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HAZ2-11	Deficiency Letter Attachment B	Hazards and Hazardous Materials	Not specified	Not specified	BACKGROUND: Storage of large quantities of fuel onsite Fuel would be stored onsite in large quantities in above ground storage tanks (ASTs) during Project construction and Operation for vehicle and equipment refueling.	Not specified	No	26. Provide information on the volumes of fuel and numbers of fuel ASTs to be present onsite during both construction and operational activities.	5/25/2023 and 27-Jun and 21-Jul	This information will be provided in the SPCC Plan which will be submitted prior to construction. Above ground storage tanks would only be sited within the various temporary construction laydown areas at the site and/or at the OM facility during operation.	The information submitted is incomplete. Table 2-3 of the DEIR notes over 5,000 gallons of deisel fuel would be stored onsite in ASTs during construction and operation. Please identify/verify the location and potetnial volume of deisel fuel to be stored during proejct operation.	Diesel fuel would be stored at the O&M facility during operation and within construction laydown areas during construction. These locations are shown in LU-002 (TN# 250712).	The information submitted is incomplete. The referenced figure (TN# 250712) does not identify any locations noted as laydown areas. It does identify the O&M location and locations of Staging Areas. Please clarify if the laydown areas are identified on the map with another name, and if not please add them to the map.	Laydown areas are referenced on the Figure as "Staging Areas."		

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HAZ2-12	Deficiency Letter Attachment B	Hazards and Hazardous Materials	Not specified	Not specified	<p>BACKGROUND:</p> <p>Storage of large quantities of fuel onsite Fuel would be stored onsite in large quantities in above ground storage tanks (ASTs) during Project construction and Operation for vehicle and equipment refueling.</p>	Not specified	No	27. Provide a map (or GIS data) identifying the potential locations of fuel ASTs during both construction and operational activities.	5/25/2023 and 27-Jun and 21-Jul	<p>This information will be provided in the SPCC Plan which will be submitted prior to construction. Above ground storage tanks would only be sited within the various temporary construction laydown areas at the site and/or at the OM facility during operation.</p>	<p>The information submitted is incomplete. Please identify the potential locations of laydown or work areas that would store large quantities of deisel fuel during Project construction and identify the potential location(s) where deisel fuel would be stored during proejct operation.</p>	<p>Diesel fuel would be stored at the O&M facility during operation and within construction laydown areas during construction. These locations are shown in LU-002 (TN# 250712).</p>	<p>The information submitted is incomplete. The referenced figure (TN# 250712) does not identify any locations noted as laydown areas. It does identify the O&M location and locations of Staging Areas. Please clarify if the laydown areas are identified on the map with another name, and if not please add them to the map.</p>	<p>Laydown areas are referenced on the Figure as "Staging Areas"</p>		

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LU-003	Deficiency Letter Matrix	Land Use	Vahidi Inouye Kerr	Appendix B (g) (3) (A) (i)	An identification of residential, commercial, industrial, recreational, scenic, agricultural, natural resource protection, natural resource extraction, educational, religious, cultural, and historic areas, and any other area of unique land uses;	TN 248288: DEIR Intro to Environmental Analysis; Section 3.1.4.10 (Land Use and Planning); page 3.1-19 TN 248322: Executive Summary and Project Description; Section 2.3; pages 1 to 2	No	Please provide information on existing land uses within one mile of the project. Neither the DEIR Land Use and Planning analysis (TN 248288) nor the 2023 Executive Summary and Project Description (TN 248322) include a description of land uses (residential, recreational, commercial, industrial) within one mile of the project site.	1-Jun and 22-Jun and 21-Jul	Please see response to LU-002.	The information submitted is incomplete. TN 250283 (LU-02_LandUse) and TN 250448 (land_use_followup_responses) are not adequate responses to the Warren-Alquist Act Siting Regulations Appendix B (g)(3)(A) and Appendix B (g)(3)(A)(i). For specific information still needed, see Disposition response for LU-002.	Revised Project site boundary provided as a shapefile via Kiteworks (TN# 250835). These shapefiles demonstrate that no Project component will encroach into National Forest lands.	See CEC Disposition No. 3 for Data Request Identifier LU-002.	See response to LU-002.		

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LU-006	Deficiency Letter Matrix	Land Use	Vahidi Inouye Kerr	Appendix B (g) (3) (A) (iv)	Legible maps of the areas identified in subsection (g)(3)(A) potentially affected by the project, on which existing land uses, jurisdictional boundaries, general plan designations, specific plan designations, and zoning have been clearly delineated.	TN 248288: DEIR Description of Project and Alternatives ; Section 2.2; pages 2-3 to 2-5	No	Please update the Land Use and Zoning Designation figures. The DEIR Project Description (TN 248288) includes figures of the general plan land use and zoning designations for the proposed 2020 project area. These figures will need to be updated to reflect the 2023 proposed project configuration.	1-Jun and 22-Jun and 21-Jul	Please see response to LU-002.	<p>The information submitted is incomplete. TN 250283 (LU-02_LandUse), TN 250292 (LU-06_Zoning) , and TN 250448 (land_use_fwp_responses) are not adequate responses to the Warren-Alquist Act Siting Regulation Appendix B (g)(3)(A)(iv) .</p> <p>The specific information still needed is: --The Project Site Boundary (i.e., the boundary that encompasses all project activities). --The 1-mile buffer from the specific proposed Project Site Boundary, as required by the Warren-</p>	Revised Project site boundary provided as a shapefile via Kiteworks (TN# 250835). These shapefiles demonstrate that no Project component will encroach into National Forest lands.	See CEC Disposition No. 3 for Data Request Identifier LU-002.	See response to LU-002.		

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											Alquist Act Siting Regulation Appendix B (g)(3)(A). The “buffer” illustrated in TN 250283 is not accurately shown as extending 1-mile from the project boundary. Note that a “project area” is not a specific project site boundary. The Applicant needs to provide the specific boundary upon which the Project would be sited to allow for CEQA impact analysis. -- Jurisdictional boundaries for federal lands. The project would border Lassen National Forest, which is not shown in TN 250283 or TN 250292.					

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											Lands administered by the U.S. Bureau of Land Management along Highway 299 are also missing from TN 250283 and TN 250292.					

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SOC-001	Deficiency Letter Matrix	Socioeconomics	Allen Kaufman Kerr	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.	TN 248292-2: Economic and Public Revenue Impact Study; pages 2-4 (Tables 4 and 5) TN 248293-2: CEQA Staff Report; pages 1-3, 8-10 TN 248288-17L: DEIR Utilities and Service Systems; page 12	No	Please provide the cumulative impact assessment for population/housing, recreation, and public services. A discussion of the cumulative impacts for Utilities and Service Systems has been provided. Please provide similar detail for cumulative analyses of other socioeconomic sections (i.e., population/housing, recreation, and public services) based on an up-to-date cumulative scenario.	6/2/2023 and 29-Jun and 3-Jul and 21-Jul	As discussed in Section 3.1.4, Environmental Considerations Unaffected by the Project or Not Present in the Project Area, of the EIR, the project would have no impact on population and housing, public services, or recreation. Where the project would cause no impact to a resource, it would not cause or contribute to any cumulative impact to such resources. Therefore, there would be no cumulative impact to population and housing, public services, or recreation because the Project	TN 248288-3 (Section 3.1.4 of the EIR, Environmental Considerations Unaffected by the Project or Not Present in the Project Area) is not an adequate response to the Warren-Alquist Act Siting Regulation Appendix B (g)(1). The DEIR is outdated and based on baseline assumptions to a previous version of the Project. Per the Warren-Alquist Act Siting Regulation Appendix B (g)(1), the Applicant must "...provide a discussion of the existing site conditions, the expected direct, indirect and cumulative	The Project would have no impact, and therefore no cumulatively considerable impact, on population and housing, public services, or recreation at either the 72-turbine layout or the 48-turbine layout because the individuals who will be working on the project are either already based in Shasta County, or, will be coming into the region for construction and will be in the area only temporarily. The number of construction workers temporarily in the area is not expected to have any significant	In that the CEC is the CEQA lead agency, 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)(1). Applicant Response No. 2 states "These temporary construction workers are not likely to create significant (the threshold under CEQA) new demand for public services in terms of fire, police, or medical services." Please provide a discussion with including the logic supporting the conclusion	"No further attempts were made to reach Paul Hellman. His contact information is Paul Hellman, Director, Shasta County Planning Division, 1855 Placer Street, Suite 103, Redding, California 96001. (530) 225-5532. phellman@co.shasta.ca.us. CEC requests the logic behind the Applicant's conclusion that the project's approximately 200 temporary construction workers will not have a significant impact (cumulative or otherwise) on population and housing, recreation and public safety in Shasta County. Population and Housing: The logic behind the conclusion that approximately 200 temporary construction workers will not have a substantial or even potentially substantial impact or cumulative impact on Shasta County's		

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										does not propose to add permanent population; rather, the workers coming into the region for construction will be in the area only temporarily and Project operations will employ up to 12 permanent workers. The Applicant was able to identify a single project subject to CEQA on the Shasta County website (Crystal Creek Aggregate Expansion Project). The Applicant requested additional information from Shasta County in an email to Paul Hellman at the Shasta County Planning Division on April 18,	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.” TN250344 (Socioeconomics response memo) states there will be a peak of 200 workers/month during the construction phase. Activities during this period may change the demands on public services to the area. TN250344 also states, “The portion of	impact on housing. They will not displace permanent residents and are instead likely to stay in transient housing such as hotels, motels and/or recreational vehicles in campgrounds, These temporary construction workers are not likely to create significant (the threshold under CEQA) new demand for public services in terms of fire, police, or medical services. New permanent employees (up to 10) are also not likely to create a significant new demand for public services. There is also no	that these local public safety services would not be affected by the temporary population during construction (up to 200 workers per TN# 250344), including public services such as fire response. Stating that there is no impact, and therefore no cumulative impact does not permit the CEC staff to fulfill its CEQA lead agency obligation to evaluate cumulative impacts. Being able to follow and understand the Applicant’s conclusions on this topic is the first step in the CEC’s mandated analysis process. Additionally	population or housing from a physical perspective includes the following: • CEQA requires an analysis of significant impacts to the environment. Section 15382 of the CEQA Guidelines states that “significant effect on the environment” means “a substantial, or potentially substantial adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment.” • Thus, to be cognizable under CEQA, an impact must be: • Substantial, or potentially substantial • Adverse o Related to physical conditions that		

