

DOCKETED	
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AIR-002	Deficiency Letter Matrix	Air Quality	Hughes	Appendix B (g) (8) (A)	The information necessary for the air pollution control district where the project is located to complete a Determination of Compliance.	Shasta County DEIR, Section 3.3 Air Quality (TN 48288-5); Shasta County DEIR, Section 3.10 Greenhouse Gas Emissions (TN 248288-12); Shasta County DEIR Appendix B Air Quality and Greenhouse Gas Emissions (TN 248291-4)	No	Background: Emergency Generator - The project would utilize a 268 horsepower (hp) emergency generator that would operate for testing and maintenance purposes. The emergency generator would require a permit to operate (PTO) from the Shasta County AQMD. Energy Commission staff will need to incorporate portions of the Shasta County AQMD engineering evaluation and PTO into its EIR. Request: Emergency Generator - Please provide a completeness determination from the Shasta County AQMD confirming that the district has everything it needs to complete its review of this project and provide an engineering evaluation and permit to operate.	5/23/2023 and 5-Jul	An application for an Authority to Construct will be submitted to Shasta County AQMD. The Applicant will provide a determination of completeness once it is available from SCAQMD.	AIR-002 - The emergency generator will require a an ATC/PTO from the Shasta County AQMD. Staff will need to include the permit conditions in our EIR. To ensure the AQMD has everything it needs to issue the ATC/PTO, please provide the application completeness letter from the Shasta County AQMD.	The Applicant prepared an application for an Authority to Construct for the Project's backup generator (TN# 250951 and 250952). Once the Applicant receives the notice that the application is complete from the Shasta County AQMD, it will be provided to CEC.		
AIR-024	Deficiency Letter Matrix	Air Quality	Hughes	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	Please provide a schedule indicating when the necessary permits from the Shasta County AQMD will be obtained.	4/3/2023 and 5-Jul	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).	The information submitted is incomplete. The status of the permit schedules was listed as "to be determined". Once the district deems the application complete we can identify this as data adequate.	The Applicant prepared an application for an Authority to Construct for the Project's backup generator (TN# 250951 and 250952). Once the Applicant receives the notice that the application is complete from the Shasta County AQMD, it will be provided to CEC.		

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ALT-01	Deficiency Letter Matrix	Alternatives	Vahidi Inouye Kerr	Appendix B (b) (1) (D)	A description of how the site and related facilities were selected, and the consideration given to engineering constraints, site geology, environmental impacts, water, waste and fuel constraints, electric transmission constraints, and any other factors considered by the applicant.	TN 248288: DEIR Description of Project and Alternatives; pages 2-1 to 2-40	No	<p>Please discuss how the project location was selected as the proposed site, and what factors were used to screen alternatives (i.e., site suitability, location of sensitive resources, jurisdictional boundaries, etc.) The 2020 DEIR does not disclose the process used to identify and select the project location as the proposed site for analysis. This site selection criteria is necessary to screen the alternatives for site suitability.</p> <p>5/26/2023 TN 248322 is not an adequate response to the required siting regulation.</p> <p>TN 248322 (Executive Summary and Project Description), Section 1.2.1 (Site Selection), only provides general broad statements for why the site is deemed reasonable for proposed project implementation. There are no specific technical siting factors provided (e.g., site suitability [acreage, proximity to load centers, gen-tie distance to transmission grid, topography, availability of water supply]; details on high wind potential to maximize operational efficiency; economic viability; availability of infrastructure; ability to achieve policy consistency; other plans or regulatory limitations; ability to reasonably acquire or control the project site). As stated in the Warren-Alquist Act Siting Regulation Appendix B (b)(1)(D), "...[a] description of how the site and related facilities were selected, and the consideration given to engineering constraints, site geology, environmental impacts, water, waste and fuel constraints, electric transmission constraints, and any other factors considered by the applicant."</p> <p>Section 1.2 does not provide the information required in Siting Regulations Appendix B (b)(1)(D). The Applicant</p>	6/8/2023 and 21-Jun and 5-Jul	See TN 250551	<p>Preliminary disposition: TN 248322 is not an adequate response to the required siting regulation.</p> <p>TN 248322 (Executive Summary and Project Description), Section 1.2.1 (Site Selection), only provides general broad statements for why the site is deemed reasonable for proposed project implementation. There are no specific technical siting factors provided (e.g., site suitability [acreage, proximity to load centers, gen-tie distance to transmission grid, topography, availability of water supply]; details on high wind potential to maximize operational efficiency; economic viability; availability of infrastructure; ability to achieve policy consistency; other plans or regulatory limitations; ability to reasonably acquire or control the project site). As stated in the Warren-Alquist Act Siting Regulation Appendix B (b)(1)(D), "...[a] description of how the site and related facilities were selected, and the consideration given to engineering constraints, site geology, environmental impacts, water, waste and fuel constraints, electric transmission constraints, and any other factors considered by the applicant."</p> <p>Section 1.2 does not provide the information required in Siting Regulations Appendix B (b)(1)(D). The Applicant needs to provide the specific steps it took to select the proposed project site and the factors that make the site suitable for siting all of the components needed to generate the proposed megawatt output.</p> <p>Note that detailed information on how the</p>	Please see alternatives response memo (TN# 250551).	As requested in TN 248742 (Deficiency Letter) and Data Request Identifier TSD-05 below, Transmission System Design, Siting Regulations Appendix B (b)(2)(E), please "provide the executed Large Generator Interconnection Agreement and any subsequent California ISO documentation related to and required for the interconnection of the project." The Large Generator Interconnection Agreement and subsequent California ISO interconnection documentation is necessary for developing "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project" as required by CEQA Guidelines Section 15126.65(a), including the Applicant project objective of interconnecting to the northern California electrical grid NP15 as stated in TN 248288-2.	Large Generator Interconnection Agreement and other CAISO documents were provided on 21-Jun. TN numbers are not available because they have not yet been posted because of confidentiality.

