

<b>DOCKETED</b>	
<b>Docket Number:</b>	23-OPT-01
<b>Project Title:</b>	Fountain Wind Project
<b>TN #:</b>	255314
<b>Document Title:</b>	Applicability of Public Resources Code Section 25545 4(e)(2) and Schedule Change for the Fountain Wind Project
<b>Description:</b>	Letter
<b>Filer:</b>	Marichka Haws
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	3/28/2024 11:21:47 AM
<b>Docketed Date:</b>	3/28/2024



March 28, 2024

Henry Woltag  
Fountain Wind LLC  
1001 McKinney, Suite 700  
Houston, Texas 77002

**APPLICABILITY OF PUBLIC RESOURCES CODE SECTION 25545.4(e)(2) AND  
SCHEDULE CHANGE FOR THE FOUNTAIN WIND PROJECT (Docket No. 23-OPT-  
01)**

Dear Henry Woltag:

This letter is to notify you that under Public Resources Code section 25545.4(e)(2), and California Code of Regulations, title 20, section 1879(a), staff will be extending the time to issue the preliminary staff assessment (PSA), which includes the draft environmental impact report (DEIR) beyond 150 days, and therefore the time for the project to be considered at a business meeting will also be extended beyond 270 days. Under section 25545.4(e)(2) the time to certify the environmental impact report or issue a certificate for the site and related facilities may be extended if certain conditions occur. Specifically, section 25545.4(e)(2)(B) and (C) authorize an extension in time under the following circumstances:

*Substantial changes are proposed in the project that may involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

*Substantial changes occur with respect to the circumstances under which the project is undertaken that may involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

Recently, the project has had a substantial change regarding water supply that resulted in the submission of supplemental information detailing new or

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additional environmental impacts.<sup>1</sup> In staff's prior communications regarding the target dates for key milestones in our analysis and a subsequent California Energy Commission decision, staff identified March 28, 2024, as a target date for our PSA,<sup>2</sup> with a decision expected by the end of July 2024.<sup>3</sup>

Staff requires additional time to review the new information, including the applicant's Updated Water Supply Report filed March 18, 2024, and to conduct follow-up discovery as necessary.

If you have any questions about this letter, please email Eric Knight, Siting and Environmental Branch Manager, at [eric.knight@energy.ca.gov](mailto:eric.knight@energy.ca.gov).

Sincerely,



Drew Bohan  
Executive Director

cc: Chair David Hochschild  
Commissioner Noemi Gallardo  
Elizabeth Huber, Siting, Transmission, and Environmental Protection  
Division Director

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1 TN 254767 (Air Quality Technical Memorandum Update, submitted March 1, 2024); TN 254771 (Updated Traffic Study, submitted March 1, 2024); TN 254794 (Updated Project Description, submitted March 4, 2024); and TN 255154 (Updated Water Supply Report, submitted March 18, 2024)

2 150 days after the application was deemed complete, on October 30, 2023.

3 270 days after the application was deemed complete, on October 30, 2023.