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Data Request Identifier	Request Source	Topic	Reviewer	Siting Regulations	Information	Opt-In Page Number And Section Number	Adequate	Information Required To Make OPT Conform With Regulations	Response Date	Applicant Response	Status
WR-001	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (1)	...provide a discussion of the existing site conditions, the expected direct, indirect and cumulative impacts due to the construction, operation and maintenance of the project, the measures proposed to mitigate adverse environmental impacts of the project, the effectiveness of the proposed measures, and any monitoring plans proposed to verify the effectiveness of the mitigation.	DEIR Section 3.12 Pages: 3.12-1 thru 3.12-25	Yes	N/A	N/A	N/A	N/A
WR-002	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (A)	All the information required to apply for the following permits, if applicable, including:	DEIR Section 3.12 Pages: 3.12-1 thru 3.12-25	Yes	N/A	N/A	N/A	N/A
WR-003	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (A) (i)	Waste Discharge Requirements; National Pollutant Discharge Elimination System Permit; and/or a Section 401 Certification or Waiver from the appropriate Regional Water Quality Control Board (RWQCB);	Section 3.12.1.3 Regulatory Setting/Regional/NPDES Construction General Permit Pages: 3.12-9	Yes	N/A	N/A	N/A	N/A
WR-004	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (A) (ii)	Construction and Industrial Waste Discharge or Industrial Pretreatment permits from wastewater treatment agencies;	Section 3.12.1.3 Regulatory Setting/Regional/NPDES Construction General Permit Pages: 3.12-9	Yes	N/A	N/A	N/A	N/A
WR-005	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (A) (iii)	Nationwide Permits and/or Section 404 Permits from the U.S. Army Corps of Engineers; and	Section 3.12.1.3 Regulatory Setting/Federal/Clean Water Act Pages: 3.12-4 thru 3.12-6	Yes	N/A	N/A	N/A	N/A
WR-006	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (A) (iv)	Underground Injection Control Permit(s) from the U.S. Environmental Protection Agency, California Division of Oil and Gas, and RWQCB.	N/A	N/A	N/A		Gasoline would not be stored onsite during any phase of the Project and therefore Underground Injection Control Permit(s) are not applicable.	submitted but unnecessary (adequate)
WR-007	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (B)	A detailed description of the hydrologic setting of the project. The information shall include a narrative discussion and on maps at a scale of 1:24,000 (or appropriate scale approved by staff), describing the chemical and physical characteristics of the following nearby water bodies that may be affected by the proposed project:	Figure 3.12-1 Page: 3.12-3	No	"Surface Waters and Hydrology" figure has an estimated scale of 1":1.56 mi., or 1:98842 If practical, provide map in proper scale (1:24,000) or better.	25-May	Figure provided (TN# 250303).	submitted

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WR-008	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (B) (i)	Ground water bodies and related geologic structures;	Section 3.12.1.2, Groundwater Pages: 3.12-2 & 3.12-4 Figure 3.9-1 Page: 3.9-2	No		25-May	Figure provided (TN# 250301).	submitted
WR-009	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (B) (ii)	Surface water bodies;	Section 3.12.1.2, Surface Water Hydrology Page: 3.12-2 Figure 3.12-1 Page: 3.12-3	Yes	N/A	N/A	N/A	N/A
WR-010	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (B) (iii)	Water inundation zones, such as the 100-year flood plain and tsunami run-up zones;	N/A	No		25-May	The Project does not fall within a 100-year floodplain or tsunami inundation zone. See DEIR Section 3.12 p. 3.12-4.	submitted
WR-011	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (B) (iv)	Flood control facilities (existing and proposed); and	N/A	No		25-May	No flood control facilities occur on the Project site. The closest dam to the Project Site is Haynes Reservoir, located approximately 3.3 miles northeast of the Project Site.	submitted
WR-012	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (B) (v)	Groundwater wells within ½ mile if the project will include pumping.	Section 3.15.1.2, Water Supply Page: 3.15-1	No	No list or figure identifying active groundwater wells within ½ mile of the project area. Provide required list or figure.	25-May	Figure provided (TN# 250299).	submitted
WR-013	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (C)	A description of the water to be used and discharged by the project. This information shall include:	Section 3.15.1.2, Water Supply Pages: 3.12-2 & 3.12-4 Section 3.15.1.2, Wastewater Services Page: 3.15-1 & 3.15-2	Yes	N/A	N/A	N/A	N/A
WR-014	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (C) (i)	Source(s) of the primary and back-up water supplies and the rationale for their selection;	DEIR Appendix I, Water Supply Assessment	Yes	N/A	N/A	N/A	N/A
WR-015	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (C) (iii)	Average and maximum daily and annual water demand and waste water discharge for both the construction and operation phases of the project;	Section 3.15.3.2, Direct and Indirect Effects of the Project Page: 3.15-7 DEIR Appendix I, Water Supply Assessment	Yes	N/A	N/A	N/A	N/A

