

<b>DOCKETED</b>	
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<b>TN #:</b>	253803
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*Comment Received From: Dogwood Acres LLC  
Submitted On: 1/5/2024  
Docket Number: 23-OPT-01*

**Fountain Wind Project - Comments on the Scope & Content of Draft  
EIR**

*Additional submitted attachment is included below.*

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December 30, 2023

Leonidas Payne, Project Manager  
California Energy Commission, Docket Number: 23-OPT-01  
Fountain Wind Project  
Comments on the Scope and Content of the Draft EIR

Dear Mr. Payne,

Dogwood Acres LLC (DALLC) owns 80 acres surrounded by and adjacent to the Industrial Timberlands owned by New Forests, LLC, who plan to lease their lands to ConnectGen for construction and operation of the Fountain Wind Turbine project. DALLC's lands (Assessor's Parcel Nos. 29-210-24, 25, 26, 27 and 28<sup>1</sup>) have prescriptive road access rights resulting from many years of unrestricted use via Terry Mill Road and the "T-Line". DALLC's lands lie approximately 1,500 feet south-west of planned Turbine K03, and a similar distance from planned Turbine L04. DALLC owns the land for the purposes of maintaining its exceptional wildlife habitat and natural attributes and for recreational enjoyment of the members.

Access to our lands may be severely restricted by the turbine project, potentially both during construction and operation. This represents a serious safety issue, during wildfire events or medical emergencies, and may represent an unacceptable restriction on our free and unfettered use of Terry Mill Road and the "T-Line" for ingress and egress from both the west (from SR299 at the town of Round Mountain) and the east (from SR299 at Hatchet Mt. Summit). Should our members or friends be occupying our cabin or visiting our land, which frequently occurs for from one to many days, our inability to seek timely medical care or escape an approaching wildland fire may compound the risk of serious injury or death. The implications of restricted ingress and egress due to turbine construction or operation, particularly during an approaching wildland fire or simply a medical emergency, must be fully examined by the EIR. An examination of the current road and turbine array plans puts any assumption about DALLC's ability to escape a fire or seek medical care in an emergency into considerable doubt.

During the circulation of the Shasta County Draft EIR, we received assurances from ConnectGen that our unfettered access rights via Terry Mill Road and/or the "T-Line", from both the west and east, would not significantly change during turbine construction and operation. It is unclear if the CEC's process for conditioning the project will allow for ConnectGen to perform on that pledge, nor whether they still plan to honor that assurance should they receive project approval from the CEC.

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<sup>1</sup> Assessor's Parcel #28 is owned by two members of DALLC; parcel #28 is managed by DALLC utilizing the same charter and principals as the remainder of DALLC's parcels.

Shasta County's Final EIR noted that a "residential parcel setback" provision was proposed, calling for a setback of 3X the turbine height from ownerships containing a residence. Dogwood Acres LLC has a cabin on its land<sup>2</sup>, which is frequently used for extended stays up to several weeks or potentially longer. A rough calculation puts our lands within approximately 1,500 feet of turbine site K03, and a similar distance from turbine site L04. The required setback under the previous Shasta County project would be 1,830 feet (3X the turbine height of 610 feet). The Draft EIR should examine whether that setback requirement is appropriate and adequate to mitigate for visual and other potential impacts (eg. noise, lighting, wildlife habitat edge effects) on residential parcels, and confirm which ownerships it will apply to.

Thank you for your attention.

Tim Mallory  
Chair, Dogwood Acres LLC

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<sup>2</sup> Please note that Figure LU-002 "Land Uses within 1 mile of the Project" (TN 250712) neglects to show this residential use by noting the cabin, while an adjacent "in-holding", APN 29-210-32 correctly shows the residential use (cabin) on it.