SHASTA COUNTY
PLANNING COMMISSION

MINUTES **Special Meeting**

Date: October 2, 2008
Time: 4:00 p.m.
Place: Mt. Burney Theatre
Burney, CA

Flag Salute

ROLL CALL **Commissioners Present:**

Dave Rutledge	District 1
Roy Ramsey	District 4
John Wilson	District 2
John Cornelius	District 3
Shirley Easley	District 5

Staff Present: Richard Simon, Assistant Director of Resource Management
Bill Walker, Senior Planner
Rubin Cruse, Senior Deputy County Counsel
Al Cathey, Public Works/Subdivision Engineer
Dawn Duckett, Staff Services Manager, Recording Secretary

Note: **All unanimous actions reflect a 5-0 vote.**

Key: California Environmental Quality Act (CEQA): Mitigated Negative Declaration (MND), Negative Declaration (ND), Categorically Exempt (CE), General Exemption from CEQA (GE); Not Subject to CEQA (N/A).

CONFLICT OF INTEREST DECLARATIONS: None.

OPEN TIME: Virginia Mercado from the Pit River Tribe requested that all land use projects be referred to the Tribe for review.

PUBLIC HEARING:

R1: **Use Permit 06-016 (Hatchet Ridge Wind)**: The project site would cover a total of 73 acres scattered over 17 parcels totaling approximately 3,000 acres on Hatchet Mountain. The site is approximately 7 miles due west of Burney, and 34 miles northeast of Redding, and immediately north of State Highway 299 at Hatchet Mountain Pass.

The applicant, Hatchet Ridge Wind, LLC, proposes to construct a wind energy project. The area actually covered by the project would be an approximately 73-acre portion of the 17 parcels. The project would produce approximately 100 megawatts of electricity and would require construction of 42 to 68 wind turbines on steel tubular towers from about 213 feet to 263 feet tall. The total height of each tower with its attached wind turbine could reach

from about 338 feet to about 418 feet high. The line of towers would stretch for about 6.5 miles northeasterly along the ridge of Hatchet Mountain. The project would include transmission lines from the turbines to a new substation and additional lines to interconnect with existing high-voltage transmission lines that cross the project site which are owned by Pacific Gas & Electric Company. The project would also include a temporary construction office, an operations and maintenance building/control center, new access roads, temporary staging areas, and up to four permanent meteorological masts up to 220 feet high. The project would be constructed over a 6 to 12-month period. In general, the towers would be constructed in areas managed for commercial timber production which were replanted after the 1992 Fountain Fire.

Chairman Rutledge displayed several Power Point slides describing the process for the public hearing. He advised that a time limit had been set of five minutes per speaker and that if an individual speaker desired to speak beyond the time limit, they may return to the end of the speaker's line to finish their testimony. Chairman Rutledge asked that all speakers focus their comments on information not already presented to the Planning Commission at the July 24, 2008, public hearing.

Senior Planner Bill Walker presented the staff report. A memorandum was distributed to the Commission containing several letters received by the Planning Division after the staff reports were circulated. Among the letters was a request from the California Department of Fish and Game to revise Condition 31(b) as well as a request from the applicant's attorney to revise Conditions 12 and 34. (NOTE: It was later clarified by Richard Simon, Assistant Director of Resource Management that staff's recommendation was to approve the project without any modifications to the conditions).

Richard Simon, Assistant Director of Resource Management provided a summary of the resolution to the issues that led to continuance of the July 24, 2008, Planning Commission meeting and read aloud an excerpt from a letter from Babcock and Brown confirming the applicant's commitment to execute a Community Benefit Agreement with Shasta County.

The public hearing was opened and speaking in favor of the project were:

Speaker's Name	***Comment/Issue/Concern***
George Hardie	Mr. Hardie (Babcock & Brown) stated that he would like to make rebuttal statements after all other testimony had been taken.
Dennis Miller	Mr. Miller stated that more people would be present to speak in favor of the project if the meeting had started after 5:00 p.m. He said that he supports the project because of the endowments for schools, employment opportunities, and increased standard of living.
Terry Hufft	Mr. Hufft voiced general support for the project and reducing greenhouse gases.