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								<p>needs to provide the specific steps it took to select the proposed project site and the factors that make the site suitable for siting all of the components needed to generate the proposed megawatt output.</p> <p>Note that detailed information on how the Applicant went about their site selection for their proposed project is crucial to the determination of project alternatives. The technical factors used in selection of a feasible site upon which the project would be located and well-defined/distinct Applicant objectives will be the same factors used to help develop CEQA alternatives (i.e., project site, reduced project, technology alternatives).</p>			Applicant went about their site selection for their proposed project is crucial to the determination of project alternatives. The technical factors used in selection of a feasible site upon which the project would be located and well-defined/distinct Applicant objectives will be the same factors used to help develop CEQA alternatives (i.e., project site, reduced project, technology alternatives).			

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ALT-02	Deficiency Letter Matrix	Alternatives	Vahidi Inouye Kerr	Appendix B (f) (1)	A discussion of the range of reasonable alternatives to the project, or to the location of the project, including the no project alternative, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and an evaluation of the comparative merits of the alternatives. In accordance with Public Resources Code section 25540.6(b), a discussion of the applicant's site selection criteria, any alternative sites considered for the project, and the reasons why the applicant chose the proposed site.	TN 248288: DEIR Description of Project and Alternatives; Sections 2.3 and 2.5; pages 2-6, 2-28 to 2-30 TN 248322: Executive Summary and Project Description; Section 1.3.1.3; page xii NOT DOCKETED: Fountain Wind Project Draft EIR Chapter 1 (Introduction); pages 1-1 to 1-8 File was obtained from the following site: https://www.shastacounty.gov/planning/page/draft-eir-fountain-wind-project	No	Please explain the purpose or need for each of the 9 project objectives. CEQA Guidelines Section 15126.6(a) requires that the alternatives evaluation discuss a reasonable range of alternatives that feasibly attain most of the basic objectives. The 2020 DEIR Project Description (Section 2.3) provides a wide range of 9 project objectives, but does not explain how or why these objectives are essential to the project. CEQA Guidelines Section 15124(b) requires that the statement of objectives include the underlying purpose of the project, which will facilitate the development of a reasonable range of alternatives. Please include the following details in the Description of Project/Alternatives: how and why the proposed site was selected, how capacity and generation targets were identified, and why job creation and revenue is a basic objective of the project.	6/8/2023 and 21-Jun and 5-Jul	See TN 250551	Please see alternatives response memo (TN# 250551).	See CEC Disposition 2 response to Alt-01 (above).	Large Generator Interconnection Agreement and other CAISO documents were provided on 21-Jun. TN numbers are not available because they have not yet been posted because of confidentiality.	
PH-012	Deficiency Letter Matrix	Public Health	Hughes	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.	Shasta County DEIR, Section 3.3 Air Quality (TN 48288-5)	No	Please provide a schedule indicating when the necessary permits from the Shasta County AQMD will be obtained.	4/3/2023 and 5-Jul	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).	The information submitted is incomplete. The status of the permit schedules was listed as "to be determined". Once the district deems the application complete we can identify this as data adequate.	The Applicant prepared an application for an Authority to Construct for the Project's backup generator (TN# 250951 and 250952). Once the Applicant receives the notice that the application is complete from the Shasta County AQMD, it will be provided to CEC.		