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WR-016	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (C) (ii)	The expected physical and chemical characteristics of the source and discharge water(s) including identification of both organic and inorganic constituents before and after any project-related treatment. For source waters with seasonal variation, provide seasonal ranges of the expected physical and chemical characteristics. Provide copies of background material used to create this description (that is, laboratory analysis);	Section 3.12.1.2, Water Quality Page: 3.12-2 Section 3.15.1.2, Water Supply Pages: 3.12-2 & 3.12-4 Section 3.15.1.2, Wastewater Services Page: 3.15-1 & 3.15-2 DEIR Appendix I, Water Supply Assessment	No	Neither section includes details of the physical and chemical characteristics of source or discharge waters. Provide required information.	25-May	The Project will not discharge wastewater into surface water. Water will be sourced from a water purveyor. If groundwater is used it will be through an agreement with a private well owner. If Burney Water District (BWD) provides construction water supplies then groundwater from BWD wells can be used. Historical water quality data from SWRCB DrinkingWaterWatch for Moose Camp Wells 2 and 3 and Caltrans-Hillcrest SRRA are provided (TN#).	submitted
WR-017	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (C) (iv)	A detailed description of all facilities to be used in water conveyance (from primary source to the power plant site), water treatment, and wastewater discharge. Include a water mass balance diagram;	Section 3.15.1.2, Water Supply Pages: 3.12-2 & 3.12-4 Section 3.15.3.2, Direct and Indirect Effects of the Project Page: 3.15-7 DEIR Appendix I, Water Supply Assessment	Yes	N/A	N/A	N/A	N/A
WR-018	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (C) (v)	For all water supplies intended for industrial uses to be provided from public or private water purveyors, a letter of intent or will-serve letter indicating that the purveyor is willing to serve the project, has adequate supplies available for the life of the project, and any conditions or restrictions under which water will be provided. If a will-serve letter or letter of intent cannot be provided, identify the most likely water purveyor and discuss the necessary assurances from the water purveyor to serve the project;	Not specified	No	No "Letter of Intent" or "Will-Serve Letter" from the water purveyor was provided. Provide a Letter or Intent or a Will-Serve Letter.	25-May	Minutes of Burney Water District meeting describing approved motion to provide water to the Project (TN# 250300).	submitted

