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| **Project Title:** | Fountain Wind Project |
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| **Document Title:** | Notice of Availability of a Draft Environmental Impact Report (Included within Staff Assessment) |
| **Description:** | N/A |
| **Filer:** | Kaycee Chang |
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# NOTICE OF AVAILABILITY

# OF A DRAFT ENVIRONMENTAL IMPACT REPORT- (INCLUDED WITHIN STAFF ASSESSMENT)

You are receiving this notice as you have been identified as either (1) a property owner or occupant adjacent to the project site or a property owner within 1,000 feet of the project site or 500 feet of project linear project components or (2) a responsible, trustee or other interested agency, or (3) an interested party who has requested to be included on the project mailing list.

Pursuant to California Code of Regulations, title 20, section 1879, the California Energy Commission (CEC) has prepared a Staff Assessment (SA) which includes a Draft Environmental Impact Report (EIR) for the proposed Fountain Wind Project (project), in accordance with the California Environmental Quality Act (CEQA) and Chapter 6.5 (commencing with Section 21178) of Division 13, including Sections 21183 and 21183.6, of the Public Resources Code.

The applicant is seeking a certification from the CEC to construct and operate the Fountain Wind Project. The project is a proposed wind energy generation facility on approximately 2,855 acres of private, leased working forest land in unincorporated Shasta County, California, near the town of Burney. The SA describes the proposed project and evaluates the potential environmental impacts associated with its construction and operation, and the project's conformance with applicable local, state, and federal laws, ordinances, regulations, and standards (LORS). The SA analyzes two project alternatives in addition to a "no project" alternative. Pursuant to CEQA, the SA includes sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.

The SA, which includes a Draft EIR, was released for public review on March 25, 2025. The SA will be available on the CEC's webpage for the project, as listed below in this notice. Comments on the SA will be received for a period commencing on March 25, 2025, and ending on May 27, 2025.

## PROJECT LOCATION AND DESCRIPTION

The proposed project includes wind turbine generators and associated infrastructure and facilities. The project would have a total nameplate generating capacity of up to 205 megawatts (MW). Division 15, Chapter 6.2 of the Public Resources Code (sections

25545 - 25545.13) gives the CEC authority to permit certain clean and renewable energy facilities, including solar photovoltaic, onshore wind, and energy storage systems, and facilities that produce or assemble clean energy technologies or their components, in a timely and efficient manner. The Opt-In Certification Program, as it is known, is an optional permitting process through which developers can submit project applications through June 30, 2029. The CEC permit is in lieu of any permit that would normally be required by the local land use authority and most, but not all, state permits.

The project site is located approximately 1 mile west of the existing Hatchet Ridge Wind Project, 6 miles west of Burney, 35 miles northeast of Redding, and immediately south of State Route (SR) 299. The applicant proposes to construct up to 48 turbines, each with a generating capacity of up to 7.2 megawatts and up to 610 feet tall. The proposed project would include a 34.5-kilovolt overhead and underground electrical collector system to connect turbines together and to an on-site collector substation; overhead and underground fiber-optic communication lines; an on-site switching station to connect the project to the existing regional grid operated by the Pacific Gas and Electric Company; a temporary construction and equipment laydown area; up to nine temporary laydown areas distributed throughout the project site to temporarily store and stage materials and equipment; an operation and maintenance facility with employee parking; up to three permanent meteorological evaluation towers (METs); temporary, episodic deployment of mobile Sonic Detection and Ranging or Light Detection and Ranging systems within identified disturbance areas (e.g., at MET locations); two storage sheds; and three temporary batch plants.

## HAZARDOUS WASTE SITES

The project site is not listed on the California Hazardous Waste and Substances Sites List (also known as the Cortese List), published under Government Code section 65962.5 or a list of hazardous waste facilities, hazardous waste property, or hazardous waste disposal site.

## ANTICIPATED ENVIRONMENTAL EFFECTS

The proposed facility has multiple significant and unavoidable impacts on the environment in the areas of Biological Resources; Cultural and Tribal Cultural Resources; Forestry Resources; Hazards, Hazardous Materials, and Wildfire; Land Use and Agriculture; and Visual Resources.

The project would have less than significant impacts on climate change and greenhouse gas emissions, public health, socioeconomics, and solid waste management.

The SA, which includes a Draft EIR, evaluates significant impacts requiring mitigation in the following technical areas:

- **Air Quality.** *Less Than Significant with Mitigation Incorporated.* With implementation of Air Quality conditions of certification (COCs), potential identified

air emissions from the project, including criteria pollutants during construction, including from portable equipment such as concrete batch plants, and wind energy generation facility operation, including occasional use of the emergency generator, would have a less than significant impact, and the project would conform with all applicable LORS.

