DOCKETED				
Docket Number:	23-OPT-01			
Project Title:	Fountain Wind Project			
TN #:	263237			
Document Title:	Public Meeting on CEC Staff Assessment Fountain Wind Project - 23-OPT-01 - Presentation			
Description:	N/A			
Filer:	Marichka Haws			
Organization:	California Energy Commission			
Submitter Role:	Commission Staff			
Submission Date:	5/21/2025 4:36:19 PM			
Docketed Date:	5/22/2025			



#### Public Meeting on CEC Staff Assessment Fountain Wind Project – 23-OPT-01

California Energy Commission

Siting, Transmission, and Environmental Protection Division

May 20, 2025



- Meeting is hybrid and recorded.
- Instruction for Zoom closed captioning service:
  - **To Activate**: click on "live transcript" icon and then choose either "show subtitle" or "view full transcript".
  - To Stop: click "exit" from "live transcript" or select "hide subtitle" icon.
- Please be mindful of the audio for those participating online; speak slowly and clearly.
- Agenda includes time for public comment and input.



• Welcome

#### CEC Staff Presentations

- ${\scriptstyle \bigcirc}$  Application Overview
- $_{\odot}$  Key Themes from Public Input
- Engineering Evaluation, Environmental Impact Analysis, and Conformance with Laws, Ordinances, Regulations, and Standards
- Opt-In RequirementsNext Steps
- Lunch Break
- Applicant Remarks

#### CEC Presentation

 Public participation and California Native American tribal consultation opportunities

#### Government Comments

- California Native American tribes
- Government Agencies
- $\circ$  Elected Officials
- Break
- Public Comment
- Next Steps
- Closing Comments
- Adjourn



## Welcome





# **Application Overview**

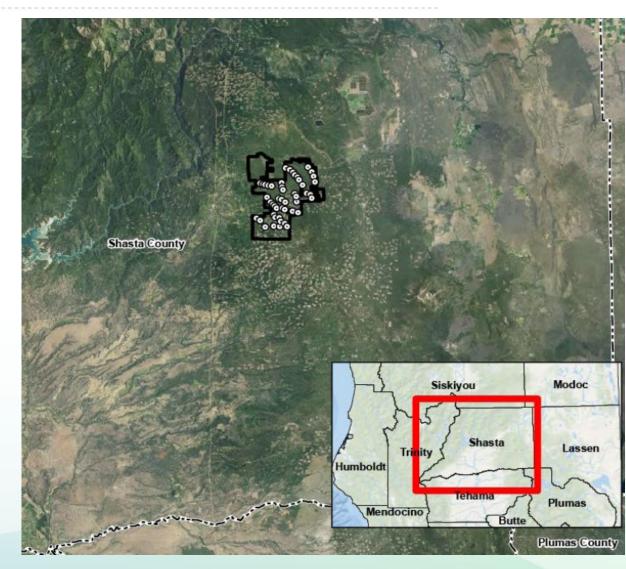
#### Presented by Kaycee Chang Supervisor, CEQA Siting Project Management Unit



# **Fountain Wind Overview**

- Unincorporated Shasta County • Mountainous, forest terrain
- Approximately 2,855 acres
- Up to 205 MW wind generation facility
- Associated infrastructure and facilities:

   Electrical collector system
   Overhead/underground fiber-optic lines
  - Switching station to connect to PG&E grid





Date	Project Milestones
January 11, 2023	Application Filed
October 30, 2023	Determination of Complete Application
November 3, 2023	Tribal Notification Inviting Consultation
November 28, 2023	Public Informational and Environmental Scoping Meeting
March 28, 2024	CEC notified applicant that project was no longer subject to 270-day timeline
March 25, 2025	Staff Assessment Filed
May 20, 2025	Staff Assessment Public Meeting



#### Total Comments: 700+

- Wildfire Risk and Safety
- Biological Resources
- Forest Disturbance
- Cultural and Tribal Land Rights
- Visual Resources
- Community Benefits



8

# Engineering Evaluation and LORS Conformance

Technical Area	Significant Impacts?	LORS Conformance	
Facility Design	N/A	Yes	
Facility Reliability	N/A	N/A	
Transmission System Engineering	N/A	Yes	
Worker Safety and Fire Protection	N/A	Yes	

LORS = laws, ordinances, regulations, and standards

N/A = not applicable (technical area not subject to CEQA consideration or has no applicable LORS the project must conform with.