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WR-019	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (C) (vi)	For all water supplied which necessitates transfers and/or exchanges at any point, identify all parties and contracts/agreements involved, the primary source for the transfer and/or exchange water (that is, surface water, groundwater), and provide the status of all appropriate agencies' approvals for the proposed use, environmental impact analysis on the specific transfers or exchanges required to obtain the proposed supplies, a copy of any agency regulations that govern the use of the water, and an explanation of how the project complies with the agency regulation(s);	Section 3.15.1.2, Water Supply Pages: 3.12-2 & 3.12-4 Section 3.15.3.2, Direct and Indirect Effects of the Project Page: 3.15-7 DEIR Appendix I, Water Supply Assessment Burney Water District Correspondence (TN248320- 14)	No	The Burney Water District is identified as the water purveyor in the area. There is a series of emails that document the applicant's efforts in obtaining a "will serve letter" from the water district, however, there appear to be no contract or agreement documents included. Provide contract or agreement.	25-May	Minutes of Burney Water District meeting describing approved motion to provide water to the Project (TN# 250300).	submitted
WR-020	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (C) (vii)	Provide water mass balance and heat balance diagrams for both average and maximum flows that include all process or ancillary water supplies and wastewater streams. Highlight any water conservation measures on the diagram and the amount that they reduce water demand; and		N/A	N/A	N/A	N/A	N/A
WR-021	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (C) (viii)	For all projects which have a discharge, provide a copy of the will-serve letter, permit or contract with the public or private entity that will be accepting the wastewater and contact storm water from the project. The letter, permit or contract, if possible, shall identify the discharge volumes and the chemical or physical characteristics under which the wastewater and contact storm water will be accepted. In the event that a will-serve letter, permit, or contract cannot be provided, identify the most likely wastewater/storm water entity and discuss why the applicant was unable to secure the necessary assurances to serve the project's wastewater/storm water needs. Also, discuss the term of the	Section 3.12.1.3 Regulatory Setting/Federal/Clean Water Act Pages: 3.12-4 thru 3.12-6 Section 3.12.1.3 Regulatory Setting/Regional/NPDES Construction General Permit Pages: 3.12-9 Section 3.15.1.2 Utilities and Service Systems, Setting, Environmental Setting, Wastewater Service Pages: 3.15-1 & 3.15-2	No	The Central Valley RWQCB is the agency identified oversight of the General NPDES permit. No "Will-Serve Letter" for wastewater discharge services. According to Section 3.15.1.2, the project site is not served by wastewater infrastructure. Provide a Will-Serve letter or information from the wastewater service provider indicating that they have capacity to receive and treat wastewater from the project.	25-May	The Project is not served by a publicly owned wastewater service provider; therefore, there is no need for a "Will-Serve Letter" from a provider. Wastewater generated at the O&M Facility will be stored in an onsite septic tank which will be serviced by a private vendor. Wastewater from portable toilets will also be serviced by a private vendor. A NPDES permit is not required for an onsite septic system or portable toilets because no wastewater is being discharged to surface waters. Stormwater generated on the Project site would be detailed in a SWPPP which will be prepared prior to construction.	submitted

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					wastewater service to the project, whether the wastewater entity has adequate permit capacity for the volume of wastewater from the project and has adequate permit levels for the chemical/physical characteristics of the project's wastewater and storm water for the life of the project, and any issues or conditions/restrictions the wastewater entity may impose on the project.						
WR-022	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (D)	Identify all project elements associated with stormwater drainage, including a description of the following:	Section 3.12.1.2, Environmental Setting, Climate, Precipitation, and Site Topography Pages: 3.12-1	N/A	N/A	N/A	N/A	N/A
WR-023	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (D) (i)	Monthly and seasonal precipitation and stormwater runoff and drainage patterns for the proposed site and surrounding area that may be affected by the project's construction and operation;	Section 3.12.1.2, Environmental Setting, Climate, Precipitation, and Site Topography Pages: 3.12-1	Yes	N/A	N/A	N/A	N/A
WR-024	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (D) (ii)	Drainage facilities and the design criteria used for the plant site and ancillary facilities, including but not limited to capacity of designed system, design storm, and estimated runoff;	Not specified	No	No documents in the docket that address stormwater management system were provided. Provide a discussion about stormwater management at project site.	25-May	This detail would be provided in a SWPPP which will be prepared prior to construction.	submitted
WR-025	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (D) (iii)	All assumptions and calculations used to calculate runoff and to estimate changes in flow rates between pre- and post-construction; and	Not specified	No	No documents in the docket that address stormwater management system were provided. Provide a discussion about stormwater management at project site.	25-May	This detail would be provided in a SWPPP which will be prepared prior to construction.	submitted
WR-026	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (D) (iv)	A copy of applicable regional and local requirements regulating the drainage systems, and a discussion of how the project's drainage design complies with these requirements.	Section 3.12.1.3, Regulatory Setting Pages: 3.12-4 thru 3.12-10	Yes	N/A	N/A	N/A	N/A