- **Biological Resources.** *Significant and Unavoidable Impact.* Although construction related impacts would be less than significant with the implementation of staff's COCs; operation of the project would result in significant and unavoidable impacts to birds and bats from collision with the wind turbines. In addition, because the project would impair aerial firefighting, should a fire start on or near the project site it has the potential to result in substantial impacts to biological and aquatic resources on the project site and surrounding region including the adjacent National Forest Lands. Even with the implementation of staff's proposed COCs, many of the project's impacts to biological resources would remain significant and unavoidable and would not conform with most applicable LORS.
- **Cultural and Tribal Cultural Resources.** *Significant and Unavoidable Impact.* The project would have significant and unavoidable impacts to cultural and tribal cultural resources, related to visual impacts to an identified historical resource and an identified tribal cultural landscape, but would conform with applicable LORS. With implementation of staff's proposed COCs, many of the proposed project's impacts on cultural and tribal cultural resources would be less than significant or reduced to the extent possible. However, significant and unmitigable impacts to cultural and tribal cultural resources would remain.
- **Forestry Resources.** *Significant and Unavoidable Impact.* The proposed project would result in the permanent conversion of forest resources that are classified as Site Class I (high productivity) and II (intermediate productivity), which represents a significant and unavoidable impact. The project would not conform with applicable LORS which are intended to preserve lands within a timber production (TP) district. There is no feasible mitigation that would bring the proposed project into conformance with a TP district.
- **Geology, Paleontology, and Minerals.** *Less Than Significant with Mitigation Incorporated.* The impacts of applicable geologic hazards would be mitigated to less than significant through project design and construction, based on the results of a site-specific geotechnical investigation, the California Building Code (applicable LORS), and implementation of staff's proposed COCs. Potential impacts to paleontological resources would be less than significant because the project footprint is underlain by volcanic rocks with low to no potential for paleontological resources. Potential impacts to geologic and mineral resources would be less than significant because these resources are not expected to be encountered during project construction.
- **Hazards, Hazardous Materials, and Wildfire.** *Significant and Unavoidable Impact*. The proposed project wind turbines would introduce an impediment to aerial firefighting which would present a significant and unavoidable impact to

wildfire emergency response. Implementation of staff's proposed COCs would reduce impacts related to wildfire emergency response to the extent feasible; however, a significant and unavoidable impact would remain. With implementation of staff's proposed COCs, the proposed project would conform with applicable LORS and have less than significant impacts related to hazards, hazardous materials and wildfire, except for impacts related to wildfire emergency response and nonconformance with Section 17.88.135 of the Shasta County Municipal Code.

- **Land Use and Agriculture.** *Significant and Unavoidable Impact.* The proposed project would have a less-than-significant impact associated with division of an established community, and no agricultural land conversion impacts. However, the project would not conform with applicable LORS prohibiting a large wind energy system within an unincorporated area of Shasta County. There is no feasible mitigation that would bring the proposed project into conformance with the County's municipal code.
- **Noise and Vibration.** *Less Than Significant with Mitigation Incorporated.* Despite the generation of noise louder than ambient levels, such as from rock blasting, helicopter operation, and other construction activities, with the implementation of staff's recommended COCs, the project's construction and operation would have a less than significant impact related to noise and vibration and would conform with applicable LORS.
- **Transmission Line Safety and Nuisance.** *Less Than Significant with Mitigation Incorporated.* With implementation of staff's recommended COCs, potential hazards and impacts to receptors associated with transmission lines and related structures and facilities for the project would have a less than significant impact related to transmission line safety and nuisance and would conform with applicable LORS.
- **Transportation.** *Less Than Significant with Mitigation Incorporated.* Implementation of staff's recommended COCs to mitigate impacts associated with project ingress and egress and transport of materials to the project that exceed weight, height, and length limits by applying roadway improvements and obtaining all mandatory permits from state and local agencies would reduce impacts of the project to less than significant. Impacts related to transportation would conform with applicable LORS.
- **Visual Resources.** *Significant and Unavoidable Impact.* Project components exceeding 200 feet tall would be required by the Federal Aviation Administration (FAA) to install lighting and be marked (e.g., a distinguishing color). The emission of new artificial light from the installation of FAA approved air navigation and obstruction lighting systems on 50-plus structures on the project site would be a *significant effect on the environment*. In addition, the light trespass on surrounding properties created by the FAA-required lighting would have a *significant effect on the environment*.