# **CEQA Environmental Impacts and LORS Conformance**

Technical Area	Significant Impacts?	LORS Conformance	Technical Area	Significant Impacts?	LORS Conformance
Air Quality	No	Yes	Land Use & Agriculture	Yes	No
<b>Biological Resources</b>	Yes	No	Noise and Vibration	No	Yes
Climate Change and Greenhouse Gas Emissions	No	Yes	Public Health	No	Yes
			Socioeconomics	No	Yes
Cultural and Tribal Cultural Resources	Yes	No	Solid Waste Management	No	Yes
Efficiency and Energy Resources	No	Yes	Transmission Line Safety and Nuisance	No	Yes
Forestry Resources	Yes	No	Transportation	No	Yes
Geology, Paleontology, and Minerals	No	Yes	Transportation Visual Resources	Yes	No
Hazards, Hazardous Materials, and Wildfire	Yes	No	Water Resources	Impact Unknown	Yes, pending permits



# **Environmental Topic Area Presentations**





# **Biological Resources**

#### Presented by Chris Huntley, Senior Wildlife Biologist Aspen Environmental Group





#### **Existing Conditions**

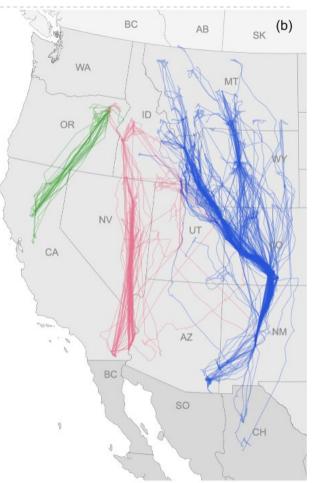
- Privately owned, managed timber lands
- Mixed conifer forest with chaparral and riparian areas
   50% burned in 1992 Fountain Fire
- Riparian habitat associated with ephemeral, intermittent, and perennial drainages, wet meadows, and seeps

   Drainages flow to Pit River
- No Critical or Essential Fish Habitat present

# Biological Resources 2

#### **Existing Conditions (continued)**

- Not in a key wildlife movement corridor
  - Supports local wildlife movement, including fawning habitat
  - Applicant concluded not an important migratory pathway for birds compared to other locations
  - $\,\circ\,$  Within 20 miles of Important Bird Areas
- Adjacent to greater sandhill crane migratory corridor (state fully protected and state threatened)



Greater Sandhill Crane GPS Locations: Central Valley (green), Lower Colorado River Valley (red), and Rocky Mountain (blue) population segments (Source: Donnelly et al., 2021)



#### **Sensitive Plants and Wildlife**

- No State or Federally listed plants expected
- 30+ other sensitive plant species may occur
- Special-status wildlife may occur

   Includes invertebrates, fish, reptiles, amphibians, birds, and small mammals
- Birds most common observed sensitive species



#### **Impacts and Mitigation**

- 31 species specific mitigation measures
- Range from preconstruction surveys to post-construction bird monitoring
- Construction impacts reduced to less than significant

#### Significant and Unavoidable Operational Impacts

- Wildlife mortality from turbine collisions (birds, bats, insects)
- Habitat loss and mortality from wildfires



# Conformance with Laws, Ordinances, Regulations, and Standards (LORS)

Project would conflict with the following:

- Federal Endangered Species Act (FESA)
- California Endangered Species Act (CESA)
- California Fully Protected Species
- California Fish and Game Code
- Migratory Bird Treaty Act (MBTA)
- Shasta County General Plan



