez
18 (phonetic).

19 Mr. Manley, are you here?

20 I don't know if it's a Eric or a Earl. Okay.
21 Thank you very much. So, next, we'll hear from Mike Lamez.
22 And after Mike, we'll hear from Milo Johnson.

23 Mike, are you still with us?

24 Okay. Let's move on to Milo Johnson. Thank you.
25 Just a reminder to spell your name for the record, and

1 we're asking for comments to be three minutes or less.

2 MR. JOHNSON: My name is Milo Johnson, M-I-L-O,
3 J-O-H-N-S-O-N. I currently reside in Bella Vista. I've
4 lived in Shasta County for 40 years. I formerly lived in
5 Burney.

6 As a young man I've hiked some of this area where
7 this project is proposed, and I've seen nesting bald eagles
8 on that property. I'm here speaking against any more wind
9 generators in Shasta County. I live here because I think
10 Shasta County is one of the most beautiful areas in the
11 entire country in which to live. Seeing your first huge
12 windmill is a novelty. It's interesting, it's awesome.
13 It's amazing how big it is and the technology it
14 represents. But living in Burney, when you get tired of
15 seeing those windmills 27 times a day, 365 days a year, it
16 becomes an irritation. I consider the existing windmills
17 on Hatchet to be a visual blight on our beautiful rural
18 area, corrupting our views of the natural mountain 24 hours
19 a day. And they're visible up to 20, 30, 40, 50 miles
20 away. From here with the right binoculars without a tree
21 in the way, you can see them from here, over 50 miles away.
22 I don't want to see more of our natural surroundings
23 spoiled by the addition of more windmills. We have a
24 healthy population of bald eagles in Eastern Shasta County.
25 I've seen many. I believe the windmills are a threat to

1 the eagles and many other species of birds. If I
2 inadvertently kill an eagle, it's a federal crime, and the
3 penalty can be a year in prison and a \$250,000 fine. Is
4 this project willing to spend a quarter million dollars for
5 every eagle that their windmills kill? That would be a
6 mitigation.

7 I believe that if the installation of more wind
8 turbines is justified, they should be placed in the middle
9 of the Mojave Desert, where almost no one will have to look
10 at them every day, or offshore. Many of the stated goals
11 that we heard -- these environmental goals are arbitrary,
12 and the timeframes are arbitrary. It's not Shasta County's
13 job to save the world. Our beautiful Shasta County is too
14 precious to be degraded by the installation of more wind
15 turbines. Please do not approve this project. Thank you.

16 MS. BADIE: Thank you.

17 Next, we're going to hear from Doyle Radford, Jr.
18 And after Doyle, we're going to hear from Steven Spangle.

19 MR. RADFORD: Good evening. Doyle Radford, D-O-
20 Y-L-E, R-A-D-F-O-R-D. I'm Doyle Radford. I am the
21 business manager of Construction and General Laborers Local
22 185. We are located at 2210 Twin View Boulevard. That is
23 the orange building right along I-5.

24 And you heard from two of our matriarchs -- two
25 of our proud members who we've been building the community

1 since 1929. We've worked on local projects such as the
2 Shasta Dam, and more recently -- we have tremendous respect
3 for the first responders. Our men and women are the second
4 responders who are tasked with cleaning up the Carr Fires,
5 the Camp Fires, and so we're sensitive to that as well.
6 That's not the work we like to do, but we're out there
7 doing it. And we're the backbone of the community. We
8 view this as a good project. We have over 400 men and
9 women that live in Shasta County. My colleague, Mr. Mark
10 Mulliner, he stated that 20 of them were here. There was
11 18, 19. The reality of it is they support their families.
12 They have to get up and work in the morning. So those who
13 stuck around to speak, thank you. Understood why they had
14 to leave because we get up early, and we have to travel
15 well outside of the community for work. Most of them do
16 not get to work in Shasta County. If this project does go
17 through, we look forward to building this with our local
18 men and women and also possibly bringing on some local
19 apprenticeship from the local surrounding community. So
20 once again, we support this project, and we thank you for
21 your time and your consideration.

22 MS. BADIE: Thank you.

23 Next, we're going to hear from Steven Spangle.
24 And after Steven, we'll hear from Ben Scott. Okay. Thank
25 you. Do we have Ben Scott with us still? Okay. How about

1 we have Joe Schykerynec, and then Peter Scales

2 MR. SCHYKERYNEC: Close with the last name.

3 MS. BADIE: Sorry.

4 MR. SCHYKERYNEC: It's all right. It's been a
5 problem for 40 years. Joe Schykerynec, J-O-E, S-C-H-Y-K-E-
6 R-Y-N-E-C. Good evening. Thank you for your time. We
7 really appreciate it. I am here on behalf of the State
8 Building and Construction Trades Council of California, and
9 I'm also a proud North State resident.

10 I believe that North State has some of the
11 hardest working people anywhere, people that want to work,
12 earn a living wage, and take care of their families. The
13 North State needs more opportunities to help its residents
14 earn a way into the middle class. Too many Shasta County
15 construction workers need to travel, just like my brother
16 said a minute ago, sometimes hours away from home just to
17 earn enough money to survive. I do that every day. I've
18 worked in Sacramento for the last two years as a
19 legislative aid, so I'm not used to speaking out in front
20 of people, so a little nervous.

21 The Fountain Wind Project will provide the
22 opportunities for its residents to earn a living wage, to
23 have excellent healthcare and retirement benefits. This
24 project will have pre-apprentice and apprenticeship
25 standards that create those opportunities for people that

1 want to get educated while earning a paycheck. This will
2 create opportunities for our youths graduating high school.
3 College is great, but it's not for everybody. The military
4 is great, it's not for everybody. I have a son in the
5 army, a daughter in college, and two more that need to
6 decide what they want to do. I hope one of them chooses
7 the trades. For those individuals that want to get to work
8 and learn on the job site from the highest trained workers
9 that there are, getting a skilled and trained education,
10 that is what this project will provide. Earlier, and from
11 the presentations throughout the day, other benefits have
12 been spoken about, so I'm not going to read the rest of my
13 public comment. But for the sake of time, I'll leave it at
14 that. Thank you for your time.

15 MS. BADIE: Thank you.

16 Next, we'll hear from Peter Scales. And after
17 Peter, we'll hear from Radley Davis. Just a reminder,
18 we're asking for comments to be three minutes or less.
19 Thank you.

