

DOCKETED	
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*Comment Received From: Margaret Osa
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Complete Support for Staff Assessment to Deny the Fountain Wind Project

Additional submitted attachment is included below.

To: California Energy Commission (CEC), Docket Number 23-Opt-01

May 17, 2025

From: Margaret Osa, Montgomery Creek Resident

Subj: (1) Support for Fountain Wind Project Staff Assessment to Not Certify the Fountain Wind Project TN# 262350 – did 3/25/2025

(2) Request the CEC to direct the Fountain Wind Applicant Honor all Financial Reimbursement Requests submitted by Shasta County and the Pit River Tribal Counsel

Although I do not agree with all the CEQA “significance” determinations and conclusions in the staff assessment I do concur with the CEC staff recommendation not to certify the Project **“the evidence is clear that this location is not compatible with this proposed facility.”** The CEC staff have been working on this Project for more than two years and have clearly provided their expert knowledge as to why they recommend the denial of this Project.

The CEC staff assessment outlines the same conclusions/decisions found by the Shasta County Planning Commission and the Board of Supervisors which the Planning Commission and Board of Supervisors both denied. This second DEIR and independent analysis of the Fountain Wind Project by the CEC staff confirms that this is the wrong Project for this area.

As stated in the Executive Summary of the Staff Assessment, page 1-4, “(1) the project is not necessary for public convenience and necessity and that a battery energy storage system would be more prudent and feasible alternative and (2) the project benefits do not outweigh its unavoidable environmental impacts. These recommendations are based on the unavoidable environmental impacts taken as a whole, the public safety and general welfare purposes of the local land use ordinance, and the net contribution to the environment and protection from climate change provided by the local laws and ordinances not being outweighed by the project’s relatively small contributions to the energy needs of the state and the modest potential economic interest to the local community.”

I also request that the CEC holds the Fountain Wind Applicant responsible for paying all the financial reimbursement requests submitted by Shasta County and the Pit River Tribal Counsel. The CEC staff assessment provided many of the same arguments as those presented by County staff and residents when the Project was denied in Shasta County. Fountain Wind took the same Project, including the same studies, and resubmitted it to the CEC under AB 205, hoping for your approval to certify, and now again the recommendation is a denial. Through this CEC AB 205 process Shasta County has had to redirect valuable county resources, including obtaining outside counsel, to evaluate and respond to the numerous CEC data calls, submitting required documentation, and refuting Fountain Wind statements and/or arguments, and once again restate

their reasons as to why the Project was denied in Shasta County and why it should be denied by the CEC. Shasta County came to the same conclusion as the CEC staff, “Staff acknowledges the key role wind generation plays in SB 100 goals, but concludes the evidence is clear that this location is not compatible with this proposed facility.” The CEC asked Shasta County for information and support but did not provide any process regarding how reimbursements would be managed. Fountain Wind was aware of the CEC’s potential denial and its financial risks when applying under AB 205. The Applicant needs to be held financially responsible, by the CEC, to pay for the resources and financial burden placed upon the Shasta County and Tribal resources. The Fountain Wind Applicant, and others submitting their projects via AB 205, need to know they cannot attempt to financially bankrupt counties to get their projects approved, especially since this Project had already gone through the first CEQA process with two denials in Shasta County (Planning Commission and Board of Supervisors). Please ensure the Fountain Wind Applicant provides all financial reimbursements to Shasta County and the Pit River Tribal representation before closing the project or the Applicant withdrawing the application.

Section 11 summarizes the evidence supporting the denial of certification for this Project. The staff assessment clearly outlines the significant and unmitigable impacts of the Project. The staff assessment indicates that no overriding considerations should be issued under CEQA, therefore the Fountain Wind Project should be denied. The staff assessment is clear when they state, “the project conflicts with local land use ordinances and substantial evidence supports a finding that the project is not required for public convenience and necessity.”

This Project has sought approval for over six years, under multiple companies, with studies dating back before 2017. The Fountain Wind Applicant has failed to demonstrate how this Project can be developed in this location without seriously compromising public safety, the general welfare of residents, sacred tribal resources, biological resources, increasing wildfire risks, and aesthetics, among other concerns.

Please deny this Project, as recommended by the staff assessment, and make the Applicant pay Shasta County what is due to them financially in their reimbursement requests. In addition, please indicate that this Project, proposed anywhere within Shasta County, cannot be resubmitted under any circumstances again with the CEC, under AB 205, or otherwise.

Best Regards,
Margaret Osa