## Cultural and Tribal Cultural Resources

#### Presented by Gabriel Roark, M.A. Supervisor, Cultural Resources Unit, and Assistant Tribal Liaison





#### **Existing Conditions**

- California Environmental Quality Act's Broad Definition

   Objects, buildings, structures, sites, areas,
   Places, records, manuscripts, districts, cultural landscapes
- Thirty-two (32) cultural and tribal cultural resources

   Historic roads, ditch, and transmission line
   Native American archaeological site and artifacts
   Archaeological sites related to logging
   Tribal cultural landscape and cultural area



# **Conformance with Laws, Ordinances, Regulations, and Standards (LORS)**

- Project would conflict with:
  - Shasta County General Plan HER-1/HER-a
    - Significant impact on a tribal cultural resource
  - Shasta County Code
    - Prohibition on large wind energy systems



- Cultural resource is an umbrella term
- CEQA-specific terms for significant resources:
  - Historical resource
  - Unique archaeological resource
  - Tribal cultural resource



- Historical Resource
  - National or State register listing
  - Certain California Historical Landmarks
  - Resources that meets California Register criteria



- Unique Archaeological Resource
  - Important scientific information and public interest
  - Special quality (oldest, best of type)
  - Direct association: important event or person



- Tribal Cultural Resource
  - Sites, features, places, cultural landscapes, sacred places, and objects
  - Cultural value to a California tribe:
    - Listed/eligible for California Register,
    - Listed in local historical resource register, or

Lead agency determination: California Register criteria
 Agency determination needs substantial evidence
 Determination consider significance to tribe(s)



- Five (5) significant resources:
  - Historic transmission line
  - Historic logging archaeological site
  - California Native American archaeological site
  - Hatchet Ridge-Bunchgrass Mountain
  - Montgomery-Hatchet Creek Tribal Cultural Landscape



#### **Impacts and Mitigation Measures**

- Less-than-significant impact
  - Historic transmission line
- Less-than-significant impact with mitigation
  - Historic logging and California Native American sites
     Conditions of Certification CUL-1 through CUL-4
- Significant and unavoidable impacts
  - Hatchet Ridge-Bunchgrass Mountain
  - Montgomery-Hatchet Creek Tribal Cultural Landscape



#### **Impacts and Mitigation Measures continued**

- Hatchet Ridge-Bunchgrass Mountain
  - $\circ$  Complete alteration of the southwestern viewshed
  - $\ensuremath{\circ}$  Severed connections to other tribal resources
  - Tree removal and changed topography
  - Wind turbines cannot be hidden



#### Impacts and Mitigation Measures continued

- Montgomery-Hatchet Creek Tribal Cultural Landscape
  - Wind turbines built on sacred places
  - $\circ$  Tree removal
  - Excavation, damage to archaeological resources and human remains
  - Recontouring of existing topography
  - Prominent, incompatible visual intrusions
- Barring avoidance, impacts are significant and unavoidable



## Hazards, Hazardous Materials, and Wildfire

Presented by Brett Fooks, PE Manager, Safety and Reliability Branch





#### **Existing Conditions**

- Wildfire Part of the Ecosystem
- Fire Hazards Mapping

   CAL FIRE Very High Fire Hazard Severity Zone
   CPUC Tier 2 High Fire Threat District



## **Existing Conditions continued**

History of Major Fires

2021 Dixie Fire (almost 1M acres)
2018 Carr Fire (approx. .25M acres)
1992 Fountain Fire (approx. 60K acres)



# Emergency Response Ground based fire fighter response Less than significant

Aerial based fire fighter response

 Significant and Unavoidable Impact



#### Impacts & Mitigation

- Hazards & Hazardous Materials Impacts Less Than Significant
- Significant and Unavoidable Impact Overial Fire Fighting
- Conformance with Laws, Ordinances, Regulations, Standards
  - Would violate Shasta County Municipal Code Section prohibiting wind energy systems in unincorporated areas of the county