20 ME. SCALES: P-E-T-E-R, S-C-A-L-E-S. So far
21 today, all I've heard is about me, me, me, what's good for
22 me. I spent 11 years in my youth traveling around the
23 world, been down the Amazon River. I'm reading a book
24 about Roosevelt out right now, River of Darkness, having
25 been down there, and my world is America. Hat Creek is a

1 small section. What I object about the -- and do you know
2 what, I've got to throw in here, I strongly object -- I
3 don't mean to be offensive. It's hard to criticize America
4 when you've got an accent, but believe you me, I'm more
5 American than most. And you guys -- nothing personal
6 against you guys. I strongly object to how you guys got
7 here with this 205. I also strongly object to how people
8 like you and that a-hole Newsom turned around and got
9 involved in the Dominion Voting Machines here. You did --
10 I find it quite evil. There's so much evil in America
11 right now, it's -- I'm disgusted by it. But listen,
12 getting back to these windmills, with all due respect to
13 that dear doctor, I don't know what he's been looking at
14 for the last 30 years, but I find these windmills
15 absolutely ugly. And being a tradesman, I understand the
16 working of them. They're inefficient. Are you guys going
17 to be climbing up those -- labor guys -- union guys are too
18 fat and lazy. You go up -- get through 600 feet up the
19 bloody ladder to replace the -- yeah. All right, mate.
20 Anyway, so you've got it all here. What the gentleman
21 said. I've only heard of one -- you've got to get away
22 from these windmills. They're positively ugly. In 30
23 years down the road -- and you want to put up 740 more
24 projects of these all around California? This is what --
25 this is what -- we're putting men on the moon, and this is

1 what we're coming up with -- listen, the solution is this,
2 35 million acre feet of water fell on Northern California
3 in the last year. Twenty-nine million of it went into the
4 bloody river. It went into the ocean. What's the cleanest
5 energy in the history of America or in the world? Hydro.
6 Well, forget nuclear stuff. Hydro energy is the cleanest
7 energy. You have to use that water. Get rid of these
8 bloody windmill nonsense and use dams. We're short of
9 water, get reservoirs. You can use -- allow the same
10 amount of water into the ocean if you want. Hydro energy
11 is the cleanest and cheapest form of energy. The cost of
12 energy here in Shasta County is outrageous, \$0.40 a
13 kilowatt hour. In Washington State up there, it's \$8.16
14 for a kilowatt hour. Wake up. I can't believe there's so
15 many stupid bloody people around.

16 MS. BADIE: All right.

17 Next, we're going to hear --

18 COMMISSIONER GALLARDO: Real quick, this is
19 Commissioner Gallardo. We will accept people's opinions
20 and perspectives, but please avoid profanity and insults,
21 or else we will have you escorted out.

22 Please be respectful, sir.

23 We need to continue with public comment. Thank
24 you.

25 MS. BADIE: Next, we're going to hear from Radley

1 Davis. After Radley, we'll hear from Rachel Hunerlach and
2 Cody Freitas.

3 Radley, do we still have you in the room?

4 I'm sorry. Next, we'll hear from Rachel
5 Hunerlach. And after Rachel, we'll hear from Cody Freitas
6 and Jeff Hunerlach.

7 MS. HUNERLACH: Good evening, commissioners.

8 Rachel Hunerlach, H-U-N-E-R-L-A-C-H. I'm a graduate
9 apprentice through the Operating Engineers. I support this
10 project. We need good paying jobs in this area, not having
11 to travel four, five hours to have a good paying job. This
12 is good for the environment, and it's good for the local
13 economy. Thank you.

14 MS. BADIE: Next, we'll hear from Cody Freitas,
15 and then Jeff Hunerlach. And after Jeff, we'll hear from
16 Gary Cadd (phonetic).

17 MR. FREITAS: Well, My name is Cody Freitas, C-O-
18 D-Y, F-R-E-I-T-A-S, and I'm a member of Operating Engineers
19 Local 3. I'm here to voice my support for the Fountain
20 Wind Project. I was just going to speak on my own behalf,
21 but since I'm more than able to commit time here tonight
22 and a lot of my fellow members had to leave, I'll speak on
23 their behalf as well. We need projects like this in order
24 to put our best foot forward in combating climate change
25 now while mitigation is still feasible. We need projects

1 like this to create jobs for local skilled craft workers so
2 we can apply the skills we have gained over our careers to
3 benefit the communities we live in, skills mostly gained by
4 having to follow work away from our families and homes.
5 This is an opportunity to build up resilience in our energy
6 dependency, support our local area by having local workers
7 staying at home, spending the money they earn where they
8 live and at local businesses. We need projects that will
9 provide sustainable industry and new career paths for local
10 students that will ultimately see the benefits of this
11 work. I hope you can see the benefits proposed here, and
12 thank you for your time.

13 MS. BADIE: Thank you.

14 MR. HUNERLACH: Jeff Hunerlach, H-U-N-E-R-L-A-C-
15 H. I'm a Jeff Hunerlach. I'm a Operating Engineers
16 District Representative and a Renewable Energy Advocate
17 with my local union. Tonight I want to talk a little bit
18 about -- you know, we talk about the Fountain Project. We
19 talk about the offshore wind projects. We talk about, you
20 know, five of them in the ocean. And in every case where
21 we are today, it's like, not in my backyard. Not here, not
22 there. Then where? I mean, where are we going to -- how
23 are we going to ever change climate change? How are we
24 going to move forward with getting away from fossil fuel in
25 a responsible manner? This is the history that we need to

1 change because it's killing our youth, it's killing our
2 ocean, it's killing our animals. And if we don't do
3 something soon, it's going to be killing all of us, because
4 it already is and we just don't see that. We support this
5 project, the Operating Engineers wholeheartedly. Our
6 40,000 members stand behind with the State Building Trades,
7 the local unions here in this district. We need to go to
8 work. The people need to go to work. We need to bring
9 more people in. We need help in doing this. So I would
10 hope that you follow AB 205 and make this project happen
11 here locally for the people. They're not ugly. Some
12 people may say so. I say they're beautiful, and they are
13 going to combat climate change. It's happening around the
14 world, East Coast, over in Europe. People ought to get on
15 the line and look at that stuff. Have a good evening.
16 Thank you for your time.

17 MS. BADIE: Thank you.

18 Next, we'll hear from Gary Cadd, if we still have
19 you, and then Bradley McKinney.

20 MR. CADD: Well, thank you for the time. First
21 off, I would like to say that when we were working on the
22 Fountain Wind Project and stopping it a couple of years
23 ago, the actual windmills were going to be close to 700
24 feet -- 670, 680, something like that. Those blades that
25 were going to go on those windmills were 280 feet long.

