

DOCKETED

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Organization:	Stantec Consulting Services, Inc.
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To: Lon Payne
California Energy Commission

From: Thomas Regan, PG, CEG, CHG
Stantec Environmental Consulting, Inc.

File: Fountain Wind Project, 23-OPT-01

Date: November 8, 2024

Reference: Response to Shasta County Comment Letter Dated October 3, 2024

On October 3, 2024, Shasta County submitted comments on the Fountain Wind Project's Water Supply Analysis submitted to California energy Commission on May 15, 2024, as part of the project's Opt-in Application (23-OPT-01). Below are the County's comments and responses to each from the Applicant.

- a. County Comment: There is no demonstration that the rights to beneficial use of other groundwater users in the basin will not be affected by the export of water from the Montgomery Creek area and ridge where the Project is proposed to be sited.

Applicant Response: The project is located in the Montgomery Creek watershed; however, the water supply for the project will be sourced from the Burney Creek Valley Groundwater Basin (DWR Basin No. 5-48). The Burney Creek Valley Groundwater Basin is designated by DWR as a Very Low Priority basin under the Sustainable Groundwater Management Act (SGMA), meaning that is not subject to the requirements of SGMA to form a Groundwater Sustainability Agency or prepare a Groundwater Sustainability Plan. The amount of water to be pumped from the Burney Creek Valley Groundwater Basin to support the Project is within the historic pumping range for the operating wells at Hat Creek Construction and Materials, Inc. (HCCM). Moreover, during this decades-long period of HCCM operation there is no documented evidence that historical groundwater pumping at HCCM has had an adverse impact on beneficial uses or users of the Burney Creek Valley Groundwater Basin. The commenter has also provided no evidence of any adverse impacts from HCCM's existing, long-standing pumping activities. Further, the Burney Creek Valley Groundwater Basin is a non-adjudicated groundwater basin, and as a result, there are no court-ordered pumping limits or export restrictions imposed on users of groundwater in the groundwater basin.

- b. County Comment: There is no indication that Hat Creek Construction and Materials, Inc., or any of its agents or contractors, meet California Health & Safety Code requirements.

Applicant Response: The groundwater pumped from HCCM will be used for project construction, not potable use. Therefore, California Health and Safety Codes are not applicable to this proposed use.

- c. County Comment: There is no evidence that the wells from where the groundwater will be extracted are permitted to operate at levels contemplated by the application.

Applicant Response: The Burney Creek Valley Groundwater Basin is a non-adjudicated groundwater basin, therefore, there are no court-ordered pumping limits imposed on users of groundwater in the groundwater basin. Further, HCCM has been pumping groundwater for non-potable use at their Eastside Pit facility in Burney for decades.