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Additional submitted attachment is included below.

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<https://efiling.energy.ca.gov/Ecomment/Ecomment.aspx?docketnumber=23-OPT-01>

Re: Fountain Wind Project (23-OPT-01) Environmental Scoping and Informational Meeting

Greetings Mr. Payne,

Allow me to introduce myself, my name is Eihnard Diaz. I am a Land Use and Environmental Planner who has provided land use entitlement and CEQA and NEPA environmental services for counties, cities, special districts, and educational institutions in the North State for over 42 years. I also have represented numerous residential, commercial, and industrial development projects throughout those years. I am very familiar with Shasta County, having prepared specific plans and DEIRs and also processed numerous entitlement projects over the years. I am fortunate that much of my success has been a result of an excellent working relationship with local, state, and federal agencies over these years. I am known to be fair and objective while representing my clients, regardless of whether they are from the private or public sector. I am sharing this background information with you so that you hopefully consider that my comments regarding the proposed Fountain Wind Project are fair and objective.

It is important that I disclose that I provided the Ovation Group, which contracted with ConnectGen, the Fountain Wind Project proponents, with consulting services between November 2019 through part of November 2020. I was contracted to perform outreach services to assist ConnectGen in further establishing and advancing relationships with Planning Commissioners and the Board of Supervisors as well as other key community leaders. Beginning in October 2020, I contracted directly with ConnectGen transitioning my outreach services from the Ovation Group to ConnectGen. Services were to continue the aforementioned outreach services but also to coordinate the expansion of ConnectGen's outreach to community groups, environmental and business organizations, and residents. Services did not include the preparation of any type of environmental documents or direct representation on behalf of ConnectGen with the Department of Resource Management, Planning Division which was processing the DEIR and Project entitlements.

It is recognized that there are no "perfect" projects where there is 100 percent support. Most often, there are proponents and opponents who are overly passionate regarding their respective positions. In many cases, both "sides" are right and wrong. Therefore, it is important that any planning entitlement process be fair and impartial, whereby decisions are based on underlying research, applicable science, facts, and disclosures and not incorrect or misleading information. It is for this reason that I am thankful that the California Energy Commission is now responsible for the processing and consideration of the Fountain Wind Project. I have confidence that the CEC Staff who will be responsible for the preparation of the DEIR

will produce a thorough and objective disclosure document that the Commission will be able to rely on to make an informed decision. I concur with the potentially significant effects identified in the Preliminary Analysis prepared by CEC Staff with some observations as noted below.

I am of the opinion that Cultural and Tribal Cultural Resources and Wildfire issues appear to be the more contentious topics that will need to be addressed in more depth and objectively as possible. There is much emotion and controversy regarding these issues and hope that the DEIR addresses factual potential impacts and mitigates them to the maximum extent feasible.

Visual Resources is a very subjective topic whereby often “beauty is in the eye of the beholder.” Often the answer is to determine the extent or time of the view and its location in relation to the viewer. I trust you will evaluate the visual impacts associated with the new locations of the proposed turbines and the time they may be viewed from key locations along SR 299 and in the area. Biological Resources do not appear to be as much of an issue. It appears that many of the environmental groups, locally and statewide, are satisfied with the various studies prepared to date and mitigation measures for the previous Fountain Wind Project. Based on my review of the Docket, you have requested additional studies to be prepared for your review. Resource agencies such as State Fish and Wildlife have provided their input regarding the information they would like to have evaluated. Whereas overall mitigations may not satisfy all directly concerned parties, the resultant measures should allow the Project to go forward so that there is benefit for many of us who support the use of clean, renewable energy.

Regarding the issue of inconsistency with a local ordinance, which, as you are aware, was enacted after the denial of the previous Fountain Wind Project, please accept the following comments regarding concerns regarding the process that led to the ordinance prohibiting future large-scale renewable energy projects in Shasta County.