1 They were produced into three different pieces and then
2 trucked in and then bolted together. Now, I don't know
3 what they're going to be -- 600 feet, 575. It's still
4 going to have somewhat the same problem. At that time when
5 ConnectGEN was making their offer, they said that they
6 would not set -- they would -- I'm sorry, would not shut
7 the windmill farm down during a red flag situation. Well,
8 that's probably about the best way to catch something on
9 fire. The planes when they come in -- stop and think of
10 this a second. You've got a forest, and let's say the mean
11 height of the forest and the trees is -- let's just say 200
12 feet. It's not quite that, but let's say it's 200 feet.
13 Then you're going to turn around and put some windmills, 50
14 to 75 of them, in there that are an additional 200 feet
15 taller. And you are going to be a pilot to fly in -- and
16 they're spinning, and they've got vortex like you wouldn't
17 believe. And you're going to have the pilot fly in there?
18 They've got to stay probably close to a half mile away from
19 that from causing them a problem. Keep in mind -- is this
20 the only site in Shasta County? Henry knows. No, it's
21 not. There's an additional five more -- Bally (phonetic),
22 McCloud. So if this were to go through, we would have
23 windmills -- Bally, McCloud, all over. There's been no way
24 to stop it. So I think it's a real good idea to just table
25 this issue and force all to go home. Now, I know that I'm

1 -- the union people are going to get mad or they're already
2 mad at me, but the safety is what we're talking about. And
3 without safety, we don't even have a community. I'm not
4 going to take any more time. Thank you very much.

5 MS. BADIE: Thank you for your comment.

6 So just to announce, we have about 14 more blue
7 cards in the room. If you have not turned in a blue card
8 and you would like to make a comment, please do so now.
9 And after we do the in-person comments, we'll move to Zoom.
10 We have about six people who've raised their hand on Zoom.
11 And, again, if you want to raise your hand on Zoom and
12 you're online, use the raise hand feature. It looks like a
13 open palm on your screen. And if you're joining us by
14 phone, you'll press star nine to raise your hand. That
15 will tell us that you would like to make a comment from
16 Zoom.

17 All right. So we're going to hear from Bradley
18 McKinney next, and then (indiscernible 03:46:15) Farr
19 (phonetic). Sorry if I've mispronounced your name. Thank
20 you.

21 MR. MCKINNEY: Hi, I'm Bradley McKinney, B-R-A-D-
22 L-E-Y, M-C-K-I-N-N-E-Y. I'm a business representative for
23 Laborers Local 185. I support this project. I've lived in
24 Shasta County. I'm a fifth generation Shasta County
25 resident, lived here all my life, so has my family. And

1 I've been in the field working in construction for 30
2 years. Just started this job November 1st, but I spend a
3 lot of time on the road away from my family having to go
4 away to projects. So I support projects like this that are
5 going to give our local laborers jobs right here in the
6 county, and their money also will be spent back into the
7 county. So I definitely am all for that and approve that.

8 And from what I've seen and heard, like, for the
9 fire danger, the Hatchet Ridge has been there for how long,
10 and has there been any fires caused from it? Not that I
11 know of. And I just think that it would be a great project
12 because it'll bring money into the community, and our
13 workers will spend their money in the community too, and
14 people will get -- learn their trades and stuff,
15 apprentices and everything. So I support this project, and
16 thank you.

17 MS. BADIE: Thank you. Next, we'll hear from Jim
18 Farr. And after Jim, we'll hear from James Steadman.
19 Okay. Do we still have James Steadman? All right. We
20 have a card for Ray Thomas and also Andy Main.

21 MR. THOMAS: Good evening. It's Ray Thomas, R-A-
22 Y, T-H-O-M-A-S. I'm here with my brother, Lee. We've been
23 here for 55 years. We live in District 3 where this
24 project is proposed, and we support the project for quite a
25 few reasons, the most important being that California needs

1 the green energy to support the grid.

2 You've heard the anger or at least you've read it
3 in the papers. When there are blackouts, they hold the
4 state responsible. There's lawsuits, there's deaths when
5 there's blackouts. And if you go back to the blackout in
6 2020 in California, most would consider a mild summer, you
7 had 800,000 homes and businesses out of power. So your
8 responsibility, as I understand it, is to move us towards
9 green energy and make sure that our grid is electrified.

10 Those blackouts in 2020, similar to others, were
11 due to the lack of hydro energy because of the droughts.
12 We need green energy to back up green energy. We need the
13 jobs, of course. The local revenue's great. But the most
14 important thing is to protect our grid, make sure that it's
15 energized. And when you're looking at them -- as you
16 consider these projects and you consider everything that
17 you've heard, please don't let it be lost on this
18 commission that you're talking about private investment on
19 private property that's shovel-ready and green. We need
20 this project. Thank you.

21 MS. BADIE: Thank you.

22 Next, we'll hear from Andy Main, and then we'll
23 hear from Bill Walker. Again, we're asking for comments to
24 be three minutes or less, and please spell your name for
25 the court reporter, please.

1 MR. MAIN: Andy Main, A-N-D-Y, M-A-I-N. I'm a
2 lifelong resident of Shasta County. I was born here almost
3 69 years ago. I know I don't look that old. I have a long
4 history up here. I lived in the Intermountain area for 10
5 years. My family was in the sawmill business, so we were -
6 - we needed the natural resources that we have. I'm here
7 to speak on behalf and in support of the Fountain Wind
8 Project.

9 I built a power plant back in the 1980s in small
10 town of Bieber, California. We built 18 miles of power
11 lines. We burned, and I believe in cogeneration. I think
12 it's a great resource, but we need projects like Fountain
13 Wind because our country needs it. Just like the gentleman
14 before me spoke, we live in a growing world. I live in --
15 right now, I live in Palo Cedro. I've been there for
16 almost 30 years. Our community has tripled in size in
17 those 30 years. It's growing. We can't stop the growth.
18 California is growing. People are coming to Shasta County.
19 We need more resources. We're putting electric cars, we're
20 doing solar. We need a balance of everything, and that
21 includes wind, as well as hydro, as well as cogeneration.
22 There's a balance. And we need to be able to allow you
23 folks who are representing us to do this.

24 I was in support of it before. Staff was in
25 support of this before. Fountain Energy came in, they went

1 through the application process. All the requirements that
2 they had to do, staff went over it with a fine-tooth comb
3 and said, "Hey, it looks good to us." And because of the
4 needs of a few people, I think the Planning Commission and
5 the Board of Supervisors changed their mind on it. And I'm
6 hoping that maybe you'll see that what is good for the many
7 people -- what's good for the masses might outweigh what
8 the needs of the few are.

9 So I would like to -- I would like to get rid of
10 gas and oil. I think that the carbon footprint is
11 important. I'm not a big believer in climate change, but I
12 do think that we all need to do our little part as a
13 community, as an individual, as a state, as a nation to
14 improve our ability to make clean energy to supply the
15 needs of a growing nation. That's all I have. Thank you
16 very much.