## **Land Use and Agriculture**

#### Presented by Tatiana Inouye, MESM, Senior Land Use Planner Aspen Environmental Group



# Land Use and Agriculture 1

## **Existing Conditions**

- Project site consists of 37 parcels within unincorporated Shasta County
- Site is currently used for commercial timber harvesting
- Project site is designated as Timber (T) and zoned Timber Production (TP) - equal to a Timberland Production Zone (TPZ)
- There are no designated Farmlands or Williamson Act contract lands within the project site

# Land Use and Agriculture 2

### **Conformance with LORS**

- Applicant's current lease for the 37 parcels will expire in 2047, and does not provide site control for entire 35-year life
- Shasta County Ordinances prohibiting large wind energy systems, and related to special uses in all zone districts creating a LORS inconsistency
- TP zoning only permits uses that promote growing and harvesting timber

# Land Use and Agriculture 3

### Impacts and Mitigation; Condition of Certification (Mitigation)

• LAND-1 would require applicant to provide proof of lease extensions for all 37 parcels to ensure site control throughout life of the project

### Significant and Unavoidable Land Use Impacts:

- Non-conformance with Shasta County Ordinance Regulating wind energy systems
- Prohibited use within a TP district



### **Forestry Resources**

### Presented by Tim Keesey, Registered Professional Forester #3134 Aspen Environmental Group





### **Existing Conditions**

- Adjacent to commercial timberland and Lassen National Forest
- <u>Silviculture</u>: Primarily patchwork of even-aged, dense, early seral Sierran Mixed Conifer stands
- <u>Site Quality</u>: Primarily Site Class I (highest quality) and Class II



### **Conformance with LORS**

- Current Shasta County Zoning for project site is equivalent to Timberland Production Zone (TPZ)
- State Board of Forestry regulates commercial timber operations on privately owned land
- Project requires both a Timber Harvest Plan and a Conversion Permit



### **Significant Resources Affected**

- Project would result in permanent conversion of 510 acres of timberland within a TPZ
- 548 acres would be temporarily disturbed
- Timberland conversion requires an immediate rezoning of TPZ lands by the County
- State Forestry Board policy stating that it is in the public's interest to oppose conversion of TPZ unless the public value to be achieved exceeds the public values of timber growing



Impacts and Mitigation; Condition of Certification (Mitigation)

- FOREST-1: Requires purchase of 510 acres of equivalent timberlands for preservation
- FOREST-2: Requires reforestation of 548 acres of temporarily disturbed areas

### **Significant and Unavoidable Impacts**

- Prohibited use within a TPZ
- Permanent conversion of 510 acres of high quality timberlands



### **Visual Resources**

#### Presented by Mark Hamblin, MPA, Planner II Land Use and Public Services Unit





- a) Scenic Vista CEQA Guidelines Discussion
- Project site currently used for harvesting timber
- Site is within a "scenic vista" as define by Commission (2008)
- Project physically obstructs the vista
- "Spatial dominance" of structures is dominant
- 48 turbines require 2.5-acre clearing around each
- Project "significant effect" to a scenic vista



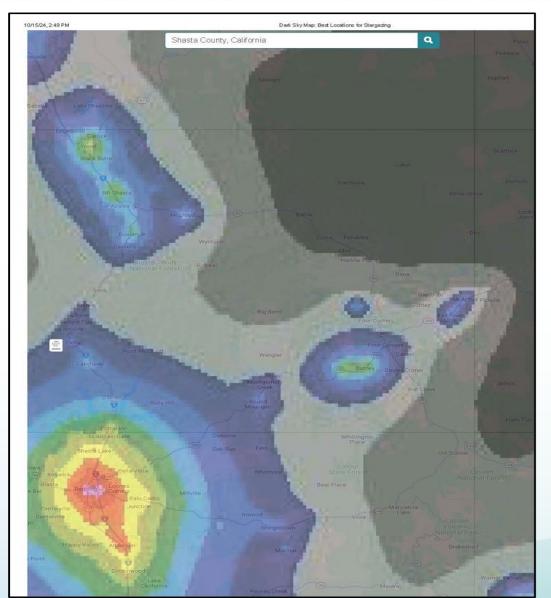
- c) Existing Visual Character or Quality of Public View of Site and its Surroundings CEQA Guidelines Discussion
- Descriptive inventory methodology, formal aesthetic model used
- "Project prominence" and "visual absorption capability" assessed
- Evaluated change to physical environment from a "key observation point" (KOP)
- Six KOPs reviewed
- Project cannot be camouflaged, disguised, screened, etc.
- Project "significant effect" from KOP 4 and 5