In all my 42 years practicing in Shasta County, there has never been, to my recollection, a major project, such as Fountain Wind, for which the DEIR and entitlement approval process resulted in a project denial whereby the Department of Resource Management, Planning Division recommended certification of the EIR to be complete and adequate and for which use permit approval was recommended. Not once during the public hearing process did the Planning Commission ask any questions of Staff, request clarifications, or ask questions of other agencies such as CalFire. Further, not once was Staff asked why they recommended certification and approval of the proposed Project. Similarly, these questions were never asked of Planning Staff by the majority of the members of the Board of Supervisors.

It is my opinion, and also that of others, that it did not matter what Shasta County's professional planners recommended to the Planning Commission and Board of Supervisors these individuals' minds were already made up, except for one supervisor who supported the Project. The process became extremely political, catering to a small group of very vocal opponents, amongst them a member of the Planning Commission. Facts, science, studies, outreach, etc., efforts by Fountain Wind representatives and supporters were ignored or misrepresented throughout the process, as were the Planning Division's recommendations. Members of the Planning Commission and the Board of Supervisors have clearly stated that the reason for the ordinance prohibiting large-scale renewable energy projects was so that they and some members of the public did not have to contend with these types of projects in the future. However, in their deliberations, there was no science or facts to support the likelihood that large-scale renewable energy projects, in particular wind farms, could be sited in Shasta County.

Over the years and currently, there have been, unfortunately, misleading and inappropriate assertions regarding the conduct of not only Fountain Wind personnel but also supporters. Since I became involved

with the initially proposed Project and now the one before the CEC, there have been numerous discussions with community groups regarding Fountain Wind benefit programs over several years. Most recently, the information provided regarding negotiations with the Community Foundation of the North State was accurate; however, political pressures by certain politically motivated individuals resulted in the Foundation Board not being willing to proceed with working with Fountain Wind. This has also occurred with other groups who apparently depend on Shasta County for funding.

I would also like to provide my opinion that the Project currently before the CEC is significantly different than the one originally proposed. After the Planning Commission denied the Project with 72 turbines, Fountain Wind proposed a revision of the proposed Project from 72 to 48 turbines. The Project denied by the Planning Commission was for 72 turbines, and no alternatives were considered, even though Planning Commission member Tim McLean tried to discuss a reduced turbine Project for possible consideration. The Board of Supervisors, in their deliberations, did not appear even to attempt to address the reduced Project with 48 turbines and denied the Project as if it were 72 turbines. As an aside, wouldn't it have been appropriate for either the Planning Commission or the Board of Supervisors to refer back the 48-turbine alternative to the Planning Commission and then the Board of Supervisors to reconsider a Project with 48 turbines and to evaluate associated Project-related revisions?

It appears to me that the CEC proposed 48-turbine Project is significantly different than the 72-turbine Project and the previously reduced 48-turbine alternative. It should be noted that based on what transpired, the Planning Commission and the Board of Supervisors would have probably denied any reduced Project turbine alternative since the outspoken area locals were against any form of a Project. Please be aware that there are many residents, businesses, and organizations that support the previous and currently proposed Project. Also, please be aware that there are Project area residents and businesses who support the Project; however, they are concerned about publicly voicing their support. I hope that you will review the record regarding the passage of the ordinance prohibiting future large-scale renewable energy resources in Shasta County. The ordinance supporters were the same small number of local vocal opponents of Fountain Wind.

I must repeat that I welcome the fact that the CEC will be responsible for the preparation of the DEIR to support and build on the Planning Division's recommendation for a 72-turbine Project. I am positive that the DEIR will not only address potential environmental impacts, which you have preliminarily identified but will also advance applicable mitigation measures. Where mitigation measures may not reduce some potential impacts to less than significant levels, I urge the CEC to consider the overall social, economic, and renewable energy benefits associated with the Project when determining public convenience and necessity. The majority of Shasta County residents, organizations, and businesses support the Fountain Project, even though there are some outspoken critics, motivated by localized self-interests, who are vehemently opposed. Their interests do not appear to align with the benefit the Project brings for not only the good of the overall Shasta County Community but also for the North State and the State of California as a whole. I look forward to reviewing the DEIR. Hopefully, this process will lead to the approval of the Fountain Wind project by the California Energy Commission.

Cordially,

Eihnard Diaz