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										2023 (TN# 250436). No response was received.	the construction and operational workforce which would be nonlocal is unknown at this time and is dependent on the available local workforce at the time of construction and operations." The specific information still needed includes the following: - A discussion of the cumulative impacts based on the most up to date assumptions in the current/finalized (i.e., number of turbines, site configuration, site boundary) Project description. - Documentation of follow-up attempts	evidence that baseline socio-economic conditions related to housing, population and public services have significantly changed since the County prepared its EIR. The Applicant request that the CEC staff provide evidence that baseline socioeconomic conditions are "outdated" as stated in the data request. The Applicant's attempts to contact Mr. Hellman were provided as TN# 250436. Should CEC staff want additional confirmation from Shasta County, the Applicant	, TN# 250436 shows the attempt to reach Paul Hellman on April 18, but does not show follow-up attempts as requested in Disposition No.1. Regarding existing site conditions, per CEQA Guidelines Section 15125(a)(1), the baseline physical conditions from which a lead agency determines whether an impact is significant are the conditions that "exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced."	affect land, air, water, minerals, flora, fauna, ambient noise and objects of historic or aesthetic significance. • An individual project's contribution to a cumulative impact can be determined to be rendered less than cumulatively considerable "if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact." CEQA Guidelines 15130(a). Here, the project either does not create any impact with respect to population/housing, recreation and public services, or it will fund mitigation measures that address its contribution to the cumulative impact, as in the case of fire safety, discussed further below. • It is reasonably assumed based on EPS's economics analysis that most of the		

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											(i.e., attempts to outreach by phone), if any, to reach Paul Hellman of Shasta County Planning. Please provide Mr. Hellman's contact information.	has also provided CEC staff with contact information for the County planning staff (including emails and telephone numbers) for purposes of CEC coordination.	The specific information still needed includes the following: i Documenta tion of follow-up attempts (i.e., attempts to outreach by phone), if any, to reach Paul Hellman of Shasta County Planning. Please provide Mr. Hellman's contact information. j A discussion including the logic leading to the cumulative impacts conclusion based on the most up to date assumption s in the current/final ized Project description (i.e., number of turbines, site configuratio n, site boundary).	construction workers that would work on the project already live in the County. Workers already living in the County are part the baseline population. • For those workers temporarily commuting into the County, the Applicant's reasonable assumption is that these workers will stay in hotels or RVs. Shasta County has a sufficient number of hotels and/or campgrounds such that new hotels or campgrounds will not be required to be constructed to accommodate these workers. (The analysis of nearby hotels and campgrounds is found at TN# 250498.) A temporary increase in the cost of hotels or campgrounds due to a temporary influx of workers is not an environmental impact. • Even assuming that all of the project's construction workers are		

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														temporary commuters, 200 additional temporary workers would temporarily increase Shasta County's population by 0.1105%. According to the US Census, (see Quick Facts about Shasta County at www.census.gov) Shasta County's population was approximately 180,930 in 2022. Since 2020, population in Shasta County has declined from 182,152 in 2020, a loss of 0.7%. A 0.1105% increase is not a substantial or potentially substantial increase in population (and still below the County's 2020 population) and there is no basis to conclude that this temporary would result in substantial adverse physical impacts in Shasta County. In summary, the project could result in a small number of new in-commuting workers to Shasta County, but in numbers that are		

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														<p>extremely small in relation to the County's population and which would not restore the 0.7% loss of population that Shasta County has experienced since 2020. These new workers would not require the construction of new permanent or temporary housing accommodations as there are a sufficient number of hotels and campgrounds where the workers could be temporarily housed. As such no adverse physical changes to the environment are anticipated and thus the influx of workers will not contribute to cumulative impacts. See also Save Our Access—San Gabriel Mountains v Watershed Conserv. Auth. (2021) 68 CA5th 8, 26 (displacement of visitors who would use wilderness recreation area to other recreational areas due to reduced</p>		

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														<p>availability of parking is social impact)</p> <ul style="list-style-type: none"> • The CEC response also requests that Applicant explain why the current, finalized project description including the project's "site configuration and site boundary" could cause cumulative impacts related to population and housing, recreation and public safety. The Applicant does not understand how the project's site configuration and site boundary are related to population and housing, recreation and public safety. The number of turbines (48) drives the number of construction workers (approximately 200). The site configuration and site boundary do not influence the number of construction workers. <p>Recreation: The same factors set forth above also logically support the conclusion</p>		

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														<p>that the project will not result in a substantial adverse impact on the environment based on the need to build more recreational facilities to serve the temporary workers. As such the project will not create cumulative impacts on the need to construct more recreational facilities in the County. See also Save Our Access—San Gabriel Mountains v Watershed Conserv. Auth. (2021) 68 CA5th 8, 26 (displacement of visitors who would use wilderness recreation area to other recreational areas due to reduced availability of parking is social impact)</p> <p>Public Safety Including Fire Response: As noted above, economic and social effects that are not related to physical impacts need not be evaluated in an EIR. 14 Cal Code Regs §15131(a); This point is well</p>		

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														established in many published cases including: City of Hayward v Board of Trustees of Cal. State Univ. (2015) 242 CA4th 833, 843 (need for additional fire protection services that project would generate is not environmental impact that must be mitigated under CEQA); Saltonstall v City of Sacramento (2015) 234 CA4th 549, 585 (allegations that proposed basketball stadium would result in post-event impacts to safety by event crowds raised social issue rather than environmental issue that must be reviewed under CEQA); Eureka Citizens for Responsible Gov't v City of Eureka (2007) 147 CA4th 357 (safety issues relating to use of equipment installed on private recreational facility produce social effect, not significant effect on physical environment);		

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														Maintain Our Desert Env't v Town of Apple Valley (2004) 124 CA4th 430 (large national retailer need not be identified as end user in EIR's project description because social, economic, and business competition concerns are not relevant under CEQA unless it is shown that they bear directly in EIR's analysis of effects on the physical environment)Because many of the project's construction workers would already live in the County, they are part of the baseline population for purposes of public safety services. In addition, the small number of temporary construction workers. Here, moreover, Shasta County prepared an EIR for the project that concluded that impacts to public safety, including fire response, were less than significant. The County's		

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														document reaching this conclusion provides logical support for the CEC to conclude that the project would not contribute to cumulative impacts related to public safety services, including wildfire impacts and fire response because impacts from the project would be less than significant with mitigation. See discussion from Shasta County Draft EIR on pp. 3.16-16 through 3.16-23, TN# 248288-18.		

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SOC-007	Deficiency Letter Matrix	Socioeconomics	Allen Kaufman Kerr	Appendix B (g) (7) (A) (vi)	Capacities, existing and expected use levels, and planned expansion of utilities (gas, water and waste) and public services, including fire protection, law enforcement, emergency response, medical facilities, other assessment districts, and school districts. For projects outside metropolitan areas with a population of 500,000 or more, information for each school district shall include current enrollment and yearly expected enrollment by grade level groupings, excluding project-related changes for	TN 248288-3: DEIR Intro Environmental Analysis; pages 22-26 TN 248322: Executive Summary and Project Description; pages 14-15 TN 248288-2: DEIR Description of Project and Alternatives ; pages 24-25	No	Please provide response time goals/capacities/ability to meet response goals for public safety. Please provide a discussion with level of detail similar to that provided for utilities for the fire protection, law enforcement, and medical facilities.	6/2/2023 and 30-Jun and 3-Jul and 21-Jul	See SOC2-014.	The information submitted is incomplete. The information is not an adequate response to the Warren-Alquist Act Siting Regulation Appendix B (g)(7)(A)(vi) . The specific information still needed includes the following: -Response time goals, and the capacity/ability to meet those goals while maintaining public safety. Please contact service providers and obtain this information.	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	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) (vi). Applicant Response No. 2 states "to the extent it is provided, response time information was received from the respective service by email correspondence." However, neither Applicant Responses 1 nor 2 provide the information contained in the email. The specific information still needed includes the	The referenced emails are not emails received by the Applicant and thus the Applicant cannot provide the emails. The Applicant's Response describes email correspondence cited in other Shasta County environmental documents on other projects which say "email correspondence" is how the County got the information on response times on these other projects. In this instance, the Applicant has requested information about response times from various Shasta County entities multiple times and has not been successful in obtaining this information. A communications log has been docketed, TN # 251109		

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					the duration of the project schedule.							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	following: i Information contained in the above-referenced emails. j Response time goals, and the capacity/ability to meet those goals while maintaining public safety. k Please provide call log of which agencies were contacted, including the date, time, phone number, and other relevant point of contact information.			

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												<p>County; ambulance response time in these areas was approximately 30 minutes. More recent information regarding 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</p>				

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												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				

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												County planning staff (including emails and telephone numbers) for purposes of CEC coordination.				

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SOC2-014	Attachment B Addendum	Socioeconomics	Not specified	Not specified	14. Please provide the response time goals and the capacities/ability to meet those public safety response goals for all local agencies providing services to the project pertaining to fire protection, law enforcement, and medical facilities. Please include current response times and other relevant metrics. This information can be provided in tabular format for all applicable agencies that would serve the proposed project.	Not specified	No	Not specified	6/2/2023 and 30-Jun and 3-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 personnel are discussed in SOC-013.	The response is insufficient for my analysis purposes. Please see disposition response for SOC-013.	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	The response is insufficient for my analysis purposes. Please see CEC Disposition 2 for Data Request Identifier SOC-013.	See response to SOC-007.		