### d) Light and Glare CEQA Guidelines Discussion

- Project site emits little artificial light at night
- "World Atlas Night Sky Brightness" map shows low to moderate
- Federal Aviation Administration (FAA) will require 51 structures have lighting
- FAA lighting emits 3 nautical miles (3.3 regular miles)
- "Light trespass" on surrounding properties
- Change to the existing physical environment, "significant effect"





- Source: "World Atlas Night Sky Brightness, Dark Sky Map: Best Locations for Stargazing"
- Brightness at night Redding, Montgomery Creek, Burney
- Duller the color, the lower the brightness



### **Project Conformance with LORS**

- For scenic quality LORS, project in nonconformance
- General Plan land use designation for site, "Timberland"
- Scenic Highways Element identifies "Corridor In Which Natural Environment Is Dominant"
- Project site in "Timber Production" zone
- Project not a designated, permitted, or conditional use



### **Opt-In Requirements Next Steps**

#### Presented by Kaycee Chang Supervisor, CEQA Siting Project Management Unit





- Not subject to public works
   provisions
- Commitment to paying prevailing wages
- Use of skilled and trained workforce



Source: American Institute of Chemical Engineers



#### **Net Positive Economic Benefit to Local Government**

Scenario	Low Fire Risk (base)	High Fire Risk	High Fire Property Damage (stress)
Assumptions	<ul> <li>No fires occur</li> <li>Reduced timberlands production</li> </ul>	<ul> <li>Increased mitigation and suppression cost</li> <li>Negative impacts to timber industry</li> </ul>	<ul> <li>Increased fire damage</li> <li>Additional costs from wildfires caused by project activities</li> </ul>
Construction and operation net economic annual output	\$63 million	\$50 million	\$36 million

# Opt-In Community Benefits Requirement Met

### Legally Binding and Enforceable Agreement(s):

- Executed agreement with Northeastern California Building and Construction Trades Council
- \$175,000 for workforce training and development





# **Override Considerations**

Consider competing California policies of preserving natural environment against the project's contributions to electric system reliability and reducing greenhouse gas emissions and their effects on climate change.

- Project conflicts with local ordinances regarding allowable uses at project site and several other federal/state LORS
- Project causes significant and unavoidable impacts on the environment
- Project not necessary for public convenience and necessity
- Alternative exists that is more prudent and feasible
- Project's significant impacts not outweighed by its benefits



Timeframe	Activity
March 25, 2025	Filed Staff Assessment
May 20, 2025	Host Public Meeting in Shasta County
May 27, 2025 ( <i>May 29, 2025 for</i> <i>state agencies</i> )	Close Public Comment Period
TBD	File Updated Staff Assessment
TBD	CEC Business Meeting Decision

# LUNCH BREAK

**Please return at** 



- Welcome
- CEC Staff Presentations
- Lunch Break
- Applicant Remarks
- CEC Presentation
  - Public participation and California Native American tribal consultation opportunities

- Government Comments
  - **o** California Native American tribes
  - Government Agencies
  - Elected Officials
- Break
- Public Comment
- Next Steps
- Closing Comments
- Adjourn



## **Applicant Remarks**





### Office of the Public Advisor, Energy Equity, and Tribal Affairs





## **California Energy Commission**

Mona Badie, Public Advisor

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





Advancing State Energy Policy Investing in Energy Innovation



Developing Renewable Energy -\_\_\_\_

Preparing for Energy Emergencies



Achieving Energy Efficiency



Transforming Transportation



**Overseeing Energy Infrastructure** 

Intergovernmental Collaboration



Advise and support the CEC, stakeholders, California Native American tribes, and interested members of the public in meaningful engagement and participation in CEC programs, policies, and energy equity efforts.