  Also, the color, form, texture, scale, and motion by the wind turbines, other structures, and equipment for the project would adversely affect a "scenic vista" and

have a *significant effect on the environment.* The project is inconsistent with the Shasta County Scenic Highways Element and Figure SH-1, objectives and policies in the Shasta County Timberlands Element, and use and requirements in the Timberland Production Zone. Finally, the project would substantially degrade the existing the visual character or quality of public view of site and its surroundings from key observation points 4 and 5 creating a *significant impact on the environment*. None of these impacts can be mitigated or avoided. In addition, the project would be in nonconformance with the county Scenic Highways Element, Timberlands Element, and the Timberland Production Zone.

- **Water Resources.** *Less Than Significant with Mitigation Incorporated. Impact Unknown as to the use of onsite wells for operational water supply.* Impacts due to stormwater runoff would be mitigated by adherence to staff's proposed COCs both during construction and operation. Impacts of discharges to land due to the conversion of timber land would also be addressed by compliance with staff's proposed COCs. Adherence to state and local permit requirements per Public Resources Code section 25545.1(b)(2) would mitigate potential impacts to waterways and wetlands and potential impacts of an onsite wastewater treatment system.

**Environmental Justice.** The following technical areas discuss project-related impacts on environmental justice (EJ) populations: Air Quality; Cultural and Tribal Cultural Resources; Hazards, Hazardous Materials and Wildfire; Noise and Vibration; Public Health; Solid Waste Management; Transportation; Visual Resources; and Water Resources. Impacts of three of these technical areas (Cultural and Tribal Cultural Resources; Hazards, Hazardous Materials and Wildfire; and Visual Resources) would result in disproportionate effects on the EJ populations represented in **Section 6, Environmental Justice, Figure 6-2**, **Figure 6-3**, and **Table 6-2**.

The SA evaluates the potential for the proposed project to result in growth inducing effects and associated secondary environmental impacts. This SA also considers whether the proposed project would result in a cumulatively considerable contribution to existing significant cumulative environmental effects when combined with other past, present, and reasonably foreseeable future projects.

The CEC cannot certify a project under the Opt-In Program that conflicts with local laws and ordinances unless the CEC determines the project is needed for public convenience and necessity, and no more prudent and feasible alternative exists to meet that public convenience and necessity. Additionally, to approve the project under CEQA the CEC must find that the specific economic, legal, social, technological, or other benefits of the project outweigh its unavoidable environmental impacts. These determinations require specific findings regarding benefits of the project, supported by substantial evidence.

As set forth in detail in **Section 11, Override Findings and Recommendations**, staff recommends the CEC find (1) the project is not necessary for public convenience and necessity and that a battery energy storage system would be a more prudent and

feasible alternative and (2) the project benefits do not outweigh its unavoidable environmental impacts. These recommendations are based on a consideration of the purpose of the local conflicting land use ordinances compared to the objectives of state climate change and renewable energy goals, the unavoidable environmental impacts taken as a whole, and the project's relatively small contributions to the energy needs of the state and the modest potential economic interests to the local community.

## PUBLIC REVIEW PROCESS

The purpose of this Notice of Availability is to provide public notice of the availability of the Draft EIR, consistent with the CEQA Guidelines (California Code of Regulations, title 14, section 15087). The SA, which includes the Draft EIR, is being circulated for review and comment by state agencies via the California State Clearinghouse and via direct mail to federal, regional and local agencies (including the county clerk), as well as organizations and individuals who have requested notification. Consistent with CEQA Guidelines section 15087, this Notice of Availability of a Draft EIR has also been mailed to owners and occupants contiguous to the project site and linears. In accordance with Public Resources Code section 25545.7.6(b), the CEC has scheduled a public review period for the SA (which includes a Draft EIR), ending on May 27, 2025.

Access to the SA and other project information/reports will be available electronically through the CEC's project docket website at: https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=23-OPT-01 and at the State Clearinghouse through the CEQANet Database at: https://ceqanet.opr.ca.gov/.

Persons who cannot access the materials through the link above are encouraged to email Kaycee Chang at the CEC at: STEPsiting@energy.ca.gov with a subject line "Fountain Wind Project" or (916) 232-6319 to arrange for alternative means of access to project materials.

The preferable method to submit responses is via the CEC's electronic commenting (e-commenting) system. To access this system, go to the CEC's webpage for this proceeding: https://www.energy.ca.gov/powerplant/wind/fountain-wind-project, click on the "Submit e-comment" link, and follow the instructions in the online form. Please be sure to include the project name in your comments. Once filed, the comments will become part of the proceeding's public record. Alternatively, comments may be submitted to Kaycee Chang at: STEPsiting@energy.ca.gov.