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												<p>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.</p> <p>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</p>				

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												<p>County; ambulance response time in these areas was approximately 30 minutes. More recent information regarding 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</p>				

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												<p>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</p>				

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WILDFIRE-01	Deficiency Letter Attachment B	Wildfire	Not specified	Not specified	Multiple citations are provided for the DEIR wildfire setting and effects information and potential impacts related to wildfire as related to the Project. However, many of the references cited are not readily available for review to verify the information provided.	Not specified	No	<p>Please provide copies of the following references that are not readily available online (for many the online link does not work).</p> <ul style="list-style-type: none"> • Anderson, H. E., 1982. Aids to Determining Fuel Models for Estimating Fire Behavior. Available online at: https://www.fs.fed.us/rm/pubs_int/int_gtr122.pdf. • California Department of Forestry and Fire Protection (CAL FIRE), 2019a. Communities at Risk List [filtered to include only Shasta County]. Available online at: http://osfm.fire.ca.gov/fireplan/fireplanning_communities_at_risk?filter_field=cou 	5/25/2023 and 29-Jun and 21-Jul	<p>The following sources were submitted. The remainder were unable to be found.</p> <p>(TN# 250321) Anderson, H. E., 1982. Aids to Determining Fuel Models for Estimating Fire Behavior. Available online at: https://www.fs.fed.us/rm/pubs_int/int_gtr122.pdf.</p> <p>(TN# 250323). CAL FIRE and Shasta County Fire, 2018. Shasta-Trinity Unit 2018 Strategic Fire Plan. Available online at: http://cdfdata.fire.ca.gov/pub/fireplan/fpupload/fpppdf1624.pdf. May 10, 2018.</p> <p>(TN# 250322).</p>	<p>The information submitted is incomplete.</p> <p>Despite the applicant indicating that they were unable to find more than half of the requested references, I was able to find and obtain all but a few of the missing references using online searches. One of the submitted references was not the correct file, but I was able to find the correct file online. The 2018 PG&E CERP ws not avialbe online but I ws able to find the 2019 and 2023 PG&E CERPs. The remaining references are not easily availble online or are not</p>	<p>Your comments on the remaining references are noted. The email from James Zanotelli to Bill Walker is included in the Shasta County Scoping Report on p. 196 (TN# 248301).</p>	<p>The response is incomplete. Please provide a copy of the following reference: Sacramento Bee, 2019. "California's largest wildfire was caused by a hammer, Cal Fire says." June 6, 2019. This article from the Bee requires a subscription to the Sacramento Bee to access.</p>	<p>Cal Fire blames CA's Ranch Fire on hammer, concrete stake The Sacramento Bee (sacbee.com)</p>		

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								nty_name& filter_text=S hasta. Accessed May 23, 2019. • CAL FIRE and Shasta County Fire, 2018. Shasta-Trinity Unit 2018 Strategic Fire Plan. Available online at: http://cdfdata.fire.ca.gov/pub/fireplan/fpupload/fpppdf1624.pdf . May 10, 2018. • California Public Utilities Commission (CPUC), 2020. CPUC Fire Safety Rulemaking Background. Available online: https://www.cpuc.ca.gov/FireThreatMaps/ Accessed July 1, 2020. • CPUC, 2017a. Decision 17-12-024-Order Instituting Rulemaking to Develop and Adopt Fire Threat		California Public Utilities Commission (CPUC), 2020. CPUC Fire Safety Rulemaking Background. Available online: https://www.cpuc.ca.gov/FireThreatMaps/ Accessed July 1, 2020. [available at link only] National Association of State Foresters, U.S. Bureau of Land Management, U.S. Fish and Wildlife Service, National Park Service, Bureau of Indian Affairs, U.S. Department of Agriculture, and National Wildfire Coordinating Group (National Association of State Foresters	available online and need to either be submitted or another source for the same information needs to be submitted. The remaining references (with my notes on availability) are: • Dupras, D., 1997. Geology of Eastern Shasta County. California Geological Survey. Map. Scale 1:100,000. This reference is actually Plate 1A of the Mineral land classification of alluvial sand and gravel, crushed stone, volcanic cinders, limestone, and diatomite within Shasta County, California, California Geological					

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								<p>Maps and Fire-Safety Regulations . Rulemaking 15-05-006. Issued December 21, 2017.</p> <ul style="list-style-type: none"> • Dupras, D., 1997. Geology of Eastern Shasta County. California Geological Survey. Map. Scale 1:100,000. • Milman, O., 2018. "Wildfire Smoke: Experts Warn of 'Serious Health Effects' Across Western US." The Guardian, August 2, 2018. Available online at: https://www.theguardian.com/world/2018/aug/02/wildfire-events-air-quality-health-issues-in-western-us. Accessed August 23, 2019. • National Association of State 		<p>et al.), 2003. Interagency Strategy for the Implementation of Federal Wildland Fire Management Policy. June 20, 2003. Available online at: https://www.sierraforestlegacy.org/Resources/Community/SmokeManagement/AirQualityPolicy/FedWildFireMgmtPolicy.pdf.</p> <p>(TN# 250339). National Oceanic and Atmospheric Administration (NOAA), 2018. The Impact of Wildfires on Climate and Air Quality. Available online at: https://www.esrl.noaa.gov/csd/factsheets/csdWildfiresFIREX.pdf. Accessed June 24,</p>	<p>Survey OFR-97-03. {late 1C is the legend. The document is currently Out of Print. Can be viewed, but not saved or printed, at https://ngmdb.usgs.gov/Prodesc/proddesc_44915.htm.</p> <ul style="list-style-type: none"> • Sacramento Bee, 2019. "California's largest wildfire was caused by a hammer, Cal Fire says." June 6, 2019. This article from the Bee requires a subscription to the Sacramento Bee to access. • Shasta County Fire Department , 2018. Email from James Zanolli to Bill Walker on February 1, 2018. Please provide a copy of this 					

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								Foresters, U.S. Bureau of Land Management, U.S. Fish and Wildlife Service, National Park Service, Bureau of Indian Affairs, U.S. Department of Agriculture, and National Wildfire Coordinating Group (National Association of State Foresters et al.), 2003. Interagency Strategy for the Implementation of Federal Wildland Fire Management Policy. June 20, 2003. Available online at: https://www.sierraforestlegacy.org/Resources/Community/SmokeManagement/AirQualityPolicy/FedWI		2020. (TN# 250338). PG&E, 2019. Pacific Gas and Electric Company Amended 2019 Wildfire Safety Plan. February 6, 2019. Amended February 14, 2019 and April 25, 2019. Available online: https://www.cpuc.ca.gov/SB901/ (TN# 250336). Stantec and Pacific Wind Development, LLC, 2018. Environmental Initial Study, Fountain Wind Project Pacific Wind Development, LLC. Prepared in coordination with and for Shasta County Department of	email, the person who wrote the EIR Wildfire section should have it and it should be part of the EIR administrative record.					

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								dFireMgmt Policy.pdf. • National Oceanic and Atmospheric Administration (NOAA), 2018. The Impact of Wildfires on Climate and Air Quality. Available online at: https://www.esrl.noaa.gov/csd/factsheets/csdWildfiresFIREX.pdf . Accessed June 24, 2020. • National Wildfire Coordinating Group, 2015. National Fire Danger Rating System Fuel Model. Available online at: https://www.nwcg.gov/sites/default/files/stds/standards/nfrs-fuel-model_v1-0.htm . Accessed March 30, 2020. • Pacific Gas and Electric Company		Resource Management Planning Division. June 28, 2019. (TN# 248297-2) [only available at link] Shasta County, 2016. Shasta County Communities Wildfire Protection Plan 2016. Available online at: http://www.westernshastarc.org/Docs/ShastaCWPPs-2016.pdf . (TN# 250337). Shasta County and City of Anderson, 2017. Shasta County and City of Anderson Multi-Jurisdictional Hazard Mitigation Plan. Available online at:						

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								(PG&E), 2018. Company Emergency Response Plan. October 31, 2018. • PG&E, 2019. Pacific Gas and Electric Company Amended 2019 Wildfire Safety Plan. February 6, 2019. Amended February 14, 2019 and April 25, 2019. Available online: https://www.cpuc.ca.gov/SB901/ • PG&E, 2017. Appendix D. Fire Prevention Plan-Electric Annex to the CERP. September 30, 2017. • Sacramento Bee, 2019. "California's largest wildfire was caused by a hammer, Cal Fire says." June 6, 2019.		documents/shasta-county-hazard-mitigation-plan-november-2017.pdf?sfvrsn=b54ee689_2. November 16, 2017. (TN# 250335). U.S. Forest Service (USFS), 2015. The 2010 Wildland-Urban Interface of the Conterminous United States. June 2015. Available online: https://www.fs.fed.us/nr/pubs/rmap/rmap_nrs8.pdf Accessed June 17, 2020. (TN# 250334). WRCC, 2020b. Burney, California Total of Precipitation (Inches), Period of Record 1948 to 2015. Available						

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								<ul style="list-style-type: none">• Shasta County, 2016. Shasta County Communities Wildfire Protection Plan 2016. Available online at: http://www.westernshastarcd.org/Docs/ShastaCWPPs-2016.pdf.• Shasta County, 2017. Shasta County Development Standards—Chapter 6, Fire Safety Standards. Available online at: https://www.co.shasta.ca.us/docs/libraries/public-works-docs/devstdmanual/sc-development-standards-manual.pdf. Revised June 27, 2017.• Shasta County, 2018. General Plan Element 5.0, Public Safety		online at: https://wrcc.dri.edu/WRCCWrappers.py?sodxtrmts+041214+por+por+pcpn+none+msum+5+01+F . Accessed June 24, 2020.						

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								Group. Available online at: https://www.co.shasta.ca.us/docs/libraries/resource-management-docs/docs/54firesafety.pdf?sfvrsn=204962bd_0 . Updated December 11, 2018. • Shasta County Fire Department, 2018. Email from James Zanutelli to Bill Walker on February 1, 2018. • Shasta County and City of Anderson, 2017. Shasta County and City of Anderson Multi-Jurisdictional Hazard Mitigation Plan. Available online at:								

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								county-hazard-mitigation-plan-november-2017.pdf?sfvrsn=b54ee689_2. November 16, 2017. <ul style="list-style-type: none"> • Stantec and Pacific Wind Development, LLC, 2018. Environmental Initial Study, Fountain Wind Project Pacific Wind Development, LLC. Prepared in co-ordination with and for Shasta County Department of Resource Management Planning Division. June 28, 2019. Available online at: https://www.co.shasta.ca.us/docs/libraries/resource-managementdocs/projects/fountain-wind-project/initi 								

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								al-study/initial-study.pdf. • U.S. Forest Service (USFS), 2015. The 2010 Wildland-Urban Interface of the Conterminous United States. June 2015. Available online: https://www.fs.fed.us/nrs/pubs/rmap/rmap_nrs8.pdf Accessed June 17, 2020. • U.S. Forest Service, U.S. Bureau of Land Management, Bureau of Indian Affairs, U.S. Fish and Wildlife Service, and National Park Service (USFS et al.), 2009. Guidance for Implementation of Federal Wildland								

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								Fire Management Policy. February 13, 2009. Available online at: https://www.nifc.gov/policies/policies_documents/GIFWFMP.pdf . • WRCC, 2020b. Burney, California Total of Precipitation (Inches), Period of Record 1948 to 2015. Available online at: https://wrcc.dri.edu/WRCCWrappers.py?sodxtrmts+041214+por+por+pcpn+none+msum+5+01+F . Accessed June 24, 2020.									