17 MS. BADIE: Thank you.

18 Next, we'll hear from Bill Walker, then Lori
19 Castillo Dimon (phonetic) and Glen Hodges.

20 MR. WALKER: Hello, my name is Bill Walker. It's
21 B-I-L-L, W-A-L-K-E-R. I was a planner with Shasta County
22 for 30 years until I retired in 2018, and I was the lead
23 planner on the Hatchet Ridge Wind Project.

24 Today, I want to address the concerns about the
25 safety of aerial firefighting around large wind turbines as

1 proposed for the Fountain Wind Project. When the original
2 Fountain Wind Project was reviewed by Shasta County
3 Planning Commission, perhaps the most important finding
4 that the Commission made in denying the use permit for
5 Fountain Wind was the commissioner's concerns about the
6 safety of aerial firefighting around large wind turbines.
7 As you may be aware, most of Shasta County, including the
8 proposed project site, is identified by Cal Fire as a high
9 fire hazard area. In the event of a wildfire in the area,
10 a very important factor in the effectiveness of
11 firefighting will be the use of aerial firefighting,
12 including air tankers, dropping fire retardant, and
13 helicopters making water drops.

14 At the County Planning Commission hearing on the
15 Fountain Wind Project and here again this evening, two or
16 three pilots who said they had aerial firefighting
17 experience stated that a large area around the proposed
18 wind turbines would be unsafe for aircraft to the degree
19 that aerial firefighting could not be used to fight a
20 wildfire, and therefore firefighting efforts would be
21 seriously compromised. They strongly urged that the
22 project be denied for safety reasons. However, prior to
23 the Planning Commission meeting, I contacted Cal Fire
24 Aviation Program, which, by the way, is the largest civil
25 aerial firefighting fleet in the world. Cal Fire had not

1 adopted or stated any concerns about aerial firefighting
2 and large wind turbines. Let me repeat that. Cal Fire has
3 not adopted any policy or stated any concerns about aerial
4 firefighting and large wind turbines, and yet they're the
5 agency that will be charged with doing the aerial
6 firefighting. So it appears that the Shasta County
7 Planning Commission decision to deny the use permit for the
8 Fountain Wind Project was not based on adequate and
9 accurate information. If the Commission had more accurate
10 information, it may have reached a different decision.

11 After the denial of the Fountain Wind Project and
12 based primarily on the unfounded wildfire fighting safety
13 concerns, the county adopted an ordinance prohibiting large
14 scale wind projects throughout Shasta County. At the
15 present time, there are at least 10,000 large wind turbines
16 in California. Let me repeat that. There are 10,000 large
17 wind turbines in California. It stands to reason that if
18 these turbines present a safety concern for aerial
19 firefighting, Cal Fire would adopt policies or advisories
20 regarding this matter. I have tried to update this
21 information.

22 In summary, the issue of aerial firefighting and
23 safety around large wind turbines clearly needs to be
24 comprehensively revisited and hopefully resolved in the EIR
25 for this project. Thank you.

1 MS. BADIE: Thank you for your comment.

2 Next, we'll hear from Lori Castillo Dimon, and
3 then Glen Hodges.

4 Lori, do we have you in the room still?

5 Okay. How about Glen? Stephanie Anderson? Cody
6 Strauch (phonetic)? Nancy Rader?

7 MS. RADER: Good evening. My name is Nancy Rader
8 with the California Wind Energy Association, and that's
9 spelled N-A-N-C-Y, R-A-D-E-R.

10 We're here today because last year, California
11 enabled a statewide perspective when deciding renewable
12 energy projects just as it did in 1974 when local
13 governments were failing to approve the oil, gas, and
14 nuclear plants that were needed to support the state's
15 growing electricity needs.

16 Most of those power plants, as well as oil
17 refineries, resided in populated, urban, and scenic areas.
18 Now, we're all suffering the climate change impacts of
19 those fossil fuel facilities, wildfires, floods, droughts,
20 and the dramatic loss of biodiversity known as the sixth
21 mass extinction that is unfolding before our eyes. And so
22 California has adopted policies that require a dramatic
23 scale back of our reliance on fossil fuels as well as our
24 gasoline powered cars and the natural gas we use in our
25 buildings. And that can only be done by building renewable

1 energy facilities where renewable resources exist,
2 including the limited commercially viable wind resources in
3 Shasta County.

4 The latest plan to meet our goals from the Public
5 Utilities Commission will require an additional 12,000
6 megawatts of wind energy in or near California by 2045 in
7 addition to nearly 100,000 megawatts of other clean energy
8 resources, including out-of-state wind and offshore wind,
9 solar energy, energy storage projects. And that's after
10 factoring in rooftop solar and what -- everything we can do
11 to reduce our energy consumption.

12 It's important to understand that including a lot
13 of wind energy in the portfolio to balance daytime solar
14 energy production dramatically reduces the total resources
15 we are going to need. A good wind/solar balance reduces
16 overall capacity needs by about 30-percent, which will help
17 us to achieve our goals in many ways. But 12,000 megawatts
18 of in-state wind will require 60 new wind projects the size
19 of Fountain Wind. That means it'll be near impossible to
20 achieve our goals if well-studied projects on active
21 timberland like Fountain Wind are turned down.

22 While there is no energy source of any kind that
23 does not create impacts, let's keep in perspective that
24 non-polluting wind projects will reduce air pollution and
25 climate change gasses, allowing all Californians to drive

1 cars, turn on the lights, heating, and air conditioning as
2 the earth warms. Fountain Wind is the only wind project
3 currently moving forward in a permitting process in
4 California to my knowledge. In part because it's so
5 difficult to go through the local permitting process where
6 the statewide view is not taken into account, the CEC's
7 opt-in siting process really must work if the state is to
8 meet its greenhouse gas reduction goals, because saying yes
9 to Fountain Wind will demonstrate the continued ability to
10 develop wind in California so we can find those other 59
11 wind projects. A denial would all but declare California
12 off limits to wind energy, sabotaging our critical clean
13 energy targets. Thank you.

14 MS. BADIE: Thank you. Next, we'll hear from
15 Bradley Barker (phonetic) and then Jesse Rouse (phonetic).

16 Bradley, do we still have you in the room?

17 How about Jesse Rouse?

18 Beth Messick-Lattin, do we have you in the room?

19 Thank you, Beth. Just a reminder, we're asking for
20 comments to be three minutes or less, and please spell your
21 name for the court reporter as well.

