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June 11, 2026

R&L Capital Inc. LLC
C/O Kyle Mohr
P.O. Box 9071
Trona, California 93592

Data Requests Set 1 for RB Inyokern Data Center (26-SPPE-01)

Dear Mr. Mohr:

Pursuant to California Code of Regulations, Title 14, §15084(b) and Title 20, §1941, the California Energy Commission (CEC) staff is requesting the information specified in the enclosed Data Requests Set 1, which is necessary for the staff analysis of the RB Inyokern Data Center (RBIDC or project) (26-SPPE-01). The proposed RBIDC project, located in the city of Inyokern, Kern County, includes forty (40) diesel-fired generator sets that would be used exclusively to provide up to 99 megawatts (MW) of backup emergency electric generation during utility outages to support the on-site data center operations. The RBIDC emergency backup electric generating facility would not be interconnected to the transmission or distribution grid, nor would the facility participate in demand response, peak shaving, or any grid-support operations.

This Data Requests Set 1 seeks further information in the areas of Aesthetics, Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, Efficiency and Energy Resources, Geology and Soils, Greenhouse Gases, Hydrology and Water Resources, Land Use, Noise, Population and Housing, Executive Summary, Project Description, Public Services, and Transportation based on the contents of the application submitted thus far. CEC staff may submit subsequent data requests in these and other resource areas based on further information received or as necessary for a complete analysis of the proposed project.

To assist CEC staff in completing its environmental review timely and meeting the requirements of the California Environmental Quality Act (CEQA) per California Code of Regulations, Title 14, §§ 15108, 15109, CEC staff is requesting responses to the data requests within 30 days. If you are unable to provide the information requested or need to revise the timeline, please send written notice to me within 10 days of receipt of this letter.

If you have any questions, please email me at Elizabeth.Huber@energy.ca.gov.

Elizabeth Huber
Project Manager

Enclosure: Data Requests Set 1

AESTHETICS

Author: Michael Aceves

BACKGROUND: SPPE Application Appendix Elements

The SPPE application did not include the Appendix Elements. The Appendix Elements are used to review the visual/aesthetic impact.

DATA REQUESTS

DR AES-1. Please provide Appendix Elements A.1 Site Plan, A.2 Visual Resources Site Renderings, & I.1 Visual & Lighting Analysis.

BACKGROUND: Architectural Elevations

The SPPE application did not include architectural plans. The project includes an approximately 238,000 square-foot data center. CEC staff need the architectural elevations to complete the review.

DATA REQUEST

DR AES-2. Please provide architectural elevations.

BACKGROUND: Landscape Plans

The SPPE application did not include landscape plans. The project includes an approximately 238,000 square-foot data center. CEC staff need the landscape plans to complete the review.

DATA REQUEST

DR AES-3. Please provide the landscape plans, if any are available.

AIR QUALITY AND PUBLIC HEALTH

Authors: Brewster Birdsall, Rachael Dal Porto

BACKGROUND: Air Pollution Control District Application

The proposed project would require a permit from Eastern Kern Air Pollution Control District (EKAPCD). For purposes of inter-agency consistency, CEC staff need copies of all correspondence between the applicant and the EKAPCD in a timely manner to stay up to date on any issues that arise prior to completion of the environmental document.

The SPPE Application, Appendix F.1, includes an Air Quality Impact & GHG Analysis that shows natural gas consumption in the results from the California Emissions Estimator Model (CalEEMod) report; however, in the SPPE Application, Appendix A.1 (Site Plan), does not appear to describe the types of proposed natural gas equipment or depict the alignment of the natural gas supply line(s). It is not clear whether proposed natural gas equipment (e.g., heaters or boilers) would require permits from EKAPCD.

DATA REQUESTS

DR AQ-1. Please provide copies of all substantive correspondence between the applicant and EKAPCD regarding the project, including application and e-mails, within one week of submittal or receipt. This request is in effect until staff publishes the environmental document.

DR AQ-2. Please identify the current schedule for the EKAPCD permit application submittal. Please submit a copy of that application to the docket when it is submitted to EKAPCD.

DR AQ-3. Please confirm what types of natural gas equipment or appliances and plumbing would be included for onsite use and describe whether it would be feasible to exclude natural gas use onsite.

DR AQ-4. Please identify whether proposed natural gas devices would require permits from EKAPCD.

DR AQ-5. Please indicate the proposed alignment(s) for natural gas supply line(s) on the project site plan.

BACKGROUND: Construction-Phase Emissions Estimates

Dust control during construction would require a water supply that does not appear to be quantified. The water supply during construction could require hauling by truck and would consume electricity due to groundwater pumping at the proposed well or by the municipal supplier of water. Determining the energy consumed and GHG emissions for provision of construction-phase water may require a separate calculation outside of CalEEMod, which does not estimate the electricity consumption for construction-phase water usage.

In the SPPE Application, Table 4.16-2, haul trucks appear to be omitted from construction vehicle trip counts. Assumptions for "construction vehicles" in CalEEMod include zero vehicle trips for hauling and onsite truck travel. Site development would require haul trucks for bringing equipment to the site, and delivery of surfacing materials, building structural components, substation components, and other site

improvements (e.g., drainage, stormwater detention, electrical, etc.). Haul truck travel distances to this site are likely to be substantially longer than the CalEEMod default trip length of 20 miles.