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WILDFIRE-03	Deficiency Letter Attachment B	Wildfire	Not specified	Not specified	DEIR Section 3.16.3.1 a) includes discussion of potential hazards due to the wind turbine towers interfering with firefighting operations in the event of a local wildfire and a mitigation measure (MM 3.16-1b) to reduce the risk. This measure has no way of verifying completion nor does it require any coordination with CALFIRE staff regarding this information.	Not specified	No	Provide a discussion on timing and verification of transmittal of data regarding tower locations to CALFIRE, and a discussion of whether any coordination would occur before or during fires with CALFIRE regarding aerial firefighting in the vicinity of the turbines.	5/25/2023 and 29-Jun and 21-Jul	The following mitigation measure outlines timing of transmittal of data regarding tower locations to CAL FIRE and contains a mechanism for CEC to verify compliance with requirement to transmit information: Mitigation Measure 3.16-1b: Pre-Construction Coordination with CAL FIRE: Prior to issuance of construction permits by the CEC, the Applicant shall provide evidence that it has submitted GIS files or other maps of the Project layout to CAL FIRE to facilitate aerial fire-fighting planning.	The information submitted is incomplete. The submitted revised MM 3.16-1b provides timing and verification of submittal of information regarding tower locations to CALFIRE and addes submittal to CEC. However, it does not address the part of the comment about coordination with CALFIRE regarding aerial firefighting during fires in the Project vicinity.	Yes, The Applicant will coordinate with CALFIRE before and during fires. The Applicant would designate a "Risk Manager" to be available on-site whenever construction activities are in progress. The Risk Manager would have oversight authority and would be the point of contact for CALFIRE / Shasta County Fire Department ("SCFD") during any incident. Prior to construction, the Applicant would provide to Cal FIRE / SCFD the telephone number of the control center that has the ability to	The response is incomplete. Please clarify as to whether there would be an equivalent to the "Risk Manager" or other point of contact during project operation that would coordinate with CALFIRE / Shasta County Fire Department ("SCFD") during a fire incident.	The on-site Site Supervisor during operations will function as the Risk Manager during operations.		

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										The Applicant shall notify CAL FIRE of any changes to the Project layout or any maintenance that would require the use of helicopters or the use of equipment not previously identified on maps provided to CAL FIRE that could present a new, previously unidentified vertical obstacle to aerial firefighting.		shut down the turbines. When the control center is notified by CALFIRE / SCFD of a fire, the control center would immediately shut down any turbines that could be detrimental to the mitigation of an incident located in proximity to the turbines, as directed by the incident commander.				

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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	5/23/2023 and 5-Jul and 21-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.				

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								confirming that the district has everything it needs to complete its review of this project and provide an engineering evaluation and permit to operate.								

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BIO-005	Deficiency Letter Matrix	Biological Resources	Watson Huntley Wood Dunn Maldonado Hilliard	Appendix B (g) (13) (A) (v)	...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.	TN #: 248308-5 (2018 great gray owl habitat assessment t, pg. 1, 2) TN #: 248308-5 (2018 great gray owl habitat assessment t, pg. 2, Figure 1) TN #: 248308-5 (2018 great gray owl habitat assessment t, pg. 3 and Figure 1) TN #: 248308-5 (2018 great gray owl habitat assessment t, pg. 3 and Figure 1) site characterization study (2017), Figure 5 TN #: 248306-4 (2018 northern goshawk surveys, pg. 1 and 2) TN #: 248307-5 (spotted owl risk assessment t [2020], pg. 4 and 6) TN #: 248309-4	No	Topic: Impact 3.4-5: Construction, operation and decommissioning of the Project could result in adverse impacts to California spotted owls. The DEIR does not adequately assess potential impacts to this species nor does the proposed mitigation measure provide adequate protection during proposed construction activities. The DEIR states “Areas of the Project Site containing moderate to high suitability for nesting habitat are present only within the southeastern third of the Project Site, with approximat	1-May 2-Jun and 21-Jul	Please see response to BIO-002 above. The survey data already provided as part of the application package is sufficient for the CEC as CEQA lead agency to reach informed conclusions for CEQA purposes about the likely impact of the Project on California Spotted Owl -- a species being considered for federal but not state listing-- and devise suitable mitigation measures to reduce impacts to CSO as a species to a level of less than significant under CEQA. Although the CEC is acting under its	The information submitted is incomplete. The specific information still needed is updated surveys for CSO. In light of their potential listing and the timing of construction staff considers the data to be required to evaluate impacts under CEQA.	The Applicant will conduct a CSO survey in 2023. Results will be provided to CEC when available.	The information submitted is complete. However, Staff requests that the applicant provide a map of proposed survey areas for this task.	new info docketed	Not fully resolved. The applicants CSO Surveys for the Fountain Wind Project scope of work is dated June 9th, and was docketed on July 17th. The scope of work states that CSO surveys will be conducted to align with the Protocol for Surveying Proposed Mana	See updated July 20, 2023 CSO survey plan, TN #251119

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						(2021 spotted owl memo) TN # 248289-1 (FEIR Page 1-5 to 1-6) TN # 248306-1 (Willow Flycatcher Surveys)		ely 945 acres classified as having moderate suitability for the species and 50 acres classified as having high suitability. These areas of predicted high suitability for nesting and roosting, are present in small, isolated patches in the Project Site which may limit the potential for these areas to support California spotted owl roosts or nests." Considering the loss of any suitable habitat for this and other species in the region that has occurred from recent landscape level wildfires, the DEIR		opt-in authority as the permitting agency under the California Endangered Species Act in the place of CDFW, CSO is not a state-listed species or being considered for state listing. Further, case law establishes that protocol-level surveys (i.e., those of a level of effort necessary to determine "take") are not required under CEQA. Specifically, "CEQA neither requires a lead agency to reach a legal conclusion regarding 'take' of an endangered species nor compels an					gement Activities that may Impact Northern Spotted Owl (NSO Survey Protocol, USFWS 2012) ; and that the 0.25 mi buffer is consistent with NSO survey protocols for disturbance only projects. The NSO Survey Protocol defines disturbance-only	

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								should not discount use of the site nor its importance to this species in the region. In addition, the current mitigation measure indicates that one survey for this species would be conducted or presence would be assumed. Conducting one surveys season would not likely ensure that impacts to this species are assessed or reduced to less than significant levels. Required Information: Please provide updated information on occurrences of spotted owl within and near the Project site.		agency to demand an applicant to obtain an incidental take permit from another agency.” Association of Irrigated Residents v. County of Madera (2003) 107 Cal. App. 4th 1383. Instead, CEQA requires a lead agency to determine whether a project is likely to have a significant impact on a species at a population level. (See CEQA Guidelines section 15065 requiring a finding of a significant impact if a project would "substantially reduce the habitat of a fish or wildlife species," cause a fish or wildlife population					projects as "Activities that do not modify spotted owl habitat but will result in disturbance to spotted owls usually represent short-term effects compared to the long-term effects of habitat modification, especially when such projects are limited to one season."	

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										to drop below self-sustaining levels; threaten a plant or animal community; substantially reduce the number ... of an endangered, rare or threatened species"). Here, the existing survey data on CSO establishes that there is a small amount of suitable CSO habitat present on site and that CSO could be present on or near the site. This existing survey data, plus a requirement for pre-construction surveys to establish buffers and exclusion zones if necessary, allows the CEC to meet its CEQA obligations to (1) conclude					The project will result in the removal of potential CSO habitat and the construction of wind turbines, which will result in a long-term impact on the landscape. Additional justification is needed as to why the project qualifies as short-term disturbance, and only a 0.25 mi buffer	

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										that CSO may be present on the project, (2) devise mitigation measures to address potential impacts on CSO, (3) conclude that, with mitigation, including pre-construction surveys and the implementation of minimization and avoidance measures such as nest avoidance and exclusion zones, the Project is not likely to have a significant adverse impact on CSO as a species. It should also be noted that USFWS has determined that large-scale high-severity wildfire is the biggest threat to California spotted					is sufficient in lieu of the 1.3 mi provincial survey radius. Proposed survey locations are provided on the southern portion of the project, but are not proposed at the northern portion of the project just south of Hwy 299. Though this is assumed to be due	

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										owl. The Service worked with timber operators and the U.S. Forest Service to develop coordinated , multi-party fire risk reduction efforts that include the removal of brush and select trees that fuel fires in owl habitat. Most of the land inhabited by California spotted owls is managed by the Forest Service and timber operators. Implementation of their fire risk reduction plans could help improve California spotted owl habitat in the coming years. Renewable energy generation is also anticipated to reduce wildfire risk					to the Fountain Fire and post fire salvage logging, it's not specifically discussed in the approach to the spotted owl surveys. Clarify the reasoning why the northern section was excluded from the proposed survey area. The memo does not describe in detail the	

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										<p>in the coming decades.</p> <p>To be prepared for the potential federal listing, the Applicant is proposing to undertake an additional two years of CSO surveys according to the NSO protocol developed by USFWS as a result of listing under ESA, in 2023 and 2024. However, these surveys are not required to determine the significance of impacts under CEQA. GIS files submitted May 1, 2023 via Kiteworks show CSO occurrences within 10 miles of the Project.</p>					<p>formal methods to be used per Section 5 and Section 6 of the NSO Survey Protocol. The survey results documentation should include specific detail on the survey approach and methods, and how it is consistent with the NSO Survey</p>	