22 MS. MESSICK-LATTIN: Beth Messick-Latin, B-E-T-H,
23 M-E-S-S-I-C-K L-A-T-T-I-N. I, along with a few others in
24 the area, are the Hill Punt people of Eastern Shasta
25 County. We're used to being ignored and treated with

1 disdain by many, including our own county government at the
2 beginning of this involvement with ConnectGEN. Our own
3 planning department treated us with disrespect, and
4 eventually -- but eventually, we were being heard by our
5 planning commissioners who ended up doing their own
6 research. We said no, they said no, the Board of
7 Supervisors said no, and were so appalled that they changed
8 the zoning, but still ConnectGEN says, "We don't
9 understand."

10 We understand that Governor Newsom and
11 Californians need more electrical power. We're not opposed
12 to green energy, but there's a right place for the right
13 project. And in one of the highest fire dangers in
14 California and complex forests like we have, that has never
15 been done before. It's not the place. We understand that
16 the forest companies needs other ways to fund their forest
17 as they're now hampered by inability to do clear cuts and
18 fire locks. We understand that the unions need their jobs,
19 but if you actually look at how many people are hired by
20 Pattern as opposed to what they promised to hire, you'll
21 discover that very few people from Shasta County were
22 hired.

23 We understand that ConnectGEN wants to get their
24 project since they've invested large amounts of money and
25 time. We understand that TANC and the Federal Department

1 of Energy are watching this project's movement. We
2 understand that most do not have a relationship with the
3 land and what is a good fit. We understand what it's like
4 to be in the middle of an electrical field, and this with
5 the further expansions, Section 3, and then following
6 McCloud. And the others that (indiscernible 04:02:29)
7 originally studied is only going to increase that
8 electrical field.

9 We understand that the California Department of
10 Forestry does not, in fact, have a policy. They leave
11 judgment to the pilots to make a decision whether they can
12 fly the area or not. But we question the decisions of Cal
13 Fire in regards to pilots and everything since their
14 salaries are paid by the governor who wants this energy
15 project passed. We understand that our fire-scorched earth
16 better than you guys do. And as Joni Mitchell says, do we
17 really want to pave paradise with wind turbines instead of
18 parking lots?

19 MS. BADIE: Thank you.

20 Next, we'll hear from Patrick Wallner.

21 Patrick, if you can approach the podium, we're
22 asking for comments to be three minutes or less. And if
23 you can also spell your name for the court reporter, that
24 would be appreciated.

25 MR. WALLNER: Sure. Thank you. My name is

1 Patrick Wallner, P-A-T-R-I-C-K, W-A-L-L-N-E-R. I'm a 56-
2 year resident of Shasta County, a gubernatorial appointee
3 for three governors for the past 22 years, and also
4 recently served over 10 years on the Shasta County Planning
5 Commission until my primary residence was redistricted in
6 December of 2022. I'm also a past president of the
7 California County Planning Commissioner's Association.
8 With that, I want to say thank you for traveling up here to
9 hear. I've sat on that side of the table before for this
10 particular issue. I chaired the Fountain Wind Project on
11 the Planning Commission on -- in May of 2022 for their
12 final EIR. I have read thousands and thousands and
13 thousands of pages of CEQA, public submitted documents, and
14 took testimony from hundreds of people opposed to and in
15 favor of the Fountain Wind Project over the previous three
16 years. I was also the chairman of the Planning Commission
17 when we decided to draw the -- we directed the staff to
18 draw up an ordinance to ban -- banning the large wind
19 project in our county for many reasons, including a vast
20 majority of our county being designated as this high fire
21 danger or extremely high fire danger. Most importantly,
22 tribal cultural resources will take and suffer irreparable
23 harm with this project. AB 52 was the state's answer to
24 enhance consultation and coordination with the Native
25 Americans. And does AB 205 override AB 52, or does that

1 enhance that?

2 I'm also a private pilot and a small aircraft
3 owner since 1998, and those towers scare the heck out of me
4 -- the ones up there on the Ridge do now. The wake vortex
5 make me want to reconsider flying anywhere near that area.
6 And by the way, the -- many rural airports in the eastern
7 part of Shasta, Modoc, and Lassen Counties are along that
8 flight corridor that passes directly over those towers.
9 And I just want to say thank you again, and safe travels
10 home.

11 MS. BADIE: Thank you.

12 So before I transition to our Zoom attendees, I
13 just want to make sure I've called on everyone in the room
14 that wanted to make a comment. If you did not fill out a
15 blue card and you want to make a comment, can you please
16 raise your hand now? Okay. Great. Thank you so much.
17 I'm going to transition to our Zoom attendees.

18 Just a reminder, if you are joining us by Zoom,
19 please use the raise hand feature on your screen to let us
20 know you would like to make a comment. And if you're
21 joining by phone, you can raise your hand by pressing star
22 nine, and I'll call on folks that have raised their hands.

23 First up, we have Pete Marsh.

24 Pete, I'm going to open your line. We're asking
25 for comments to be three minutes or less, and please spell

1 your name for our court reporter. Pete, your line is open.

2 MR. MARSH: Thank you. Yes. Good evening.

3 Thank you very much for allowing us the opportunity to
4 comment. Pete Marsh. I currently live in Southern
5 California. I lived in Shasta County and started my solar
6 contractor business in Shasta County. In 2015, I relocated
7 for family reasons, but I remain engaged in business in
8 Shasta County as a consultant to other solar and energy
9 storage projects.

10 I developed and taught a course from 2019 to 2021
11 for Shasta College Community Education on global warming --
12 causes, impacts and solutions -- for three semesters. And
13 the core of what I would like to say today is, you've heard
14 a lot about the impacts of building Fountain Wind, and I
15 would like to focus on the opposite, the evidence-based
16 impacts of not building Fountain Wind. Please make sure
17 the analysis includes robust analysis of the impacts that -
18 - of the fossil fuel plants that will continue to operate
19 if this project is not built. Fossil fuel currently
20 comprises of around 60-percent of our national 4,000
21 terawatt hours per year of electrical energy, and we need
22 to replace that with wind and solar and other renewables as
23 rapidly as we can. And as the United Nations Secretary-
24 General Antonio Guterres says, we have to do everything
25 everywhere all at once. My three granddaughters and the

1 grandchildren and children of everyone in the room there
2 and in the county -- a livable future depends on that.

3 So in addition to the climate change impacts of
4 fossil fuel combustion, one thing that we haven't heard
5 about tonight is the human health impact of fossil fuels.
6 Multiple peer-reviewed studies conclude that air pollution
7 from fossil fuel combustion causes seven to 10 million
8 premature deaths annually. Think about that. We willingly
9 accept the death of about one-percent of our fellow humans
10 every decade because we've become blinded to the harm that
11 our current energy system causes. I did some calculations,
12 and the 205 megawatts of Fountain Wind with its
13 approximately 33 to 34-percent capacity factor will
14 generate around 605,000 gigawatt hours of very low carbon
15 energy. Fossil fuel, if we continue to allow gas plants to
16 run -- to generate that amount of energy, that'll generate
17 80 times as much greenhouse gases, and natural gas plants
18 somewhere will burn the equivalent of 11 tanker trucks of
19 gas per day every day for 35 years. So a number of
20 speakers have commented on the need to think about global
21 humanity, not just our own backyards. My own backyard is
22 no longer Shasta County, but I was there, and it was
23 scarred by the Carr wildfire. My neighborhood lost seven
24 or eight out of about 30 homes during the Carr wildfire. I
25 understand the impacts.