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SOC-013	Deficiency Letter Matrix	Socioeconomics	Allen Kaufman Kerr	Appendix B (g) (7) (B) (v)	The potential impacts, including additional costs, on utilities (gas, water, and waste) and public services, including fire, law enforcement, emergency response, medical facilities, other assessment districts, and school districts. Include response times to hospitals and for police, and emergency services. For projects outside metropolitan areas with a population of 500,000 or more, information on schools shall include project-related enrollment changes by grade level groupings and associated facility and staffing impacts by school district during the construction and operating phases;	TN 248288-3: DEIR Intro Environmental Analysis; pages 22-26 TN 248322: Executive Summary and Project Description; page 15 TN 248288-17: DEIR Utilities and Service Systems; pages 3.15-2, 3.15-9	No	Please provide current response times to hospitals and for police and emergency services. Please provide a discussion with level of detail similar to that provided for utilities for the response times for fire protection, law enforcement, and medical facilities. Please include a discussion of the potential impacts.	6/2/2023 and 29-Jun and 3-Jul and 5-Jul	Shasta County Fire and Sheriff did not respond to a request for response times when they were contacted in May 17, 2023. Response times for Fire/EMS was approximately 30 minutes in outlying areas of the county (https://www.shastacounty.gov/sites/default/files/fileattachments/shasta_county_fire/page/4339/2021_annual_report.pdf).	The response is insufficient for my analysis purposes. The link provided is not an adequate response to the Warren-Alquist Act Siting Regulation Appendix B (g)(7)(A)(v). The link provided to the 2021 Annual Report states that ambulance response time is approximately 30 minutes in outlying areas of the county. The specific information still needed includes the following data for public safety analyses: -Current response times for police/sheriff services. -Current response times for fire services. -Clarification on whether the 2021 Annual Report for Fire/EMS is the most recent document. If a 2022 Annual Report is now available, please provide it. -If there are Annual Reports for medical/hospital services in Shasta County, and from the Shasta County Sheriff's Offices, please provide the most recent documents.	On June 19, 2023, the Applicant searched for publicly available information on the County's website, including respective websites for the Fire Department and Sheriff's Office, regarding response times for fire, police, and emergency services. Neither the County nor the Fire and Police Departments provide public documents discussing response times. The Fire Department provides a link to its 2021 Annual Report; however, more recent versions are not available. The 2021 Annual Report describes department facilities and incidents, but it does not provide average response times or response time goals. CALFIRE's 2022 Shasta Trinity Unit Strategic Fire Plan also does not provide average response times for fire services. According to the Fire Department's website, the Fire Department is responsible for all medical aid incidents outside of incorporated cities and districts in Shasta County. In 2021, approximately one-third of the emergency calls required a response to outlying areas of the County; ambulance response time in these areas was approximately 30 minutes. More recent information regarding	The response is insufficient for my analysis purposes. The information provided is not an adequate response to the Warren-Alquist Act Siting Regulation Appendix B (g)(7)(A)(v). Applicant Response No. 2 states "to the extent it is provided, response time information was received from the respective service by email correspondence" for other environmental documents. However, neither Applicant Responses 1 nor 2 provide this information from other County environmental documents that was obtained through email correspondence. Please provide the email responses referenced in Applicant Response No. 2. If needed, please follow up with the appropriate public service agencies by phone call to obtain this information. The specific information still needed includes the following: -Information contained in the above-referenced emails. -Current	The email responses referenced in the Applicant's Response No. 2 were not specific to this Project but rather the "Other County environmental documents for pending or past projects". The Applicant contacted the Burney Fire Protection District, Shasta County Forestry Fire Station, Burney Fire Department, Shasta County Sheriff - Burney Station, California Highway Patrol Shasta County office, and Mayers Memorial Hospital on May 17, 2023 via phone and again on July 5, 2023 to inquire about incident response time statistics. The Applicant left messages on a voicemail or with a staff member requesting follow-up. To date, no response time statistics have been received as a result of these attempts.

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												<p>emergency service response times is not available.</p> <p>The Sheriff's Office does not provide an annual report or other similar publications discussing response times.</p> <p>The County itself did not describe specific response times for the local fire agencies serving the area in its EIR for the Project. Other County environmental documents for pending or past projects similarly do not provide general response times for fire, police, or emergency services. Rather, to the extent it is provided, response time information was received from the respective service by email correspondence. On May 17, 2023, the Applicant contacted the Fire Department and Sheriff's Office for relevant information but has not received a response. Should CEC staff want additional confirmation from Shasta County, the Applicant has also provided CEC staff with contact information for the County planning staff (including emails and telephone numbers) for purposes of CEC coordination.</p>	<p>response times for police/sheriff services.</p> <p>-Current response times for fire services.</p> <p>-If there are Annual Reports for medical/hospital services in Shasta County, and from the Shasta County Sheriff's Offices, please provide the most recent documents.</p>	