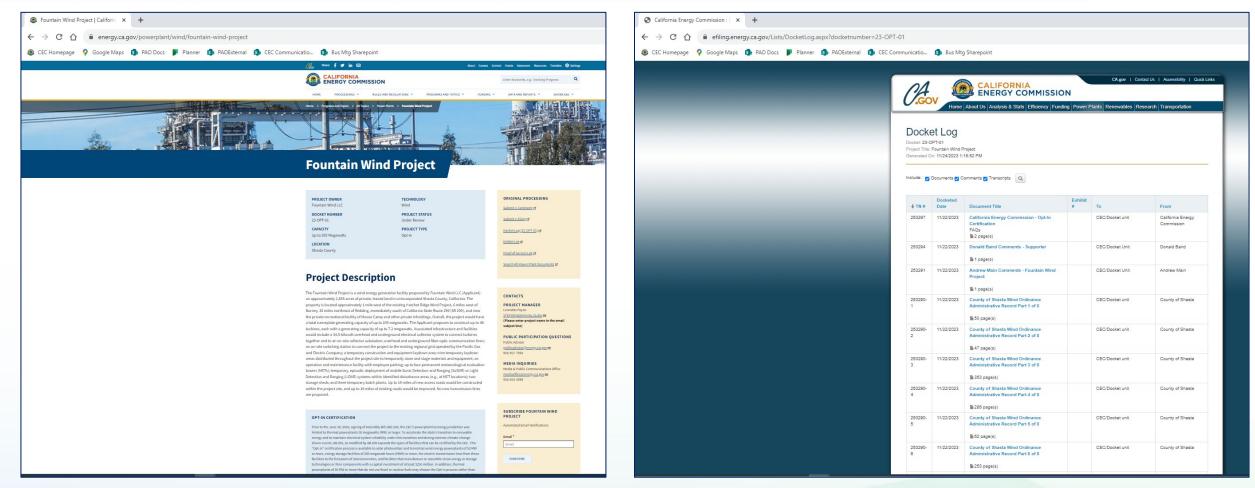




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Visit CEC project webpage for links to comment, sign up for email updates, project docket, project information, and more: <u>https://www.energy.ca.gov/powerplant/wind/fountain-wind-project</u> Visit Docket 23-OPT-01 for free 24/7 access to project documents: <u>https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=2</u> <u>3-OPT-01</u>

# **Verbal and Written Comments**

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The CEC invites consultation in this and other opt-in proceedings with California Native American tribes.

Contact: Gabriel Roark, Assistant Tribal Liaison Gabriel.Roark@energy.ca.gov (916) 237-2544



### **Thank You**

### Email publicadvisor@energy.ca.gov

# **Phone** (916) 957-7910

### Online

https://www.energy.ca.gov/about/divisions-andoffices/office-public-advisor



### **Government Comment**

**California Native American tribes** 

**Government Agencies** 

**Elected Officials** 



### **BREAK** Please return at



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### **Public Comment**





#### Instruction

- 2 minutes or less per person
- 1 representative per organization

#### Zoom App/Online

• Click "raise hand"

#### Telephone

- Press \*9 to raise hand
- Press \*6 to mute and unmute

#### When called upon

- CEC staff will open your line
- Unmute, spell name and state affiliation, if any

### **2-MINUTE TIMER**





Timeframe	Activity
May 27, 2025 ( <i>May 29, 2025 for</i> <i>state agencies</i> )	Close Public Comment Period
TBD	File Updated Staff Assessment
TBD	CEC Business Meeting Decision



# Thank You

Siting, Transmission, and Environmental Protection Division

STEPsiting@energy.ca.gov