Ron Epperson	Mr. Epperson discussed the need for clean power, stated that property values would not be affected, and asked for approval of the project.
Bill Charlton	Mr. Charlton stated that the project would benefit local schools and was good for the local economy.
Gwen Lakey	Ms. Lakey voiced general support for the project.
Perry Thompson	Mr. Thompson (Hat Creek Construction) discussed the economic benefits of the project and reducing reliance on fossil fuels.
Larry Dodds	Mr. Dodds voiced general support for the project and agreed with the previous speakers.
Ed Wade	Mr. Wade stated that wind power will help to offset the high cost of other sources of power and discussed employment opportunities that will arise as a result of the project.
Kathy Lakey	Ms. Lakey voiced general support and discussed the need for jobs in the area.
Vikki DeBraga	Ms. DeBraga voiced general support for the project.
Ed Cleckler	Mr. Cleckler asked if the wind project could supply the town of Burney with power if all other sources had failed.
Margaret Branam	Ms. Branam discussed reliance on fossil fuels and stated that the wind turbines would not interfere with the community.
Alice Thompson	Ms. Thompson opined that windmills have a good aesthetic and discussed the benefits to local schools.
Bob Moore	Mr. Moore stated that the good aspects of the project outweigh the bad and discussed the need for clean energy.
Patricia Williams	Ms. Williams opined that windmills have a good aesthetic and asked for assurances that the endowments for schools will take place.
Shari Smith	Ms. Smith opined that windmills are aesthetically pleasing and discussed the need for new sources of energy.
Mike Kerns	Mr. Kerns voiced general support for the project.
Bob Thompson	Mr. Thompson (Hat Creek Construction)voiced general support for the project and clean power.
Jim Hamlin	Mr. Hamlin voiced general support for the project.

Bruce Gavedin	Mr. Gavedin discussed reliance on foreign fossil fuels and said that he hoped there could be a resolution that respected the Indian community.

Speaking in neutral position to the project were:

Rex Vaughn	Mr. Vaughn asked the Commission for clarification on how the project would benefit the tribal community and asked for assurances that the applicant would honor promises made to the community.
Tony Klein	Mr. Klein expressed concern that the financial benefits of the project should be allocated to the town of Burney.
Fred Ryness	Mr. Ryness asked if the EIR addressed the project's effect on the local climate and discussed the benefits of co-generation power plants.
Jeanne Yount	Ms. Yount discussed air quality and asked if the windmills would help to remove smoke from the air during the winter months.
Jenny Arseneau	Ms. Arseneau stated that she was in support of the project but wanted assurances that the mitigation measures will be enforced by the County.
Bruce Webb	Mr. Webb (California Department of Fish and Game) asked that Condition 31(b) be modified as requested in his letter that was attached to the memorandum distributed to the Commission.

Speaking in opposition to the project were:

Ken Archuleta	Mr. Archuleta stated that he agreed with renewable energy but that the issue with this project is the location and related visual impacts. He discussed proliferation and said that approval of this project would set a precedent for future wind projects.
Virginia Mercado	Ms. Mercado (Pit River Tribe) discussed negative effects on the climate, desecration of tribal lands, aesthetics, and questioned whether new jobs would be filled by local people.
Paul Harbick	Mr. Harbick (RABA bus driver) discussed noise, aesthetics, and negative impacts to wildlife.
Sharon Elmora	Ms. Elmora discussed the loss of salmon, health concerns of tribal members, dust, and negative impacts to weather and wildlife.

Jack Potter — Mr. Potter told the Commission that he was given his name "Blue Jay Wind" by his grandfather on Hatchet Mountain and that it is a sacred area to the tribe. He said that the project will interfere with religious practices on the mountain.

Jessica Jim — Ms. Jim (Pit River Tribe) said that no impacts to cultural resources were identified in the EIR and that Hatchet Mountain and Medicine Lake were sacred places. She discussed aesthetics and stated that 10 new jobs for the area was insufficient. Ms. Jim asked that a copy of the letter read by Richard Simon be forwarded to the tribe and that the project be denied.

Florence Moren-Buckskin — Ms. Moren-Buckskin voiced general opposition to the project.

Jessica Jim — Ms. Jim made additional comments in opposition to the project and stated that the tribe was not involved with the EIR process.

RECESS: The Planning Commission took a recess at 6:02 p.m.

RECONVENE: The Planning Commission reconvened at 6:27 p.m.

Frank Germano — Mr. Germano voiced opposition to the proposed location of the windmills and asked if the EIR had addressed alternative sites. He also discussed the financial benefits versus the changes to the community as a result of the project. Mr. Germano also stated that the developer rather than the County should pay for the EIR and discussed co-generation power plants as an alternative.

Gerry Smith — Mr. Smith discussed the benefits of nuclear energy versus wind energy and noted that RES had sold the project to Babcock and Brown. He voiced concern regarding Babcock and Brown's declining stock share value. Mr. Smith suggested inter-spacing the turbines to conceal them from view and submitted a publication regarding turbine spacing methods for the Commission's review.

Darlene Machon — Ms. Machon discussed negative impacts to birds and other wildlife and questioned the community benefits versus the impacts to sacred lands.