1 So, again, please consider the global impacts.
2 Please approve the project. I'll be submitting written
3 comments with a list of resources. Thank you.

4 MS. BADIE: Thank you.

5 Next, we have Laura Hobbs. Laura, I'm going to
6 open your line. We're asking for comments to be three
7 minutes or less. There'll be a timer on the screen, and
8 please spell your name for the record. Laura, your line is
9 open. You'll have to unmute on your end. Laura, we're
10 not getting audio from your line. I'm going to move on to
11 the next person. I'll come back.

12 John Lammers, I'm going to open your line. We
13 ask that comments be limited to three minutes or less.
14 There'll be a timer on your screen. I'm going to open your
15 line now.

16 MR. LAMMERS: Good afternoon. Can you hear me?

17 MS. BADIE: Yes.

18 MR. LAMMERS: Perfect. My name is John Lammers,
19 J-O-H-N, L-A-M-M-E-R-S. I'm here today representing the
20 Lammers family to express our concerns and strong
21 opposition to the proposed Fountain Wind Project. Much of
22 what I'm going to go over in the next few minutes is
23 outlined in a presentation that will make everything have a
24 little more sense with pictures that has been previously
25 uploaded.

1 The Fountain Wind Project is literally in our
2 backyard. You know, easily seen in the aerial views, our
3 family ranch would be surrounded by giant turbines. We
4 have owned and operated the small cattle ranch for over 90
5 years. However, to my 30 plus family members, the ranch
6 property is much more than a cattle business. We all have
7 a very emotional attachment to the property as it's been a
8 place for recreation, family gathering -- gatherings,
9 barbecues, and weddings. In fact, I was married on the
10 property 33 years ago. My daughter had her wedding there
11 last June, my niece last July. It is truly a special place
12 with pristine views of Mount Shasta, green meadows, and
13 reforested mountains. The size and magnitude of the
14 project is unprecedented. The acreage footprint of the
15 giant rotating structures will ruin the visual landscape
16 from all corners of our property. These are not cute
17 little windmills. You know, they're giant turbines
18 reaching over 600 feet tall, and that's equivalent to about
19 a 50-storey building, which I believe you probably have to
20 travel to San Francisco to find one of those. They will be
21 the largest turbines in the world. And until you stand
22 next to something of that size and feel the ominous
23 presence, hear the whoosh of the blades, see the casted
24 moving shadows, I really don't think one has the ability to
25 understand how these giant rotating structures ruin nature.

1 You know, I learned this by visiting Hatchet Ridge multiple
2 times, and it completely changed, you know, my opinion on
3 large scale wind turbines in the middle -- especially in
4 the middle of a pristine forest. You know, Wind Ridge or -
5 - not Wind Ridge but Hatchet Ridge has even smaller
6 turbines than what's proposed on this project. And I
7 really don't think anyone in leadership that has, you know,
8 the authority to, you know, look at these projects, until
9 they experience that, I don't know if they're qualified to
10 make those types of decisions. It is something that one
11 has to experience and feel.

12 Anyways, the proposed project will place multiple
13 600 foot turbines within a few thousand feet of our
14 property line. In my presentation, I made some crude
15 renderings to kind of show, you know, what this will look
16 like and how unnatural this will look on the ridges above
17 our ranch. The turbines will be close enough to hear,
18 feel, cast flickering showers over the entire 100-acre
19 meadow, and it basically light up the night sky, ruining
20 both, you know, the daytime and nighttime views.

21 So in closing, I do just want to say the project
22 does not belong in this location, and I hope after all of
23 your due diligence, the CEC will come to that same
24 conclusion. Thank you.

25 MS. BADIE: Thank you.

1 Laura Hobbs, we would like to try your line
2 again. If you could --

3 MS. HOBBS: Hi there, this is Laura Hobbs, L-A-U-
4 R-A, H-O-B-B-S. I'm running for supervisor in District 2.
5 I oppose bringing this project back again. The county has
6 already denied it. The turbines, from what I have seen and
7 read, are prone to spontaneous combustion combined with the
8 fact that Cal Fire is not able to fight aerial fires. I
9 feel like this presents a real fire hazard for our area and
10 in such close proximity to so many houses.

11 I wonder also, what is the toxicity effect of the
12 production of these turbines? As well, I wonder how are
13 they going to get the turbines into the area without
14 closing off roads for long periods of time? That was
15 something that was -- that actually happened previously
16 when they did the initial turbines.

17 So I oppose this. I think the county was right
18 in denying it a permit and making a city ordinance to
19 prevent turbines in forested areas. Thank you.

20 MS. BADIE: Thank you.

21 Next, we're going to move on to Sharon.

22 Sharon, I'm going to open your line. If you
23 could, please, spell your name for the record. We're
24 asking for comments to be limited to three minutes or less.
25 Sharon, if you can --

1 MS. GOLDEN: Can you hear me?

2 MS. BADIE: Yes. Thank you.

3 MS. GOLDEN: Hi, my name is Sharon Golden, MPA.
4 That's S-H-A-R-O-N, last name Golden, G-O-L-D-E-N. I'm
5 also the Labor's -- Labor Researcher for Operating
6 Engineers Local 3, and I'm supporting the project tonight.

7 Particularly, I want to speak about an analysis
8 that I conducted on Shasta County Department of Public
9 Works projects. This is particularly interesting because
10 these are likely the same contractors that will be working
11 on this project. I gathered the data from the PWC-100,
12 which is the Public Works database. And I focused on
13 projects that were completed -- excuse me -- were awarded
14 from 2016 when the database became mandatory and the
15 projects that had ended in February 2023. And I
16 supplemented my information through public works -- excuse
17 me -- public requests.

18 There were a total of 125 projects that were
19 awarded in that timeframe, but there -- only 30 of those
20 projects had a valuation of 500,000 or more. My analysis
21 was on those 30 projects because with a higher project cost
22 come higher complexity. On average, projects with non-
23 union prime contractors had final contracts that were more
24 than non-union prime contractors. Compared to the contract
25 amount, non-union projects cost the DPW more than 1 million

1 more than the union projects did. This is over the
2 estimated valuation of the project from the city -- the
3 county's engineer's estimates.