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WR-027	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (E)	An impacts analysis of the proposed project on water resources and a discussion of conformance with water-related LORS and policy. This discussion shall include:	Section 3.12.3 Direct and indirect Effects Pages: 3.12-11 thru 3.12-23 Section 3.12.4 Cumulative Analysis Pages: 3.12-23 and 3.12-24	Yes	N/A	N/A	N/A	N/A
WR-028	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (E) (i)	The effects of project demand on the water supply and other users of this source, including, but not limited to, water availability for other uses during construction or after the power plant begins operation, consistency of the water use with applicable RWQCB basin plans or other applicable resource management plans, and any changes in the physical or chemical conditions of existing water supplies as a result of water use by the power plant;	Section 3.12.3 Direct and indirect Effects Pages: 3.12-11 thru 3.12-23 Section 3.12.4 Cumulative Analysis Pages: 3.12-23 and 3.12-24	Yes	N/A	N/A	N/A	N/A

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WR-029	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (E) (ii)	If the project will pump groundwater, an estimation of aquifer drawdown based on a computer modeling study shall be conducted by a professional geologist and include the estimated drawdown on neighboring wells within 0.5 mile of the proposed well(s), any effects on the migration of groundwater contaminants, and the likelihood of any changes in existing physical or chemical conditions of groundwater resources shall be provided;	Not specified	No	Groundwater is discussed as a possible water supply in Section 3.15, but no drawdown analysis or modeling was provided. Provide drawdown analysis or modeling results.	25-May	In the BWD Water Master Plan (Pace, 2014), hydraulic modeling of the water system was performed to identify deficiencies in the water system. As noted in WSA Section 2.2.2 (TN# 248320-1), BWD operates three wells, Wells 6, 7 and 8. The current well production capacity is 4,600 gpm and the maximum day demand is 3,000 gpm (Pace, 2014). BWD is the only municipal water district in the Burney Creek Valley Groundwater Basin (DWR Basin No. 5-48). The groundwater basin is considered a very low priority basin per the CASGEM basin prioritization. As such, SGMA does not require a GSA to be formed or a GSP to be prepared. There are no data pertaining to well drawdown at BWD Wells 6, 7 or 8 in the BWD Water Master Plan (Pace, 2014), and a groundwater model has not been developed for the BWD or the groundwater basin. WSA Section 2.2.2. discusses water supply availability for construction water demand from BWD and assumed local pumping from one or more new "bedrock" wells for longterm water supply (low pumping capacity). As such, groundwater modeling should not be required because no new wells will be constructed by or for BWD as part of the additional temporary construction water demand. The existing BWD well production capacity meets current water demands in the BWD service area as well the additional temporary construction water demand.	submitted

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WR-030	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (iii)	The effects of construction activities and plant operation on water quality and to what extent these effects could be mitigated by best management practices;	Section 3.12.3 Direct and indirect Effects Pages: 3.12-11 thru 3.12-23 Section 3.12.4 Cumulative Analysis Pages: 3.12-23 and 3.12-24	Yes	N/A	N/A	N/A	N/A
WR-031	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (iv)	If not using a zero liquid discharge project design for cooling and process waters, include the effects of the proposed wastewater disposal method on receiving waters, the feasibility of using pre-treatment techniques to reduce impacts, and beneficial uses of the receiving waters. Include an explanation why the zero liquid discharge process is "environmentally undesirable," or "economically unsound;"	Section 3.15.3.2 <i>Utilities and Service Systems, Direct and Indirect Effects of the Project, Wastewater Service, Environmental Impact (b)</i> Pages: 3.15-8	No	No explanation was given as to why "Zero Liquid Discharge" process would not be used for wastewater disposal. Provide required discussion and explanation.	25-May	The Project does not generate cooling or process waters and will not discharge wastewater into receiving waters. Therefore a "zero liquid discharge" design is not applicable. Only liquid discharge would be to subsurface wastewater disposal system (septic) for O&M bldg.	submitted
WR-032	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (v)	If using fresh water, include a discussion of the cumulative impacts, alternative water supply sources and alternative cooling technologies considered as part of the project design. Include an explanation of why alternative water supplies and alternative cooling are "environmentally undesirable," or "economically unsound;"	Section 3.15.1.2, Water Supply Pages: 3.12-2 & 3.12-4 Section 3.15.3.2, Direct and Indirect Effects of the Project Page: 3.15-7 DEIR Appendix I, Water Supply Assessment Burney Water District Correspondence (TN248320- 14)	Yes	N/A	N/A	N/A	N/A
WR-033	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (vi)	The effects of the project on the 100-year flood plain, flooding potential of adjacent lands or water bodies, or other water inundation zones; and	Section 3.12.3.2 Hydrology and Water Quality, Direct and Indirect Effects of the Project, Environmental Impact (c) Pages: 3.12-9 thru 3.12-21	Yes	N/A	N/A	N/A	N/A