Bob Nelson — Mr. Nelson discussed the declining financial condition and share value of Babcock and Brown's stock, and stated that the County should require financial assurances and/or bonds for decommissioning the structures.

Vince Meglio — Mr. Meglio agreed with Mr. Nelson's statements and stated that the project would not result in a reduction to dependency on foreign energy. He asked that the Commission deny the project.

Jean Boggs	Mr. Boggs discussed negative visual impacts, traffic on Highway 299, and asked that the Commission consider the wishes of the Native Americans.
Bill Watson	Mr. Watson asked the Commission to consider the loss of wildness that will result from the project.
Ron Gray	Mr. Gray discussed the loss of trees and negative effects to wildlife. He asked if blasting would take place during construction of the project and whether there would be effects on nearby wells.
Donni Rouse	Ms. Rouse discussed the loss of sweet grass and other vegetation used by the Indians. She asked for clarification regarding the benefits to schools and the effects on local tourism.
Frank Germano	Mr. Germano made additional comments regarding co-generation power plants and asked if portions of Highway 299 were designated as a Scenic Highway.
Tom Hoskins	Mr. Hoskins discussed maintenance of wind turbines and stated that the wind generator in Benecia California was torn down after only four years. He asked that the Tribe's wishes be respected.
Ernie West	Mr. West stated that nuclear power plants produce more energy than wind and opined that wind energy will soon be obsolete. He also stated that the new jobs resulting from the project will most likely not be offered to local people.
Bill George	Mr. George objected to the location of the turbines.
Andrew Urlie	Mr. Urlie objected to the location of the turbines, discussed negative visual impacts, and suggested approval subject to re-siting the project.
John Lindler	Mr. Lindler opined that the project does not fit the community and discussed negative visual impacts.
Ann Wilburn	Ms. Wilburn asked for clarification regarding time periods for decommissioning and stated that visual impacts can not be measured.
Kathy Newton	Ms. Newton discussed negative visual impacts as well as impacts to wildlife, the loss of trees and lighting.

Nicole Hughes, from RES made rebuttal remarks stating that RES has made a good-faith effort to involve the Tribe in the process and has had recent positive contact with the Tribe's attorney. Ms. Hughes went on to say that an ethnographic study had been commenced and that the study will benefit the Tribe.

George Hardie, from Babcock and Brown also made rebuttal remarks discussing the firm's financial status and detailing their current investments as well as current projects. He stated that construction for the project will not be started until financial commitments such as the education endowments, have been met. Mr. Hardie also discussed reclamation stating that every five years analysis will be performed to determine the cost for decommissioning the project.

Scott Piscatello, from RES clarified the relationship between RES and Babcock and Brown stating that RES had sold the rights to the project to Babcock and Brown and RES will construct the project.

Jessica Jim objected to Nicole Hughes' statement regarding the "good-faith" effort by RES to involve Tribe members in the process.

Richard Simon asked George Hardie to respond to the following technical questions which were asked by members of the public during the public hearing:

Question: Can the facilities feed the town of Burney if all other power is out?

Answer: The facility will generate approximately 103 megawatts that could serve 800-1,000 homes and would connect directly to PG&E.

Question: Will there be any downdraft effects on the weather associated with the project?

Answer: There are no studies indicating any such effects.

Question: Will the windmills clear smoke from the air during the winter months?

Answer: No.

Question: Will there be any blasting during construction of the project?

Answer: The applicant is not aware of the need for blasting.

There being no other speakers for or against the project, the public hearing was closed. Richard Simon responded to questions from the Commission stating that the applicant had paid for the EIR through a third-party agreement with the County. In response to the question of whether or not CEQA requires that alternative sites be identified for a project, Mr. Simon explained that several alternatives to the project are listed in the EIR and that studies were performed to analyze alternative sites for the project, non of which were deemed feasible. Mr. Simon also stated that in regards to the requests for revisions to the conditions, staff's recommendation is to approve the project with the conditions as written.

Rubin Cruse, Senior Deputy County Counsel, noted that as currently structured, the County's right to salvage title might not be perfected until after the project ceased operations.

ACTION: By motion made, seconded (Cornelius/Ramsey), and carried unanimously, by Resolution 2008-102, the Commission certified the Environmental Impact Report (EIR) for the Hatchet Ridge Wind project, and adopt the related Mitigation Monitoring and Reporting Program, based on the findings listed in the Resolution; and by Resolution 2008-103, adopted the Findings of Fact and Statement of Overriding Considerations, and based on those findings, overriding considerations, and the other information in the record, approved Use Permit 06-016, subject to the conditions listed in the Resolution.

ADJOURNMENT: The Planning Commission adjourned at 7:58 p.m.

Submitted by:

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Dawn Duckett, Staff Services Manager
Recording Secretary