4 Also I want to speak to change orders and
5 contract extensions. On average, projects with union
6 contractors have about half the number of change orders
7 compared to non-union contractors in the county. On
8 average, change order projects -- change orders on projects
9 with non-union prime contractors resulted in double the
10 number of contract extension days, actually more than
11 double. And also, on average, non-union projects had about
12 three times the number of days added from change orders,
13 weather delays, holidays delays, or suspended working days.
14 Unions averaged about 22 working days added while non-union
15 contractors added 64 days. This means that it's a higher
16 cost in general and also leads to a higher impact of the
17 ongoing project within the community. And that concludes
18 my analysis. Thank you so much.

19 MS. BADIE: Thank you.

20 Next, we'll hear from Steve Johnson. Steve, I'm
21 going to open your line. If you can unmute on your end.
22 We're asking for comments to be under three minutes.

23 MR. JOHNSON: Can you hear me?

24 MS. BADIE: Yes.

25 MR. JOHNSON: Yes. Good evening. My name is

1 Steve Johnson, S-T-E-V-E, J-O-H-N-S-O-N. I have a ranch in
2 Montgomery Creek. I've had it for over 20 years, not far
3 from the project. I'm on the board of directors of the
4 Shasta Fire Safe Council. I'm here tonight as a private
5 citizen, not speaking on behalf of the council. But on the
6 Fire Safety Council, I chair the Committee for Strategic
7 Planning, and I'm currently drafting a five-year strategic
8 plan to reduce wildfire risk in Shasta County. That's
9 relevant here because the council is currently working on
10 projects to create fire breaks in different areas of the
11 county to do shaded fire breaks without having to build
12 wind turbines or anything like that that greatly increase
13 fire risk. Those projects will be ongoing. We're getting
14 funding from private sources, from public agencies, fire
15 breaks on public lands, on timberland, and on private land.
16 And those projects will be ongoing regardless of Fountain
17 Wind.

18 Secondly, this particular site is already
19 burdened by renewable energy projects that exist now that
20 you may not be aware of. You've heard mention of Hatchet
21 Creek, which comes down from the sacred tribal mountains
22 through this project site. And you've heard of Montgomery
23 Creek, after which the town of Montgomery Creek is named.

24 Both Hatchet Creek and Montgomery Creek have
25 hydroelectric projects on the creeks. Hatchet Creek has

1 two hydroelectric projects. One runs for a mile through my
2 ranch. Not too far away from those creeks, there's a
3 hydroelectric project on Roaring Creek. And over the hill,
4 there's one on Burney Creek. So we already have these
5 lands and the general area producing renewable energy now.
6 They don't need to be burdened by a new project that will
7 greatly increase fire risk.

8 Lastly, the main point I want you to take away
9 from my comments, and I'm going to repeat it twice. If you
10 approve this project as commissioners, it's very likely
11 that people will die as a result of your decision. I
12 repeat, it's very likely people will die as a result of
13 your decision. And I don't say that lightly. I say that
14 because if aerial firefighting is precluded, and we had
15 testimony before the Planning Commission and Board of
16 Supervisors that without aerial fire attack in a
17 catastrophic wildfire situation on this site, the local
18 communities of Montgomery Creek and Round Mountain will
19 burn to the ground, and it's very likely that people will
20 die. We had people -- four people burned alive in the Zogg
21 Fire in Shasta County a couple of years ago. We had eight
22 die in the Carr Fire. We had over 80 die in the Camp Fire
23 in Paradise. And just this year, we had the most
24 catastrophic loss of life in a wildfire in the United
25 States history in Lahaina Maui. Hundreds and hundreds of

1 people burned alive, and that may likely be the case in
2 this intermountain area. If you approve this project, it's
3 likely that this area will burn again. It burned before.
4 And if it can't be stopped before it enters the local
5 community --

6 MS. BADIE: Thank you for your comment.

7 Next, we have Patrick Boileau.

8 Patrick, I'm going to open your line. We're
9 asking for comments to be three minutes or less. Please
10 spell your name as well for the court reporter.

11 MR. BOILEAU: Good evening. Yes. Patrick
12 Boileau, P-A-T-R-I-C-K, B-O-I-L-E-A-U. I'm the Deputy
13 Political Director with the Operating Engineers Local 3.
14 Thank you, commissioners, for taking my testimony, and
15 thank you from -- for hearing from many of our colleagues
16 in the room, as well as my friend and colleague, the
17 researcher you heard from before.

18 Building this project -- approving this project
19 will have massive benefits, not only for the state overall,
20 but for Shasta County. It'll allow Shasta County workers
21 to work in their own backyards as opposed to travel hours
22 and hours away for a job. The reality of being a
23 construction worker means that you are moving from job to
24 job. And the ability for a construction worker to work for
25 a year or two in the community that they live in is --

1 cannot be understated. It allows a worker to visit -- go
2 to those PTA meetings. It allows a worker to go to the
3 Tee-ball games. It means that the worker is not spending
4 hours on the road or nights in hotel rooms outside of their
5 community, away from their families.

6 Additionally, by requiring that this project be
7 built with skilled and trained labor, you are putting
8 people who know what they're doing behind the equipment.
9 Specifically, you're putting people who know soil and know
10 dirt. They know when dirt's been disturbed and when dirt's
11 been undisturbed. So when considering the potential for
12 archeological and paleontological sites in the course of
13 building this project, a heavy equipment operators like the
14 Operating Engineers know what they're looking for. Not
15 that long ago, an Operating Engineer, while working on
16 expanding the runways in San Jose, came across a Native
17 American burial. He was able to quickly determine what it
18 was, allow archeologists and the tribe -- the local tribes
19 to come in and make the determination as to what was the
20 proper thing to do with the human remains that were
21 uncovered, and then, you know, go on with the work. These
22 Operating Engineers are absolutely at the front line of
23 that sort of work. And it cannot be understated the skills
24 and training that they bring to the site in order to
25 preserve that sort of work.

1 Again, thank you for your time, and we do hope
2 that you eventually approve this project.

3 MS. BADIE: Thank you.

4 Next, we'll hear from Maggie.

5 Maggie, if you can state and spell your name for
6 the record, I'm going to open your line. We're asking for
7 comments to be three minutes or less. Maggie, if you can
8 unmute on your end -- on your end.

