

STAFF REPORT

BOARD MEETING DATE: October 17, 2023

CATEGORY: Regular Calendar 10

SUBJECT: Take the following actions regarding the Fountain Wind Project and a community engagement media campaign: (1) Receive a presentation; (2) adopt a resolution; and (3) approve a budget amendment increasing appropriations in the Miscellaneous General Budget (BU 173) by \$100,000, offset by a commensurate decrease to appropriations for contingencies.

DEPARTMENT: County Administrative Office

SUPERVISORIAL DISTRICT #: All

DEPARTMENT CONTACT: David Maung, Public Information Officer, (530) 225-5561

STAFF REPORT APPROVED BY: Stewart Buettell, Deputy County Executive Officer

<u>Vote Required?</u>	<u>General Fund Impact?</u>
4/5 vote	Additional General Fund Impact

RECOMMENDATION

Take the following actions: (1) Receive a presentation from the Public Information Officer regarding a forthcoming community engagement media campaign (Campaign) related to the current status of the Fountain Wind Project and the applicant's opt-in application with the California Energy Commission; (2) adopt a resolution approving the Campaign and authorizing the County Administrative Office to proceed; (3) approve a budget amendment in the Miscellaneous General budget (BU 173) increasing appropriations in the amount of \$100,000 for the Campaign, offset by a commensurate decrease to appropriations for contingencies.

DISCUSSION

Following discussion during the October 3, 2023, Board of Supervisors (Board) meeting, the Board unanimously voted to proceed with the development of a public media campaign to inform the public of the status of the Fountain Wind Project. The Board also approved expenditure authority, up to \$100,000, to be appropriated in furtherance of the media campaign, and requested a plan be brought back before the Board for consideration at the next regular meeting of the Board of Supervisors.

The Fountain Wind Project (Project) is a wind energy generation facility proposed by Fountain Wind, LLC., on approximately 4,500 acres of private, leased land in the unincorporated area of Shasta County. On June 22, 2021, the Shasta County Planning Commission unanimously denied the application for the conditional use permit necessary to build the Project. Fountain Wind, LLC., appealed the Planning Commission's decision to the Shasta County Board of Supervisors, which also included modifications to the size of the Project. On October 26, 2021, (pursuant to Shasta County Code section 17.92.030), the Shasta County Board of Supervisors voted to uphold the Planning Commission's decision and deny the special use permit.

AB 205 was signed into law on June 30, 2022, and purports to give the CEC extended siting authority over certain renewable energy facilities, including any "solar photovoltaic or terrestrial wind electrical generating power plant with a generating capacity of 50 megawatts or more and any facilities appurtenant thereto." For a number of reasons, the County disputes the authority and jurisdiction of the CEC to consider the Fountain Wind application and proposed project. Between January 3 and January 11, 2023, Fountain Wind, LLC., submitted an application under AB 205 with the CEC.

As of the date of this report, the application remains incomplete and is still under review by the CEC. If and when the application is deemed complete by the CEC, the proposed Project will then undergo further scrutiny, procedures, and review, including CEQA, all of which is intended to occur over a maximum 270-day review period (unless the 270 day period is extended by law or for other reasons).

A presentation has been prepared by the County Administrative Office and the Public Information Officer to propose next steps to inform the community, State legislators, and other counties about the status of the Fountain Wind's application and proposed Project, including beginning content creation and outreach, as soon as possible. The draft Resolution, for the Board's consideration memorializes the Board's action regarding the media campaign, as well as the urgency. A budget amendment has been prepared to appropriate up to \$100,000 in funding to proceed with the campaign and offset necessary expenditures.

ALTERNATIVES

The Board could choose not to hear the presentation, not adopt the resolution, or not approve the budget amendment. They could also defer consideration to a future date, or provide alternate direction to staff. Taking the recommended actions provides approval from the Board for staff to proceed with efforts to engage the public regarding the status of the Fountain Wind Project, as quickly as possible. Each recommended action is essential to move forward; not approving one of the recommended actions could result in delays or a return to the Board in the future for subsequent authorization.

OTHER AGENCY INVOLVEMENT

This staff report was drafted by the County Administrative Office. The budget amendment and staff report have been reviewed by the Auditor-Controller. The resolution has been reviewed by County Counsel and approved as to form.

FISCAL IMPACT

There is no fiscal impact associated with receiving the presentation. There is additional General Fund impact, if the Board adopts the Resolution, approves the budget amendment, and directs staff to proceed with developing and distributing content to educate and inform stakeholders about the status of the Project. During the Board meeting on October 3, 2023, the Board directed up to \$100,000 be appropriated for this campaign. If approved, a budget amendment increasing appropriations in the amount of \$100,000 is included for the Board's consideration.

ATTACHMENTS:

- 1: Draft Resolution
- 2: Draft Budget Amendments