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WR-034	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (g) (14) (vii)	All assumptions, evidence, references, and calculations used in the analysis to assess these effects.	Section 3.12.3.2 Hydrology and Water Quality, Direct and Indirect Effects of the Project, Environmental Impact (c) Pages: 3.12-9 thru 3.12-21	No	Provide the requested information.	25-May	Assumptions, methodologies, and computational methods were provided in the technical reports and County EIR submitted with the application package. Please be specific if there are further questions on assumptions and methodologies.	submitted
WR-035	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (i) (1) (A)	Tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed; and	Not specified	No	Table of applicable LORS	12-Apr	Updated LORS Consistency Matrix (TN# 249636) and General Plan Consistency Matrix (TN# 249635) were provided on April 12, 2023.	closed out
WR-036	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (i) (1) (B)	Tables that identify each agency with jurisdiction to issue applicable permits, leases, and approvals or to enforce identified laws, regulations, standards, and adopted local, regional, state and federal land use plans, and agencies that would have permit approval or enforcement authority, but for the exclusive authority of the Commission to certify sites and related facilities.	Not specified	No	Table of agencies and jurisdictions	3-Apr	Table of applicable permits, agency contact information, and the schedule to obtain legally binding enforceable agreement(s) with community-based organizations and/or permitting entities was submitted on April 3, 2023 (TN# 249533).	closed out

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WR-037	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (i) (2)	The name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.	Not specified	No	List of governmental agencies.	3-Apr	Table of applicable permits, agency contact information, and the schedule to obtain legally binding enforceable agreement(s) with community-based organizations and/or permitting entities was submitted on April 3, 2023 (TN# 249533).	closed out

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WR-038	Deficiency Letter Matrix	Water Resources	Ackerman Abulaban	Appendix B (i) (3)	A schedule indicating when permits outside the authority of the Commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.	Not specified	No	Permit issuance schedule	3-Apr	Table of applicable permits, agency contact information, and the schedule to obtain legally binding enforceable agreement(s) with community-based organizations and/or permitting entities was submitted on April 3, 2023 (TN# 249533).	closed out
WR2-01	Deficiency Letter Attachment B	Water Resources	Not specified	Not specified	Reference: Title 20 CCR Div. 2 Ch. 5 App. B, Appendix B Information Requirements for an Application	Not specified	No	37. Per Appendix B, (g) (14) (B), please reissue figure 3.12-1 Surface Waters and Hydrology with a map scale of 1:24,000. 38. Per Appendix B, (g) (14) (B) (v), please provide a list and map of active groundwater wells within ½ mile of the proposed project, since one alternative for water supply is groundwater extraction. Ensure the map scale is 1:24,000. 39. Per Appendix B, (g) (14) (C) (ii), please provide information on the physical and chemical characteristics of source and discharge water. Data should include both organic and inorganic constituents before and after treatment and should account for seasonal variation for source water. In addition, please provide data documentation. 40. Per Appendix B, (g) (14) (C) (v) and (g) (14) (C)	25-May	37. Please see response to WR-012 38. Please see response to WR-012 39. Please see response to WR-014 40. Please see response to WR-015 41. Permit application will be provided prior to construction when the Project's final design is available. 42. Stormwater control designs will be included in the SWPPP which will be submitted prior to construction. 43. Please see response to WR-026 44. Please see response to WR-028 45-49. Please see LORS Consistency Matrix (TN# 249636), Permit Table (TN# 249533) and General Plan Consistency Table (TN# 249635).	submitted

