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Letter from Dogwood Acres LLC - Land Owner

Please see attached PDF letter from Dogwood Acres LLC to the California Energy Commission with comments regarding the Fountain Wind Project and it's potential impact on local property owners.

Additional submitted attachment is included below.

Dogwood Acres LLC
19697 US Highway 89
Hat Creek, CA 96040
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May 24, 2025

Kaycee Chang, Project Manager
California Energy Commission, Docket Number: 23-OPT-01
Fountain Wind Project
Comments on the Draft EIR

Dear Ms. Chang,

Dogwood Acres LLC (DALLC) owns 80 acres surrounded by and adjacent to the Industrial Timberlands owned by New Forests, LLC, who plan to lease their lands to Repsol Renewables for construction and operation of the Fountain Wind Turbine project. DALLC's lands (Assessor's Parcel Nos. 29-210-24, 25, 26, 27 and 28) have prescriptive road access rights resulting from many years of unrestricted use via Terry Mill Road, accessing our lands from both the west (from SR299 at the town of Round Mountain) and the east (from SR299 at Hatchet Mt. summit). DALLC owns the land for the purposes of maintaining its exceptional wildlife habitat and natural attributes and for recreational enjoyment of the members. DALLC provided comments on the scope of the Draft EIR on January 10, 2024 (TN#253851).

As we noted in the previous letter, access to our lands may be severely restricted by the turbine project, potentially both during construction and operation. This represents a serious safety issue, during wildfire events or medical emergencies, as well as an unacceptable restriction on our free and unfettered use of Terry Mill Road for ingress and egress from both the west and the east. The draft EIR proposes a Condition of Certification (COC) (**TRANS-1**) to require an access plan be prepared to maintain safe travel on SR299 and other public roads, however, the COC does not specify that such a Plan include provisions for safe access, and the maintenance of non-emergency access, to parcels which may be blocked by construction of or normal operations of the project. For example, the project description does not specify whether turbine sites may cause restricted access at points where the existing private road system passes through them or other project facilities. The implications of restricted ingress and egress to private holdings within or immediately adjacent the project due to turbine construction or operation, during normal operations AND during an approaching wildland fire or simply a medical emergency, are still not fully addressed by the Draft EIR. COC **TRANS-1** should be amended to correct this deficiency. Additionally, the verification requirement for **TRANS-1** must specify that the draft access plan be shared with private landowners within or immediately adjacent the project who are directly affected by it.

The DEIR includes a brief summary of fish species that may be present in the streams and waterbodies within the project. It fails however to note that robust self-sustaining populations of wild non-native brown trout (*Salmo trutta*), native rainbow trout (*Oncorhynchus mykiss*) and wild non-native brook trout (char) (*Salvelinus fontinalis*) are present in all tributaries of Montgomery Creek and Hatchet Creek within the project area. It is likely that the rainbow trout, although physically separated from

anadromous populations of Sacramento steelhead, are genetically equivalent. Thus the list of special status fishes present is also incorrect.

If you have any questions, please contact Bruce Webb at (530)515-5324. Thank you for your attention.

Nathan Valentine
Chair, Dogwood Acres LLC