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BIO-030	Deficiency Letter Matrix	Biological Resources	Watson Huntley Wood Dunn Maldonado Hilliard	Appendix B (g) (13) (A) (v)	species and habitats identified by local, state, and federal agencies as needing protection, including but not limited to those identified by the California Natural Diversity Database, or where applicable, in Local Coastal Programs or in relevant decisions of the California Coastal Commission;	TN #: 248308-5 (2018 great gray owl habitat assessment t, pg. 1, 2) TN #: 248308-5 (2018 great gray owl habitat assessment t, pg. 2, Figure 1) TN #: 248308-5 (2018 great gray owl habitat assessment t, pg. 3 and Figure 1) TN #: 248308-5 (2018 great gray owl habitat assessment t, pg. 3 and Figure 1) TN #: 248308-5 (2018 great gray owl habitat assessment t, pg. 3 and Figure 1) site characterization study (2017), Figure 5 TN #: 248306-4 (2018 northern goshawk surveys, pg. 1 and 2) TN #: 248307-5 (spotted owl risk assessment t [2020], pg. 4 and 6) TN #: 248309-4	No	Topic: 2021 Northern Spotted Owl Memo. The memo states that, “Field surveys aligned with the USFWS endorsed Protocol for Surveying Proposed Management Activities that may Impact Northern Spotted Owls – 2012 Revision (USFWS 2012).” The 2012 USFWS Protocol (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83977&inline) requires “two years of six visits per year, including activity center searches, and, if appropriate , spot checks and activity center searches.” The memo states that	1-May 2-Jun and 21-Jul	See Responses to BIO-05, BIO- 026, and the 2021 Spotted Owl Assessment Memo (TN# 248309-4). CSO and NSO cannot be distinguished in the field, and all spotted owls detected south of the Pit River are now considered CSO by USFWS and CAL FIRE. This is consistent with the more current records in the state database. If additional surveys were to be conducted, all spotted owls detected in or near the Project site south of the Pit River would be classified as CSO.	The information submitted is incomplete. The specific information still needed is updated surveys for CSO. In light of their potential listing and the timing of construction staff considers the data to be required to evaluate impacts under CEQA.	The Applicant will conduct a CSO survey in 2023. Results will be provided to CEC when available.	The information submitted is complete. However, Staff requests that the applicant provide a map of proposed survey areas for this task.	new info docketed	Not fully resolved. The applicants CSO Surveys for the Fountain Wind Project scope of work is dated June 9th, and was docketed on July 17th. The scope of work states that CSO surveys will be conducted to align with the Protocol for Surveying Proposed Mana	See updated July 20, 2023 CSO survey plan, TN #251119

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						(2021 spotted owl memo) TN # 248289-1 (FEIR Page 1-5 to 1-6) TN # 248306-1 (Willow Flycatcher Surveys)		surveys were conducted between May and July of 2021, which only consists of one year of surveys. The survey results indicate that “a spotted owl pair and nest on US Forest Service land approximately 0.4 mi northeast of the nearest proposed turbine” was found; and “The same male spotted owl was again heard on July 19 and its leg band confirmed when the bird was visually observed approximately 0.3 mi from the nearest proposed turbine.” Whether the spotted owl detected was an CSO or NSO was							gement Activities that may Impact Northern Spotted Owl (NSO Survey Protocol, USFWS 2012) ; and that the 0.25 mi buffer is consistent with NSO survey protocols for disturbance only projects. The NSO Survey Protocol defines disturbance-only	

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								not stated in the text but was stated on the legend in the figure. It is unclear if the owl detection was assumed to be a CSO based on previous memos, or was confirmed to be CSO, as no information on species determination was provided. Even though spotted owls were detected nearby, though slightly outside the 0.25-mile buffer, the conclusion states that, "...the likelihood of spotted owls nesting within the Project area or surrounding 0.25-mile buffer appears to be low." Required Information							projects as "Activities that do not modify spotted owl habitat but will result in disturbance to spotted owls usually represent short-term effects compared to the long-term effects of habitat modification, especially when such projects are limited to one season."	

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								n: Please conduct an additional round of surveys for spotted owl in accordance with the USFWS protocol. Please indicate whether the spotted owls observed were identified as CSO in the field or assumed to be CSO based on the Spotted Owl Risk Assessment.							The project will result in the removal of potential CSO habitat and the construction of wind turbines, which will result in a long-term impact on the landscape. Additional justification is needed as to why the project qualifies as short-term disturbance, and only a 0.25 mi buffer	

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															is sufficient in lieu of the 1.3 mi provincial survey radius . Proposed survey locations are provided on the southern portion of the project, but are not proposed at the northern portion of the project just south of Hwy 299. Though this is assumed to be due	

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															to the Fountain Fire and post fire salvage logging, it's not specifically discussed in the approach to the spotted owl surveys. Clarify the reasoning why the northern section was excluded from the proposed survey area. The memo does not describe in detail the	

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															formal methods to be used per Section 5 and Section 6 of the NSO Survey Protocol. The survey results documentation should include specific detail on the survey approach and methods, and how it is consistent with the NSO Survey	

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LU-002	Deficiency Letter Matrix	Land Use	Vahidi Inouye Kerr	Appendix B (g) (3) (A)	A discussion of existing land uses and current zoning at the site, land uses and land use patterns within one mile of the proposed site and within one-quarter mile of any project-related linear facilities. Include:	TN 248288: DEIR Description of Project and Alternatives ; Section 2.2; pages 2-3 to 2-5 TN 248288: DEIR Intro to Environmental Analysis; Section 3.1.4.10 (Land Use and Planning); page 3.1-19 TN 248322: Executive Summary and Project Description; Section 2.3; pages 1 to 2	No	Please update the Land Use and Zoning Designation figures. The DEIR Project Description (TN 248288) includes a figure of the general plan land use and zoning designations for the proposed 2019 project area. This figure will need to be updated to reflect the 2023 proposed project configuration and layout. Please provide information on existing land uses within one mile of the project. Neither the DEIR Land Use and Planning analysis (TN 248288) nor the 2023 Executive Summary and Project	1-Jun and 22-Jun and 30-Jun and 21-Jul	Figure provided (TN# 250283). Existing land uses within one mile of the project site include public land, managed forest land, and rural residential uses.	The information submitted is incomplete. TN 250283 (LU-02_LandUse) and TN 250448 (land_use_fwp_responses) are not adequate responses to the Warren-Alquist Act Siting Regulations Appendix B (g)(3)(A) and Appendix B (g)(3)(A)(i). The specific information still needed is: --The Project Site Boundary (i.e., the boundary that encompasses all project activities). --The 1-mile buffer from the specific proposed Project Site Boundary, as required by the Warren-Alquist Act Siting	See revised figure LU-002 (TN# 250712). The Project Site Boundary includes all project features and all areas in which ground disturbing activities could potentially occur, and the associated construction and maintenance corridors. Appendix B does not require an applicant to provide the total numbers of existing residences but the Applicant nonetheless estimates that there are approximately 50 rooftops that may be houses in the second home community of Moose Camp, and an additional 15 or so	Please provide the geospatial data layers (i.e., shapefiles or Project geodatabases) associated with the Project Site Boundary (including all project features and all areas in which ground disturbing activities could potentially occur, and the associated construction and maintenance corridors depicted on revised Figure LU-002 (TN 250712)). In TN 250712, Lassen National Forest is shown as PUB designation. However, underneath the PUB area delineated the Lassen National Forest	Revised Project site boundary provided as a shapefile via Kiteworks (TN# 250835). These shapefiles demonstrate that no Project access roads, or any other Project component, will encroach into National Forest lands.	The Project Site Boundary shapefiles provided in TN 250835 show inconsistency with assumptions of temporary and permanent impacts along the access roads, collection lines, and turbine sites. In several locations where the Project would be located	The linework at three locations was adjusted to avoid overlapping linework with non participating parcels. Of the three areas noted, two (Parcel 027160022 000 and the Lassen National Forest Boundary) are very small areas (<.01 acres and <.06 acres, respectively) where temporary clearing impacts may have happened, but can be excised to avoid the parcels without altering the preliminary design so are not included in impact calculations. In the third location, the collector line right of way linework was

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								Description (TN 248322) include a description of land uses (residential, recreational, commercial, industrial) within one mile of the project site.			Regulation Appendix B (g)(3)(A). The “buffer” illustrated in TN 250283 is not accurately shown as extending 1-mile from the project boundary. Note that a “project area” is not a specific project site boundary. The Applicant needs to provide the specific boundary upon which the Project would be sited to allow for CEQA impact analysis. --The location of zoning designations that are identified in the figure legend for TN 250283 (i.e., Rural Residential is shown in the legend but is missing on the figure). --Per the Warren-Alquist Act	scattered throughout the 1-mile buffer.	boundary still shows Project access roads as traversing National Forest System lands. Please correct the jurisdictional boundary discrepancy for Lassen National Forest that remains evident in TN 250712 revised Figure LU-002 to show accurate proposed Project jurisdictional boundaries.		adjacent to parcels that are not included in the Applicant’s lease, the Project Site Boundary data in TN 250835 removes the buffer around the site of ground disturbing activities and reduces or removes the projected acreage of temporary or permanent impact. These	adjusted so it does not overlap with the linework for Parcel 029210011000, an overlap of approximately 0.6 acres. The actual location of the project right of way and surveyed Parcel boundary will be determined during final survey and design, and the right of way will be designed to avoid the adjacent parcel. If minor shifting of 0.6 acres of the right of way corridor in this location is necessary, it will not substantially change the previously approximated permanent and temporary impacts for the right of way.

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											Siting Regulation Appendix B (g)(3)(A)(i), a discussion of existing physical land uses within the Project Site Boundary and 1-mile buffer area that include “ <i>residential, commercial, industrial, recreational, scenic, agricultural, natural resource protection, natural resource extraction, educational, religious, cultural, and historic areas, and any other area of unique land uses.</i> ” This discussion must include a description of the total numbers and locations of any existing residences; recreation facilities such as parks & trails; schools; commercial				inconsistencies were noted along Parcel 0292 1001 1000, Parcel 0271 6002 2000, and along the boundary of Lassen National Forest. The assumptions of temporary impact acreage, permanent impact acreage, and disturbance buffers would be based on	

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											/retail sites; industrial uses or other land uses. Note that land use designations (i.e., general plan and zoning) are not the same as existing physical land uses currently occurring on the project site.				the types of construction equipment required to prepare the site for construction and to install the Project. Please provide an explanation of why these assumptions differ along Parcel I 0292 1001 1000, Parcel I 0271 6002 2000, and the boundary of Lassen National	