9 MS. OSA: Can you hear me?

10 MS. BADIE: Yes.

11 MS. OSA: Thank you. Good evening. My name is
12 Maggie Osa. It's M-A-G-G-I-E, O-S-A. Commissioners and
13 staff has outlined in the CEC agenda that Fountain Wind
14 Project identifies significant environmental impacts across
15 numerous areas which cannot be mitigated. No overriding
16 considerations could justify approving this project. The
17 Camp, Carr, Dixie, Dawn, Delta, Hart, Zogg, and other
18 wildfires within the North State have proven to be some of
19 the most destructive in history, including over 100 lives
20 lost due to the lack of proper maintenance and grid
21 instability was found -- PG and E was found guilty of 94
22 counts of involuntary manslaughter in the Camp Fire and
23 were found responsible for Zogg Fire in Shasta County,
24 which resulted in four more deaths. The work needed by PG
25 and E for grid hardening is still in progress, documented

1 by the recent PG and E rate increases approved by the CPUC
2 to bury the lines in high wildfire areas, which also
3 include transmission lines within Shasta County.

4 In addition to the PG and E maintenance work,
5 CAISO continues to work to resolve the thermal overload
6 issues at the Round Mountain substation, which will not be
7 complete until 2025 in the Millville area of Shasta County.
8 The thermal overload also affects the 230kV lines the
9 project proposes to tie and (indiscernible 04:27:14) for
10 Cottonwood. Sadly, it is now commonplace for these
11 wildfires to quickly get out of control, and limited
12 ingress and egress for residents. The project will
13 severely restrict any effective aerial wildfire support
14 further putting lives at risk unnecessarily even if the
15 turbines did not start the fire. The cumulative impacts to
16 the aerial wildfire support must be considered with the
17 Hatchet Ridge turbines.

18 In addition, as already identified by the CEC,
19 the applicant failed to identify an alternative site
20 outside of Shasta County which could pose significantly
21 less wildfire risk to the community members. In 2022,
22 memos from RCRC and the League of Cities, they state that
23 many communities have suffered dramatic decline in energy
24 reliability over the last several years and that these
25 improvements will require significant investments in

1 infrastructure, development of new energy and storage
2 assets, and rethinking the state's lengthy interconnection
3 process. The CEC would be negligent if they did not secure
4 the needed infrastructure investments are in place to
5 provide a safe and secure transmission grid before
6 considering this project or any other.

7 The clean energy goals within the state are not
8 about who gets to the table first, but the health, welfare,
9 and safety of the residents who must live near these
10 projects. The continued infrastructure failures can no
11 longer be acceptable when lives could be lost for the risk
12 of renewable energy projects. The project in good
13 conscious cannot be approved considering it would be
14 incorporated into a failing infrastructure undergoing
15 current upgrades. The risk of the lives of the community,
16 which the severe limitations regarding aerial wildfire
17 support and the continued destruction to the Pit River
18 Tribes --

19 MS. BADIE: Thank you for your comment, Maggie.

20 Next, we're going to hear from Rachel Hatch.

21 Rachel, I'm going to open your line.

22 We lost Rachel.

23 Rachel, if that was -- if you lowered your hand
24 in error, can you please raise your hand again? Thank you,
25 Rachel. I'm going to open your line. Please unmute on

1 your end. We're asking for comments to be three minutes or
2 less.

3 MS. HATCH: Thank you for the opportunity to
4 speak. It's Rachel Hatch, R-A-C-H-E-L, H-A-T-C-H, citizen
5 of Shasta County. Thank you for the opportunity to speak,
6 and thank you for hosting a California Energy Commission
7 meeting in our rural region of the state.

8 I am here to voice opposition to the Fountain
9 Wind Project. This project is at cross-purposes with the
10 just transition that we need to a carbon neutral future.
11 Transitions are fraught. We all know this. And this is
12 the very task at hand for commissioners to consider here
13 and in every parallel meeting room you've been in across
14 the state. From Kern County to the Salton Sea to Shasta
15 County, you are all well aware of the benefits and
16 tradeoffs. As a citizen of this place, I believe the
17 voices of the cultural caretakers, especially the Pit River
18 Nation who have a profound and longstanding connection with
19 the project site, should be taken into perspective. You've
20 already heard their voices today. Please hear them. For
21 this reason, I oppose the project and ask that the
22 California Energy Commission take this into consideration
23 in their decision. CNRA has just recently launched their
24 tribal-based nature solutions grant program. You are
25 taking strides to embody the just part of "just

1 transition." The CEC must act as thoughtful stewards of
2 this moment and not work at cross-purposes to this
3 imperative. Please don't disregard how a particular energy
4 project such as Fountain Wind can further harm the
5 indigenous peoples of this place. A just transition
6 acknowledges the intergenerational trauma and genocide that
7 has happened here. It's important to uplift the Pit River
8 Nation's comments that are already in the docket, as well
9 as the actions of their council earlier this year and in
10 previous years when this project has undergone local
11 consideration and has been universally denied.

12 Lastly, in the field of philanthropy, the next 10
13 years will see a shift towards reparative capital. This is
14 a move toward utilizing philanthropic resources and other
15 forms of wealth with the intent of healing, not further
16 harm. When the CEC engages with philanthropy across the
17 state going forward, and this is especially important with
18 regard to question number five that you posed for this
19 particular meeting, it is my hope that the commissioners
20 and CNRA staff will take that opportunity to rethink how
21 high of a bar to set for community benefits agreements,
22 both the genuine hard-earned trust that's required and the
23 organizational infrastructure that needs to be in place in
24 order to support them. Please reject the Fountain Wind
25 Project today.

1 MS. BADIE: Thank you for your comment. And I
2 would like to do a last call for raised hands on Zoom.
3 This is the last chance for raised hands on Zoom. If
4 you're online, you'll use the open palm icon just above the
5 title raised hand on your screen. If you're joining us on
6 phone, you'll press star nine to let us know. I'm just
7 giving that a moment. All right. We don't have any more
8 raised hands. I want to thank everyone who commented
9 today, everyone who attended today, and I would like to
10 turn it back to Commissioner Gallardo.

11 COMMISSIONER GALLARDO: Thank you, Public Advisor
12 Mona Badie, who did an excellent job today.

13 So after about five hours, we're nearing the
14 close. On behalf of the California Energy Commission, I
15 want to express our gratitude for everyone who joined,
16 whether it was via Zoom or here in the room, especially to
17 those who travelled from afar. We really appreciate that,
18 and we understand that that is burdensome on you. We
19 received nearly 60 comments of expertise, insight, and
20 perspective that we'll apply during our review process. I
21 also want to thank the hotel staff, our security guards and
22 officers, our audio/visual team, and the Energy Commission
23 staff for their efforts to ensure smooth and fair process
24 today. And also thank you to the developer who presented
25 really detailed account and responded to the questions that

1 we had for them.

2 So, everybody, please have a goodnight.

3 And with that, we'll adjourn.

4 (ADJOURNED AT 7:26 p.m.)

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CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of February, 2024.



MARTHA L. NELSON, CERT**367

CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



MARTHA L. NELSON, CERT**367

February 2, 2024