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								<p>(vi), although the application does include correspondence with the Burney Water District documenting discussion of the ability to provide water, please provide a formal "letter of intent" or "will-serve letter" from the water purveyor (assumed to be the Burney Water District).</p> <p>41. Per Appendix B, (g) (14) (C) (viii), although the application does state that there is no wastewater infrastructure that serves the project site, please provide a permit for septic treatment of water discharge as the identified alternative.</p> <p>42. Per Appendix B, (g) (14) (D) (viii) and (g) (14) (D) (iv), please provide text, diagrams, and calculations regarding storm water control design.</p> <p>43. Per Appendix B, (g) (14) (E) (ii), since the water supply alternatives include groundwater extraction, please provide an estimation of aquifer drawdown of active groundwater wells within ½ mile of the proposed project based on modeling conducted by a professional geologist. The analysis should include the migration of any contaminants and changes in physical and chemical groundwater conditions.</p> <p>44. Per Appendix B, (g) (14) (iv), please provide an explanation why a "zero liquid discharge process" was not incorporated into the wastewater design for the project.</p> <p>45. Per Appendix B, (g) (14) (vii), please provide</p>			

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								<p>calculations that support a discussion of fresh water supply cumulative impacts.</p> <p>46. Per Appendix B, (i) (1) (A), please provide tables that identify laws, regulations, ordinances, standards, adopted local, regional, state, and federal land use plans, leases, and permits applicable to the proposed project, and a discussion of the applicability of, and conformance with each. The table or matrix shall explicitly reference pages in the application wherein conformance, with each law or standard during both construction and operation of the facility is discussed.</p> <p>47. Per Appendix B, (i) (1) (B), please provide tables that identify each agency with jurisdiction to issue applicable permits and approvals, or to enforce identified laws, regulations, standards, and adopted local, regional, state, and federal land use plans.</p> <p>48. Per Appendix B, (i) (2) please provide the name, title, phone number, address (required), and email address (if known), of an official who was contacted within each agency, and provide the name of the official who will serve as a contact person for Commission staff.</p> <p>49. Per Appendix B, (i) (3), please provide a schedule indicating when permits outside the authority of the commission will be obtained and the steps the applicant has taken or plans to take to obtain such permits.</p>			

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WR2-02	Deficiency Letter Attachment B	Water Resources	Not specified	Not specified	Although Section 3.12.1.3 of the Opt-In application (TN 248288-14) addresses the United States Army Corp of Engineers (USACE) jurisdiction to regulate the discharge of dredged fill material to waters of the United States (U.S.) under Sections 401 and 404 of the Clean Water Act (CWA), the jurisdiction of the California State and Regional Water Boards was not recognized under Sections 13260 and 13376 of the California Water Code (CWC). As stated by the Central Valley Regional Water Quality Control Board (CVRWQCB) in their letter of January 27, 2023, entitled Comments on AB 205 Opt-In Application for Certification, CEC Docket Number 23-OPT-01, Fountain Wind, LLC, Fountain Wind Project, Shasta County (Comment Letter), some wetlands and waters are considered geographically isolated from the navigable waters covered under the CWA. If the USACE determines that some wetlands and waters are geographically isolated, regulatory authority would be assigned to the CVRWQCB.	Not specified	No	50. Please include text in Section 3.12.1.3 of the Opt-In application describing why the requirements of Sections 13260 and 13376 of the CWC don't apply to the Fountain Wind project.	25-May	The Applicant plans to submit NOIs for applicable permits through the CVRWQCB, including an Industrial General Permit for industrial stormwater discharges for the Project's concrete batch plant.	submitted
WR2-03	Deficiency Letter Attachment B	Water Resources	Not specified	Not specified	The second (A) row in Section 14 of the Appendix B Opt-In Crosswalk Matrix [TN 248321] states in the Data Response column that construction and industrial discharges are not applicable since "This project will not discharge industrial or construction waste". This seems contrary to the description of the project in the general Opt-In application and contradicts the discussion of the General Construction NPDES permit in Section 3.12.1.3 (TN 248288-14).	Not specified	No	51. Please clarify why construction and industrial wastewater discharge do not apply to this project per the statement in the Data Response column of the second (A) row in Section 14 of the Appendix B Opt-In Crosswalk Matrix.	25-May	The Project will not discharge wastewater into surface water. Wastewater generated at the O&M Facility will be stored in an onsite septic tank which will be serviced by a private vendor. Wastewater from portable toilets will also be serviced by a private vendor. A NPDES permit is not required for an onsite septic system or portable toilets because no wastewater is being discharged to surface waters. The Applicant plans to submit NOIs for applicable permits through the CVRWQCB, including an	submitted