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LU-008	Deficiency Letter Matrix	Land Use	Vahidi Inouye Kerr	Appendix B (g) (3) (C)	A discussion of the legal status of the parcel(s) on which the project is proposed. If the proposed site consists of more than one legal parcel, describe the method and timetable for merging or otherwise combining those parcels so that the proposed project, excluding linears	TN 248330: Shasta County Use Permit Application; pdf pages 8 to 16 TN 249296-9: Parcel Owners List	No	Please revise the list of parcels within the project area. The list of parcels within the proposed project area reflects the 2019 proposed project site. The list needs to be	25-May 1-Jun 21-Jun 10-Jul and 21-Jul	A table with APNs within the Project Site is included (TN# 250435). See note on 250435 which states: To our knowledge, all of these parcels are recognized as legally created parcels under California law. No parcel mergers are anticipated. No structures, except for linear features such as access roads and collection lines, will straddle parcel boundaries.	The information submitted is incomplete. TN 250289 (LU-008_fwp_response memo), TN 250435 (LU-008_fwp_parcel_numbers_rev2), and TN 250448 (land_use_fwp_responses) are not adequate responses to the Warren-Alquist Act Siting Regulation Appendix B (g)(3)(C). The specific information still needed is: -- Clarification on the list of parcels that include all parcels upon which project activities would occur and that are within the Applicant's defined project site boundary. The list of	The original APN list docketed as TN 250289 was over-inclusive. The revised APN list and maps have been docketed as TN 250435 is the correct list. The list in TN 250289 should be disregarded. A discussion of the legal status of the parcels was provided as part of TN 250435- and is repeated here: "To Applicant's knowledge, all of these parcels are recognized as legally created parcels under California law. No parcel mergers are anticipated. No structures, except for linear	Thank you for confirming that the corrected list of parcels is provided in TN 250435, and that TN 250289 should be disregarded. The information submitted is incomplete. The specific information still needed is the following: -Please provide documentation of the lease extension for each parcel upon which the Project would be sited as proof of site control. As mentioned in the prior disposition response, "Although parcel mergers are not at the crux of this issue, parcel	Lease extension provided (TN# 250984).	CEC Staff has reviewed TN 250984 (Amendment to Amended, Restated, and Combined Option for Wind Energy Lease). Part 3 (Option Term) of the Amendment states, "The initial term of the Option shall be and remain in effect for eight (8) years after the Effect	The Applicant entered into the original Option to Lease in 2012. A redacted copy is docketed as TN #250984. Included as Exhibit B to this Option is a Renewable Energy Lease Agreement, which lease will become effective upon exercise of the option. Paragraph 1.5 of the Lease Agreement calls for a term until May 1, 2047, a term of 35 years from the date of the original option agreement. The ability to exercise the option has been extended to 2029. See TN# 250984. The Applicant expects the landowner

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											<p>parcels docketed in TN 250435 (LU-008_fwp_parcel_numbers_rev2) does not match the list of parcels docketed in TN 250289 (LU-008_fwp_response memo). The more recent docket filing (TN 250435) does not identify any of the changes to the list of APNs or explain why a revised list of APNs was docketed. --A revised discussion of the legal status of the parcels on which the project is proposed. As required by the Warren-Alquist Act Siting Regulation Appendix B (g)(3)(C), <i>"If the proposed site</i></p>	<p>features such as access roads and collection lines, will straddle parcel boundaries." The data request again requests information about parcel mergers. Parcel mergers are only necessary where non-linear facilities (such as the O&M building or a substation) are proposed to straddle parcel lines. Applicant confirms that no non-linear structures are proposed to straddle parcel lines. Wind energy projects, which commonly comprise thousands of acres, are commonly</p>	<p>legality and site control are important. The legal status of each parcel upon which the Project would be sited is important and the Applicant needs to disclose parcel ownership status, if the parcels will be purchased or leased, and if there are any encumbrances or deed restrictions associated with each parcel upon which the project would be sited."</p>		<p>ive Date of this Option Agreement, unless earlier terminated or extended in accordance with the provisions herein ("Option Term"). The Parties agree that this updated Initial Option Term unites each of the prior Initial Option Terms pertaining to the Property</p>	<p>will extend the lease term to allow a full 35 years of operations once the CEC approves the project.</p>

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											<p><i>consists of more than one legal parcel, describe the method and timetable for merging or otherwise combining those parcels so that the proposed project, excluding linears and temporary laydown or staging area, will be located on a single legal parcel.”</i></p> <p>The proposed project includes non-linear and permanent infrastructure such as turbines, meteorological and microwave towers, O&M Facilities, Substation/ Switchyard sites that would be sited on multiple parcels. Per the Warren-Alquist Act</p>	<p>constructed on multiple legal parcels. It would be impractical (and unnecessary) for a utility-scale wind energy project to be constructed on a single legal parcel. No parcel mergers are proposed or required. Site ownership and control has already been disclosed (TN# 248331) and a lease extension has been finalized. An updated memorandum of lease will be provided as soon as it is available. Appendix B does not require the Applicant to provide an analysis of encumbrances or deed restrictions on each parcel.</p>			<p>that exist within the Prior Existing Property Options to be updated to run for up to such eight (8) additional years, in accordance with this Section 3, from the Effective Date of this Option Agreement.”</p> <p>As the “Effective Date of the Option Agreement” is April</p>	

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											Siting Regulation Appendix B (g)(3)(C), the Applicant must provide the method and timetable for merging or otherwise combining those parcels so that they are located on a single legal parcel. Although parcel mergers are not at the crux of this issue, parcel legality and site control are important. The legal status of each parcel upon which the Project would be sited is important and the Applicant needs to disclose parcel ownership status, if the parcels will be purchased or leased, and if there are any	Nonetheless, the Applicant confirms that no encumbrances or deed restrictions preclude construction or operation of the proposed project.			4, 2016, the initial term of the Option would remain in effect until April 4, 2024. Even with the option of lease renewal for an additional 8 years after 2024 (i.e., lease expiration in 2032), TN 2509 84 does not provide proof of site control through the Project's 35-year	

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											encumbrances or deed restrictions associated with each parcel upon which the project would be sited.				operation period. Please provide proof of site control for each parcel upon which the Project would be sited throughout the proposed 35-year operation period.	

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LU-010	Deficiency Letter Matrix	Land Use	Vahidi Inouye Kerr	Appendix B (g) (3) (D) (i)	Crop types, irrigation systems, and any special cultivation practices;	TN 248288: DEIR Description of Project and Alternatives ; Section 3.1.4.1; page 3.1-12	No	Please provide descriptions of agricultural activities. More information is needed to describe the 110-acre area of designated Prime Farmland approximately 0.25 mile southeast of a proposed turbine, and the historic and current agricultural activities occurring in this area. Specifically, the DEIR Agricultural analysis must describe the farming activities (crop type, irrigation systems, any special cultivation practices) for the 110-acre agricultural site.	1-Jun and 22-Jun and 30-Jun and 21-Jul	See response to LU-009.	The information submitted is incomplete. TN 250291 (LU-09_AgriculturalResource) and TN 250448 (land_use_fwp_responses) are not adequate responses to the Warren-Alquist Act Siting Regulation Appendix B (g)(3)(D), Appendix B (g)(3)(D)(i), and Appendix B (g)(3)(D)(iii) . For specific information still needed, see Disposition response for LU-009.	There are no irrigation systems located within the project site boundaries or on the 110-acre inholding parcel. No "special cultivation practices" are carried out within the project site boundaries or within the parcel in question. As confirmed by field surveys in 2018, 2019, and 2021, the parcel in question is, in fact, a meadow which is occasionally harvested for hay. Though it is classified as Prime Farmland, it is not used for crops and is not irrigated. The project will have no impact on this parcel. To the extent that trees harvested	The information submitted is incomplete. The specific information still needed is: - In TN 250705 the Applicant states, "There are no irrigation systems located within the project site boundaries or on the 110-acre inholding parcel. No 'special cultivation practices' are carried out within the project site boundaries or within the parcel in question. As confirmed by field surveys in 2018, 2019, and 2021, the parcel in question is, in fact, a meadow which is occasionally harvested for hay. Though it is classified as Prime	The parcel in question is not part of the Project. Agricultural uses of the parcel -- to the extent they exist-- will not be impacted, directly or indirectly, by Project construction or operation. The inholding parcel is privately owned and not under lease to the Applicant and the Applicant's consultants do not have permission to enter the property. General observations about status and uses of the inholding property were made by the Applicant's field personnel in the vegetation surveys taken of surrounding lands in 2018, 2019 and 2021. (See citations to these surveys below.) Based on the most recent FMMP maps, the parcel is designated as Prime Farmland if Irrigated--see SOILS-002 map (TN# 250058). However, because this parcel is not irrigated, it is not considered Prime	CEC Staff has reviewed the Rare Plant and Vegetation Mapping surveys from 2018, 2019, and 2021 (TN 2483 08-7, TN 2483 08-8, and TN 2483 08-1) for the information referenced in Applicant Response No. 3 on the 110-acre area of designated Prime Farml	See Applicant Response No. 3; the inholding parcel is privately owned and not under lease to the Applicant and the Applicant's consultants do not have permission to enter the property. The project will not affect the in-holding property's agricultural capacity or potential as no project components are located on this in-holding parcel. These statements are based on site observations in 2018, 2019 and 2021, which were made from the parcel boundary of the in-holding property.

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												for lumber are a "crop," the only crop grown within the project site boundary are trees. The activities carried out within the project site boundaries consist on on-going timber harvest operations. As stated in the existing setting of the Biological Resources Section of the Shasta County EIR: "The dominant vegetation community is Sierran mixed conifer forest; however, the structure and species composition of this community varies greatly with slope, aspect, elevation, and disturbance (e.g., fire	Farmland, it is not used for crops and is not irrigated." Please provide citations for where this information was obtained from.	Farmland. Furthermore, this parcel is not, and has never been, to Applicant's knowledge, cultivated for crops. No evidence of agricultural uses were observed during the Rare Plant and Vegetation Mapping surveys in 2018 (TN #: 248308-7), 2019 (TN#: 248308-8), and 2021 (TN#: 248308-1). But again, the Project would have no impact on such uses if they were to occur.	and. The Rare Plant Survey reports do not include the 110-acre area of Prime Farmland and within their survey areas. None of the survey reports provide a description of the 110-acre area, and there is no discussion of irrigation, cultivation practices, or use of the	

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												and forest management). Dominant overstory species include a combination of white fir (Abies concolor), Douglas fir (Pseudotsuga menziesii), incense cedar (Calocedrus decurrens), ponderosa pine (Pinus ponderosa), sugar pine (P. lambertiana), and California black oak (Quercus kelloggii)." Further, lumbering operations are only considered to be "agricultural" if they are incidental to farming operations. See 29 CFR 780.200. With respect to Forestry impacts, Shasta County's EIR (section			Farm and for hay production that was described in TN 2507 05. Please provide documentation for the following statements from TN 2507 05: (1) "There are no irrigation systems located within the project site boundaries or on the 110-acre inholding parcel	