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SOC2-016	Attachment B Addendum	Socioeconomics	Not specified	Not specified	16. Please provide additional information and address each item outlined in the community access program indicated in the SCT Wind Project Community Access Memorandum . Does the Applicant intend "...[t]o allow members of the Moose Camp, Round Mountain, Montgomery Creek, and Burney communities the ability to access portions of SCT property for specific recreational or culturally important activities under a program that will be managed by wind farm staff" as stated in the memorandum on page 1?	Not specified	No	Not specified	6/2/2023 and 5-Jul	<p>Details concerning community access to the property are provided in the Community Benefits Program (TN# 248296-2). Based on publically demonstrated interest from local residents and members of the Pit River Tribe, the Applicant worked with the Fountain Wind Project landowner, Shasta Cascade Timberlands LLC ("SCT"), to develop a program to allow public access to the property after project construction has been completed. As is outlined in the memo, access to the site would be allowed for members of the community that live directly adjacent to the site in addition to members of the Pit River Tribe. Access to the site would allow for recreational hunting, as well as the ability for tribal members to access culturally significant sites. This community access program will be administered by the landowner's authorized land management company, FWS Forestry, with assistance from the full-time operational personnel that will be employed by the Fountain Wind Project. As a lessee, the Applicant is not the landowner and does not have express permission to allow third-party</p>	<p>The information submitted is responsive, but insufficient for my analysis purposes. TN248396-2 explicitly states that there will be a community program managed by the wind farm staff. Further, the community access outline on page 17 states that SCT will provide hunting access, SCT will leave the gate open, and ConnectGen and FWS will coordinate with communities and manage the security. Per the memorandum provided, "...To allow members of the Moose Camp, Round Mountain, Montgomery Creek, and Burney communities the ability to access portions of SCT property for specific recreational or culturally important activities under a program that will be managed by wind farm staff." The specific information still needed includes the following: -Information on each item outlined in the community access program indicated in the memorandum. -Clarification on who will be managing what portion of this program. -Discussion of the sufficiency of the wind farm operational budget for accommodating indefinite management of this community access program.</p>	<p>The community access memorandum on Page 17 of the Community Benefits Program (TN# 248296-2) explicitly states the responsibilities that the Landowner, Shasta Cascade Timberlands ("SCT"), or the landowner's authorized land management company ("FWS Forestry"), will be managing. The memorandum states that either SCT or FWS will be responsible for; - "SCT will provide hunting access to members of the Moose Camp, Round Mountain, Montgomery Creek, Big Bend and Burney communities during specified hunting seasons" - SCT will leave the gate open on a main wind-power access road..." -" FWS will develop a permit system for individual hunters"</p> <p>Additionally, it states that ConnectGen and SCT / FWS will collaborate on a number of items, including; - "ConnectGen and FWS Forestry will collaborate on how best to notify the hunting community about this access program." - "ConnectGen and FWS to develop a "check-in and check-out" for hunters, managed by ConnectGen security out from the on-site operations and maintenance (O&M) building."</p>		

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										<p>public access to the site, which is private property. The memorandum provided is evidence of the landowner's willingness to allow managed access to their private property, which has been posted as private and gated for approximately 40 years.</p>		<p>- "ConnectGen and FWS will coordinate with the local communities regarding when hunting would temporarily be prohibited by on-site activities including active timber harvest operations, red flag warnings, and major wind farm maintenance related activities."</p> <p>The memorandum, which was created and issued by FWS on behalf of SCT, is meant to provide an outline of how the system will be created, what it will allow, how it will be implemented, and how it will be managed, as is referenced in the title "Community and Tribal Access Outline". A final community access plan will be created prior to the project becoming operational and will be based on a number of factors, including; the appropriate hunting season time frames, final design of the Project access road system, and planned timber harvest activities at the time of Project operations. The final plan will be created by both ConnectGen and SCT / FWS, and ConnectGen will be responsible for managing the system per bullet 5) under "Community Access Outline". As the plan will be managed by the site operations and maintenance team members, it is not anticipated that</p>		

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												there would be an impact on the wind farm operational budget. Rather, this will fall under the umbrella of responsibilities that the site operations and maintenance team would have as it relates to the day to day management of the Project.		

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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.	5/25/2023 and 5-Jul	See response to RWQCB-016.		A Timberland Conversion Permit has been prepared for the Project (TN# 248312). An application for coverage under the General Order of Waste Discharge Requirements for Timberland Management will be submitted to the RWQCB for approval prior to CEC action.		