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										Industrial General Permit for industrial stormwater discharges for the Project's concrete batch plant.	
WR2-04	Deficiency Letter Attachment B	Water Resources	Not specified	Not specified	Figure 3.12-1 Surface Water and Hydrology included Section 3.12.1.2 of the Opt-In application (TN 248288-14) appears to reflect a previous version of the proposed project. As an example, Figure 3.12-1 appears to include (75) wind turbines, while the current proposed project only includes up to (48) per the Fountain Wind Executive Summary and Project Description (TN-248322).	Not specified	No	52. Please provide an updated version of Figure 3.12-1 depicting the current proposed locations of wind turbines, roads, and other pertinent features.	25-May	Figure provided (TN# 250303).	submitted
WR2-05	Deficiency Letter Attachment B	Water Resources	Not specified	Not specified	Section 3.12.1.3 of the Opt-In application (TN 248288-14) does not address the applicability of the General Industrial NPDES permit administered by the CVRWQCB. Given the discussion of an Operation and Maintenance facility and the (3) concrete batch plants in the current project description (TN 248322), it would seem that the General Industrial NPDES permit might apply.	Not specified	No	53. Please include text in Section 3.12.1.3 of the Opt-In application describing how the requirements of the General Industrial NPDES permit do or do not apply to the Fountain Wind project. This discussion should include all constituents anticipated to be discharged from industrial activities 54. Per the suggestion in the CVRWQCB Comment Letter, please provide a site map of all industrial facilities of the project.	25-May	53. Please see response to RWQCB-12 54. Please see response to WR2-04	submitted
WR2-06	Deficiency Letter Attachment B	Water Resources	Not specified	Not specified	Section 4.3.4 of the Executive Summary and Project Description (TN-248322) states that the proposed O & M facility will be served by an "on-site septic system" per Shasta County regulation. The Shasta County Onsite Wastewater Treatment Systems (OWTS) program is administered in cooperation with the State Water Resources Control Board (SWCRB) under Waste Discharge Requirements (WDRs) and prohibits some practices such as receiving a projected flow of greater than 10,000 gallons per day.	Not specified	No	Please include text in Section 3.12.1.3 of the Opt-In application or the Executive Summary and Project Description that describes the type of discharges from the O & M facility and how the Shasta County OWTS program can adequately regulate it.	25-May	The O&M Facility will be on a septic system for wastewater/sewer and will comply with all relevant Shasta County building codes.	submitted

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WR2-07	Deficiency Letter Attachment B	Water Resources	Not specified	Not specified	Although Section 3.12.1.3 of the Opt-In application (TN 248288-14) includes a discussion of the CVRWQCB General Order of Waste Discharge Requirements for Timberland Management Activities on Non-Federal and Federal Lands (Order No. R5-2017-0061), it did not include a discussion of the need for a Timber Conversion Permit administered by California Department of Forestry & Fire Protection (CalFire), which was also identified in the CVRWQCB Comment Letter.	Not specified	No	Please include text in Section 3.12.1.3 that discusses the applicability of the Timberland Conversion Permit.	25-May	Please see response to RWQCB-16	submitted