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												<p>3.1.2.4 said: .</p> <p>"Existing land uses within the Project Site consist exclusively of managed forest lands. Unpaved logging roads and transmission lines cross the Project Site. Chapter 17.08, Timber Production District, in the Shasta County Zoning Ordinance identifies the uses allowed in the TP district if a use permit is issued, including "the erection, construction or alteration of a gas, electrical, water or communication facility, or other public improvements, in accordance with Governmen</p>			<p>."</p> <p>(2) "No 'special cultivation practices' are carried out within the project site boundaries or within the parcel in question."</p> <p>(3) "...the parcel in question is, in fact, a meadow which is occasionally harvested for hay."</p>	

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												t Code §51152." Neither the Project nor alternatives would cause an impact because the uses allowed on the Project Site by the County's General Plan and zoning designation are consistent with the state's definitions of forest land, timberland, and timberland zoned Timber Production. "				

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LU-012	Deficiency Letter Matrix	Land Use	Vahidi Inouye Kerr	Appendix B (g) (3) (D) (iii)	Direct, indirect, and cumulative effects on agricultural land uses. If the proposed site or related facilities are subject to an Agricultural Land Conservation contract, provide a written copy and a discussion of the status of the expiration or canceling of such contract.	TN 248288: DEIR Description of Project and Alternatives ; Section 3.1.4.1; page 3.1-12	No	Please provide descriptions of agricultural activities and their locations, and identify whether the 110-acre Prime Farmland site is subject to an Agricultural Land Conservation contract. To identify potential indirect or cumulative impacts to agriculture, the DEIR Agricultural analysis requires more information regarding the type of agricultural activities at the 110-acre Prime Farmland site, and the location of other project disturbance activities (access roads, staging areas) relative to the site. The DEIR Agricultural	1-Jun and 21-Jun and 21-Jul	See response to LU-009.	The information submitted is incomplete. TN 250291 (LU-09_AgriculturalResource) and TN 250448 (land_use_fwp_responses) are not adequate responses to the Warren-Alquist Act Siting Regulation Appendix B (g)(3)(D), Appendix B (g)(3)(D)(i), and Appendix B (g)(3)(D)(iii) . For specific information still needed, see Disposition response for LU-009. The applicant's response for LU-009 states "Maps produced by the California Resources Agency pursuant to the Farmland Mapping	The data shown in LU-09_Agricultural Resources (TN# 250291) are taken from the FMMP mapping service (Available at: https://gis.ca.gov/portal/home/itm.html?id=22da298849d147679551680593b9b035), as noted in the "Notes" section on the figure underneath the north arrow and scale bar. The FMMP dataset date is 2018, which is the latest dataset available on the FMMP website for Shasta County.	See Disposition 2 for LU-009		The link provided in Applicant Response No. 2 is for the 2020 FMMP File Geodatabase. The 2020 FMMP File Geodatabase does not include data on Land Conservation Act contracts (i.e., Williamson Act contracts) within Shasta County. Please provide the data	As established by a title evaluation for the project parcels, none of the parcels are under Williamson Act contract. This is confirmed by this Shasta County "Williamson Act Parcels" data layer https://data-shasta.opendata.arcgis.com/datasets/williamson-act-parcels/explore?location=40.782354%2C-121.812590%2C9.73 . It is also confirmed by Shasta County's EIR, which states that none of the project parcels are subject to Williamson Act contract. See page 3.1-12.

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								analysis states that none of the parcels within the proposed project site are subject to a Williamson Act contract. However, the analysis does not identify whether the 110-acre Prime Farmland site that is located 0.25 mile from the nearest turbine is subject to an Agricultural Land Conservation contract.			and Monitoring Program show that no land in the Project Site is zoned for agricultural use or subject to a Williamson Act contract.” This statement requires verification. Applicant needs to provide the dates and titles for the maps referenced in its response to LU-009.				used to identify the location of parcels subject to a Land Conservation Act contract (i.e., lands under Williamson Act contract) within Shasta County.	

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LU2-01	Attachment B Addendum	Land Use	Not specified	Not specified	Please provide a updated information for the Cumulative Scenario that includes the following elements to support an adequate discussion of any potentially significant cumulative impacts that may be identified: a. Local and regional planning projections for Shasta County; b. Reasonably foreseeable future development of small wind energy systems as a result of 2022 amendments to the Shasta County Code; c. An updated cumulative projects list that includes planned/proposed or	Not specified	No	Not specified	1-Jun and 22-Jun and 30-Jun and 21-Jul	<p>The Applicant was unable to find information related to data requests (a), (b), or (c) and requested this information in an email to Paul Hellman at the Shasta County Planning Division on April 18, 2023 (TN# 250436). No response was received.</p> <p>The Applicant proposes a Fuel Break Project and Expanded Internet Service Project as part of the Community Benefits Program, not as part of the proposed Project. These actions should not be included in the project description for the</p>	<p>The information submitted is incomplete. It appears that the Applicant is unable to research and obtain this information. TN 250436 (LU2-01_fwp_cumulative_projects_request) and TN 250448 (land_use_fwp_responses) are not adequate responses to TN 248759 (Deficiency Letter, Attachment B Addendum: Alternatives, Land Use, and Socioeconomics Data Requests inadvertently left out of deficiency letter for Fountain Wind application). The specific information still needed as specified in Data Requests Set 1: Land</p>	<p>The Applicant has requested a list of updated cumulative projects from Shasta County and has received no response. Information listed on the planning page of the Shasta County website provides no information about cumulative projects. The Shasta County General Plan dates from 2004 and contains no information about cumulative projects. No list of pending applications appears to be published on the website. No recently published EIR on the website contains a list of cumulative</p>	<p>In TN 250705, the Applicant states, "...it is not known whether these funds will be accepted nor would the Applicant control the design, permitting, or development process, which would, if these activities occur, be controlled by independent legal entities (Fall River Resource Conservation District and ShastaBea m). No information about the scope of these potential activities is available. The Fuel Break and Expanded Internet Service Projects are not part of the proposed Project and</p>	<p>The information provided about the Community Benefits Program is still valid. However, how and when and where the funds proposed to be given to various community organizations under the Community Benefits Program will be used and for what activities is not now known. It would be speculative for the CEC to attempt to analyze the impacts of such potential activities in its EIR.</p>	<p>Applicant Response No. 3 states that it would be speculative to evaluate the potential cumulative impacts from the projects described in TN 2482 96-2 (Community Benefits Program). However, any of the community benefits projects that are likely to be funded follow</p>	<p>The applicant will be providing funding, but will not be implementing any of the community benefits agreements. Pursuant to Public Resources Code section 25545.10, funding will be provided to third parties who will spend that money on projects or provision of services of their own design, at their discretion for activities such as "park and playground equipment, urban greening, enhanced safety crossings, paving roads and bike paths." At the discretion of the community-based organizations, funds could also be used to</p>

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					permitted projects since August 2019; and d. Future applicant activities (i.e., Fuel Break Project and Expanded Internet Service Project) with an updated description of the activity location and size, estimated number and types of construction equipment, and anticipated schedule for construction and maintenance.					Proposed Project or the CEC's discretionary action.	Use (TN 248759) includes: (d.) Future applicant activities (i.e., Fuel Break Project and Expanded Internet Service Project) with an updated description of the activity location and size, estimated number and types of construction equipment, and anticipated schedule for construction and maintenance. The Fuel Break Project and the Expanded Internet Service Project were identified by the Applicant as activities that would be undertaken in TN	projects. The Fuel Break and Expanded Internet Service Projects are identified in the Community Benefits Program proposed by the Applicant. The Applicant would provide funding for the projects, but it is not known whether these funds will be accepted nor would the Applicant control the design, permitting, or development process, which would, if these activities occur, be controlled by independent legal entities (Fall River Resource Conservation District and	are not necessary for development of the Project." Based on this response in TN 250705, it appears that the Community Benefits Program information provided in TN 248296-2 (Community Benefits Program) is no longer valid. Please confirm if the Community Benefits Program is no longer applicable to this Project.		ing approval of the Proposed Project would be relevant to the cumulative scenario. For example, regarding the Fuel Break Project, TN 248296-2 states that the Fall River Resource Conservation District, "...submitted a grant application to the California Department of	deliver community-based services." Ultimate use of the funds and control of the activities funded are outside the control of the applicant, are not part of this project, and therefore not appropriately considered in the CEC's CEQA analysis.

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											248296-2 (Community Benefits Program). This information requested in Item LU2-01 (d) is needed to conduct the CEQA analysis as it is part of the "project" which is defined in CEQA Guidelines Section 15378 as "...the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment..."	ShastaBea m). No information about the scope of these potential activities is available. The Fuel Break and Expanded Internet Service Projects are not part of the proposed Project and are not necessary for development of the Project.			Forestry and Fire Protection ("CAL FIRE") in May 2021 as part of the California Climate Investments Department of Forestry and Fire Protection. This program provides matching funds for fuel break projects which allows the Fall River RCD to double the size, scope	

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															, and benefit of the project.” Please provide the Fuel Break Project Description that was submitted with the CAL Fire grant application, which is a reasonably foreseeable project to be included in the cumulative scenario. In addition, Staff needs confirmation as to wheth	

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															er or not the Applicant will implement the Community Benefits Program as part of the Project. If so, then it needs to be analyzed in the EIR. Please provide confirmation as to the applicability of the Program to the Project.	

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LU2-02	Attachment B Addendum	Land Use	Not specified	Appendix B (g) (3) (A)	2. Please provide an updated figure that includes the following: a. Current Shasta County General Plan Land Use and Zoning Designations (as amended) for the project site; b. The boundaries of the proposed Lease Hold Area; and c. The 2023 proposed project configuration and layout within the site boundaries that identifies the proposed location of the following: turbines, ground and overhead collector lines, access roads, temporary construction laydown areas, proposed	Not specified	No	Not specified	1-Jun and 21-Jun and 21-Jul	Figure is updated and included in LU-02.	The information submitted is incomplete. TN 250283 (LU-02_LandUse) and TN 250448 (land_use_fwp_responses) are not adequate responses to TN 248759 (Deficiency Letter, Attachment B Addendum: Alternatives, Land Use, and Socioeconomics Data Requests inadvertently left out of deficiency letter for Fountain Wind application). The specific information still needed to address TN 248759 Data Requests Set 1: Land Use, Data Request #2 (a through c) includes the	The original APN list docketed as TN 250289 was over-inclusive. The revised APN list and maps have been docketed as TN 250435 is the correct list. The list in TN 250289 should be disregarded.	Thank you for confirming that the corrected list of parcels is provided in TN 250435, and that TN 250289 should be disregarded. See Disposition 2 for LU-002 regarding discrepancies in the jurisdictional boundary for Lassen National Forest.	Revised Project site boundary provided as a shapefile via Kiteworks (TN# 250835). These shapefiles demonstrate that no Project component will encroach into National Forest lands.	See CEC Disposition No. 3 for Data Request Identifier LU-002.	See response to LU-002.

