

DOCKETED	
Docket Number:	23-OPT-01
Project Title:	Fountain Wind Project
TN #:	263365
Document Title:	Bruce Webb, Conservation Co-Chair Comments - Comments on the Draft EIR
Description:	N/A
Filer:	System
Organization:	Bruce Webb, Conservation Co-Chair
Submitter Role:	Intervenor Representative
Submission Date:	5/27/2025 10:58:16 AM
Docketed Date:	5/27/2025

Comment Received From: Bruce Webb, Conservation Co-Chair
Submitted On: 5/27/2025
Docket Number: 23-OPT-01

Comments on the Draft EIR

Additional submitted attachment is included below.



Shasta Birding Society

Chapter of the National Audubon Society

P.O. Box 994533, Redding, CA 96099-4533

May 25, 2025

Kaycee Chang, Project Manager
California Energy Commission
Docket Unit MS-4, Docket No. 23-OPT-01

Subject: Comments on the Staff Assessment/Draft Environmental Impact Report

Dear Ms. Chang:

Shasta Birding Society is pleased to provide the following comments on the Draft Environmental Impact Report (EIR) for the Fountain Wind Project. The applicant proposes to construct and operate up to 48 wind turbines up to 610 feet high (at turbine blade tip) on approximately 2,855 acres of private, leased land located east of Round Mountain in unincorporated Shasta County. We have the following comments on the adequacy of the environmental analysis, identification of significant project effects on birds and bats and proposed mitigation measures of the Draft EIR.

Shasta Birding Society (formerly Wintu Audubon Society) is an active chapter of the National Audubon Society, covering Shasta and portions of Tehama, Trinity, Siskiyou and Modoc counties in California. SBS has an active Board of Directors and Conservation Committee engaged in advocating for conservation and restoration of natural ecosystems, focusing on birds, other wildlife, and their habitat. SBS also promotes the enjoyment of the natural environment through education and interactive programs. SBS provided recommendations on the scope and content of the Draft EIR to the CEC on December 4, 2023 (TN#253510).

We have reviewed the report's analysis of construction and operational term impacts to common and special status birds, and recommendations of measures to address and minimize habitat and mortality impacts, monitoring requirements and adaptive management. In our view, the analysis is robust and the recommendations are effective and comprehensive, minimizing impacts as well as can be expected given the proposed site. Although we support the development of energy sources to combat the effects of climate change, we cannot support this project due to its clear risk of mortality to special status birds including greater sandhill crane, northern and California spotted owl, northern goshawk, olive-sided flycatcher, willow flycatcher, Vaux's swift, Lewis's woodpecker, yellow-breasted chat and yellow warbler. Our comments below focus on the proposed Technical Advisory Committee (TAC) proposed by Condition of Certification (COC) **BIO-29**.

COC **BIO-29** (Implement a Technical Advisory Committee for Birds and Bats) calls for the TAC to "...oversee and implement science-based monitoring plans and species-specific strategies to avoid, reduce, and mitigate impacts to bats and birds..." and "participate in post construction monitoring programs, assist in the establishment of mortality thresholds for birds and bats should mortalities

exceed Level-1 and Level-2 thresholds identified in BIO-28, and advise the implementation [of] the adaptive management measures that may be necessary if fatality rates exceed maximum mortality thresholds.” As noted in our previous NOP response letter, SBS is an active conservation organization with special expertise about and concern for avian wildlife conservation and habitat. We stand ready to assist through membership on the bird and bat Technical Advisory Committee required by COC **BIO-29**.

COC **BIO-29** states “...[the] TAC shall comprise representatives from the CEC, technical consultants, state and federal resource agencies, including but not limited to CDFW and USFWS, and local stakeholders.” It is unclear who might qualify as a “local stakeholder.” However, a fuller description of TAC membership appears in the discussion of “Migratory and Resident Large Birds and Raptors” at page 5.2-261: “... a TAC composed of the Applicant, CEC, CDFW, USFWS, local land managers such as the USFS, third-party subject matter experts, such as organizations dedicated [to] bird and bat conservation and research, and scientists familiar with post-construction survey protocols.” We suggest this more complete and clearer description be substituted for the brief description used in the COC (at page 5.2-379).

It is unclear how membership on the TAC will be determined, and the number of active members is not described. Since a consensus of the members will be necessary to take actions described in the COC’s, a framework to determine membership, and particularly a clear understanding of the non-governmental members, should be determined before the Final EIR is certified. The TAC description should specify that membership will be at the final discretion of the Energy Commission Compliance Project Manager (CPM), and not the owner. It may also be practical to keep the number of members fewer than 7 or 8 to allow meetings to be scheduled with less advance notice and more complete attendance.

COC **BIO-29** states that TAC meetings will be held every 6 months. It should be added that meetings can be scheduled with reasonable notice whenever it may be necessary during the life of the project.

Should you have any questions about the issues raised in this letter or the role that Shasta Birding Society is prepared to fulfill please feel free to contact us.

Sincerely,

Bruce Webb
Conservation Co-Chair, Shasta Birding Society

Cc: Shasta Birding Society Board of Directors
Mike Lynes, Audubon California