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					operations and maintenance facility, proposed meteorological evaluation towers, storage sheds, temporary concrete batch plants, substation and switchyard, and relay microwave tower.						following: --The Project Site Boundary (i.e., the boundary that encompasses all project activities). --The 1-mile buffer from the specific proposed Project Site Boundary, as required by the Warren-Alquist Act Siting Regulation Appendix B (g)(3)(A). The “buffer” illustrated in TN 250283 is not accurately shown as extending 1-mile from the project boundary. Note that a “project area” is not a specific project site boundary. The Applicant needs to provide the specific site boundary upon which the Project would be sited to					

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											allow for CEQA impact analysis. --The location of zoning designations that are identified in the figure legend for TN 250283 (i.e., Rural Residential is shown in the legend but is missing on the figure). -- Jurisdictional boundaries for federal lands. The project would border Lassen National Forest, which is not shown in this figure. The figure is also missing lands administered by the U.S. Bureau of Land Management along Highway 299. -- Clarification on the list of parcels that include					

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											all areas on which project activities would occur. The list of parcels docketed in TN 250435 (LU-008_fwp_parcel_numbers_rev2) does not match the list of parcels docketed in TN 250289 (LU-008_fwp_response_memo). The more recent docket filing (TN 250435) does not identify any of the changes to the list of APNs or explain why a revised list of APNs was docketed.					

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LU2-04	Attachment B Addendum	Land Use	Not specified	Appendix B (g) (3) (D) Appendix B (g) (3) (D) (i) Appendix B (g) (3) (D) (iii)	5. Please provide a list of current existing land uses (residential, recreational, commercial, industrial) within one mile of the project site boundaries. Please include a map illustrating the location of these land uses relative to the proposed project (turbines, ground and overhead collector lines, access roads, temporary construction laydown areas, proposed operations and maintenance facility, proposed meteorological evaluation towers, storage sheds, temporary concrete batch plants,	Not specified	No	Not specified	1-Jun and 21-Jun and 21-Jul	Refer to response for LU-012	The information submitted is incomplete. TN 250291 (LU-09_AgriculturalResource) and the Applicant's May 25th response in the "fountain_wind_data_response_tracker_2023-0531 update" is not an adequate response to TN 248759 (Deficiency Letter, Attachment B Addendum: Alternatives, Land Use, and Socioeconomics Data Requests inadvertently left out of deficiency letter for Fountain Wind application). For specific information still needed, see Disposition response for LU-009.	See Revised Response to LU-009.	See Disposition 2 for LU-009	Revised Project site boundary provided as a shapefile via Kiteworks (TN# 250835). These shapefiles demonstrate that no Project component will encroach into National Forest lands.	See CEC Disposition No. 3 for Data Request Identifier LU-002.	See response to LU-002.

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LU2-05	Attachment B Addendum	Land Use	Not specified	Appendix B (g) (3) (C)	9. Please provide a list of all parcels and their APNs within the current 2023 proposed project site boundary, and a figure that identifies the location of proposed project components relative to each parcel (turbines, ground and overhead collector lines, access roads, temporary construction laydown areas, proposed operations and maintenance facility, proposed meteorological evaluation towers, storage sheds, temporary concrete batch plants, substation and switchyard, and relay microwave tower).	Not specified	No	Not specified	25-May; resubmitted 1-Jun and 21-Jun and 10-Jul and 21-Jul	9. A list of project parcels (TN# 250435) and corresponding maps are provided (TN# 250442, 250443, 250444); 10. The memorandum of lease between the Applicant and Oxbow Holdings was provided as part of the original application (TN# 248331). The commercial terms of the lease are confidential . 11. No parcel mergers are proposed. 12. No recorded restrictions exist on the Project site The county-wide ban on commercial scale wind projects passed subsequent	Items 9-10 listed in the Response column are not sufficient responses. Please provide detailed responses to each specific question posed in the detailed Data Requests provided in TN 248759 (Deficiency Letter, Attachment B Addendum) . 6/6/23 Disposition: The information submitted is incomplete. TN 250448 (land_use_fwp_responses) is not an adequate response to TN 248759 (Deficiency Letter, Attachment B Addendum: Alternatives , Land Use, and Socioeconomics Data Requests inadvertently left out of	As noted, the project site is privately owned by a timber management company and will be under long term lease to the Applicant. Site ownership and control has already been disclosed (TN# 248331) and a lease extension has been finalized. An updated memorandum of lease will be provided as soon as it is available. Appendix B does not require the Applicant to provide an analysis of encumbrances or deed restrictions on each parcel. Nonetheless, the Applicant confirms that no encumbrances or deed restrictions preclude constructio	See Disposition 2 for LU-008	Lease extension provided (TN# 250984).	See CEC Disposition No. 3 for Data Request Identifier LU-008.	The Applicant entered into the original Option to Lease in 2012. A redacted copy is docketed as TN #250984. Included as Exhibit B to this Option is a Renewable Energy Lease Agreement, which lease will become effective upon exercise of the option. Paragraph 1.5 of the Lease Agreement calls for a term until May 1, 2047, a term of 35 years from the date of the original option agreement. The ability to exercise the option has been extended to 2029. See TN# 250984. The Applicant expects the landowner

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					10. Provide the terms of the Wind Energy Lease between the Applicant and property owner (Oxbow Timber I, LLC). 11. Discuss whether any parcel mergers would occur as part of the proposed project. Provide details on what parcels would be included in the merger, and what project components would be sited or staged on the merged parcels. Describe any communications that have occurred with Shasta County regarding parcel mergers, and any requirements identified by the					to Project's denial.	deficiency letter for Fountain Wind application) . Regarding the Applicant's response to Item No. 10, according to TN 248331 (Lease with Oxbow Holdings), Item G. 2. Option Terms., "The initial term of the amended restated and combined Option Agreement ("Initial Option Term") shall commence on April 4, 2016 and shall continue for five (5) years, unless earlier terminated under the terms of the Option Agreement. Grantee shall have the right, but not the obligation,	n or operation of the proposed project.				will extend the lease term to allow a full 35 years of operations once the CEC approves the project.

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					County to approve a parcel merger. 12. Identify any recorded restrictions on the project site that preclude development, and identify which parcels these restrictions apply to.						to extend the Initial Term for one option extension period of one (1) year ("Option Extension Period"). The Option Extension Period, if any, shall commence no later than the end of the Initial Term." Based on the terms from the lease, it appears that the term expired in April 2022. Please provide any updates to the terms of the lease. This item is important for ensuring site control by the Applicant. Regarding the Applicant's response to Item No. 12, parcel legality and site control are important issues. The					

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											legal status of each private parcel upon which the Project would be sited is important and the Applicant needs to disclose parcel ownership status, if the parcels will be purchased or leased, and if there are any encumbrances or deed restrictions associated with each parcel upon which the Project would be sited.					

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PO-018	Deficiency Letter Matrix	Project Overview	Salyphone Ng Kerr	Appendix B (b) (2) (A)	Maps at a scale of 1:24,000 (or appropriate map scale agreed to by staff) of each proposed transmission line route, showing the settled areas, parks, recreational areas, scenic areas, and existing transmission lines within one mile of the proposed route(s);	TN 248297-2: CEQA Initial Study Figure 2	No	Not to the scale of 1:24,000 and no settled areas, parks, recreational areas, scenic areas are shown.	11-May and 21-Jul	The Project does not propose to construct any new high voltage transmission lines. By definition, Transmission lines are electric lines capable of carrying high voltage electricity, greater than 69kV. The project proposes new 34.5 kV collection lines that would be both overhead and underground. Collection lines would run from turbine to turbine and would tie all of the turbines into the Project substation. A map is provided in (TN# 250101) of the settled areas, parks, recreational areas, and	The response is inconsistent with the Project Description (dated July 10, 2023) and inconsistent with the California ISO LGIA and the Appendix A - Q1106 Queue Cluster 8 Phase II Study. Please resubmit response.	The Fountain Wind Substation is sited directly adjacent to the proposed Switching Station and Point of Interconnection, which is accurately referenced in the Project Description and previously provided KMZs. Fountain Wind will finance, design, engineer, procure and construct the required Switching Station, consistent with the LGIA. A 2-mile generation tie-line is NOT required by the Project. It appears the Cluster 8 Phase II Study references a proxy substation location for				

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										existing transmission lines within one mile of the proposed overhead collector line.		the Figure 1-2 Drawing. The inconsistency is irrelevant to the results of the study, and the Project Description should be referenced for the accurate location information.				

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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	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 and 10-Jul and 21-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.	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	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 " <i>to the extent it is provided, response time information was received from the respective service by email correspondence</i> " for other environmental documents. However, neither Applicant Responses 1 nor 2 provide this information from other County environmental documents that was obtained		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)(B)(v). Please follow up with the appropriate public service agencies to obtain information	See TN # 2511109

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					staffing impacts by school district during the construction and operating phases;						<p>- 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.</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>	<p>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.</p> <p>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</p>	<p>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:</p> <p>- Information contained in the above-referenced emails.</p> <p>-Current response times for police/sheriff services.</p> <p>-Current response times for fire services.</p> <p>-If there are Annual Reports for medical/hospital</p>		<p>n on response times for police /sheriff services and hospital services. The specific information still needed includes the following: § Current response times for police /sheriff services. If there are Annual Reports for medical/hospital services in Shasta Count</p>	

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												<p>County; ambulance response time in these areas was approximately 30 minutes. More recent information regarding 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</p>	<p>services in Shasta County, and from the Shasta County Sheriff's Offices, please provide the most recent documents.</p>		<p>y, and from the Shasta County Sheriff's Offices, please provide the most recent documents.</p> <p>§ For response time data provided by Burney Fire Protection District, Shasta County Forestry Fire Station, and Burney Fire Department, please provide a</p>	

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												<p>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</p>			<p>record of conversation that includes the name, date, time, phone number, and summary of call.</p>	

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												County planning staff (including emails and telephone numbers) for purposes of CEC coordination.				