DATA REQUESTS

DR AQ-6. Please disclose the amount of water use anticipated during construction and revise emissions estimates to account for provision of the construction water supply by pumping at the site or to deliver water to the site by truck.

DR AQ-7. Please revise emissions estimates for construction to quantify vehicle trips for haul trucks traveling to the site during site development for bringing equipment to the site, and delivery of surfacing materials, building structural components, substation components, and other site improvements (e.g., drainage, stormwater detention, electrical, etc.), and disclose the assumptions for haul truck travel trip lengths.

DR AQ-8. Please revise emissions estimates for construction to include emissions from onsite truck travel during site development, including onsite travel on unpaved surfaces.

BACKGROUND: Enforceable Permit Conditions, Daily and Annual Operations

Emissions estimates assume no more than 50 hours per year per engine for testing overall. Air quality impact modeling also presumes that readiness testing would be limited to occur within certain hours of the day (between the hours of 7:00 AM and 5:00 PM) (TN 269893, pg. 214).

Since EKAPCD has not defined criteria pollutant daily emissions rate thresholds of significance for stationary sources in the CEQA process, the SPPE application compares annual project criteria pollutant emissions for construction and operation of the emergency backup generators to the annual significance thresholds defined by the San Joaquin Valley Air Pollution Control District (SJVAPCD) as a regional proxy. As a general administrative requirement, the EKAPCD may establish daily emissions limitation(s) and annual emission limits with any future Permit to Operate (per EKAPCD Rule 210.1). The applicant's proposed daily and annual emissions limits for the facility need to be confirmed.

DATA REQUESTS

DR AQ-9. Please confirm that the applicant would request the EKAPCD to require an enforceable limit on concurrent testing of engines so that only a single engine operates for maintenance and readiness testing at any given time, with a limit on the number of engines tested per day to limit the daily emissions rates. Since testing and maintenance may involve periods of low-load use, generators may not be running at 100% load for

the entire hour, and the SCR requires a warm-up period. Confirm that the calculation for facility-wide daily emissions subject to this daily limit considers the warm-up period in the total.

DR AQ-10. Please confirm that the applicant would request the EKAPCD to require an enforceable limit that would allow testing of standby engines only between the hours of 7 AM to 5 PM daily.

DR AQ-11. Please tabulate the proposed project daily and annual emissions limits for use in the EKAPCD Rule 210.1 permitting process.

BACKGROUND: Screening for Low-load Conditions and Warm-up Period

The SPPE Application (TN 269893, pg. 204) states "For purposes of this Application, emissions were assumed to occur at 100 percent load, however, varying loads and warm-up conditions were considered for compliance with ambient air concentrations and health risk. Appendix A of the AQIA presents the engine emissions based upon the 100, 75, 50, 25 and 10 percent load points."

CEC staff experience with prior projects indicates that modelling has shown higher modeled operational concentrations at lower loads (75, 50, 25, and 10 percent of load) for both particulate matter (PM) 10 and PM 2.5. Staff need to verify whether the Health Risk Assessment (HRA) results for these lower load cases exceed those for the 100% load case. Staff also need to ensure that the health risks of the project during lower load cases would not exceed the CEQA thresholds of significance.

The SPPE application indicates that testing of the engines can occur over a range of load conditions. However, the analysis says that "…the worst-case stack condition and the worst-case engine location could be determined from the screening analysis." Staff needs a detailed description of the types of testing and maintenance scenarios, the frequency of full-load tests and low-load tests, and confirmation of impacts at various standby engine load points to verify the assumptions used in the SPPE analysis.

The applicant assumed that the 100 percent load case would produce the maximum ground-based concentrations (TN 269893, pg 214). Under the heading of "Alternative Loads" (TN 269606), emissions for the different load cases show warm-up periods from 7 minutes to 21 minutes. The SPPE application should include documents and/or certificates from the engine equipment or Selective Catalytic Reduction (SCR) vendor to verify the warm-up period of the SCR to reach Tier 4 emission rates for these load cases.

DATA REQUESTS

DR AQ-12. Please provide information to confirm that the Health Risk Assessment (HRA) results for lower load cases do not exceed those for the 100 percent load case.

DR AQ-13. Please provide a detailed description of the types of testing and maintenance scenarios, the frequency of full-load tests and low-load tests.

DR AQ-14. Please provide a screening review of short-term (1-hour) ambient air quality impacts during testing for a representative range of engine load points (e.g., 100, 75, 50, 25, and 10 percent load) to confirm that full-load testing would produce the highest ground-level concentrations.

DR AQ-15. Please disclose the street addresses of the nearest non-residential sensitive receptors and maximum impacted receptors shown in the SPPE Application, Appendix F.1, Table 4-6 and Table 4-7, of the Air Quality Impact & GHG Analysis.

DR AQ-16. Please provide vendor documentation supporting SCR + Diesel Particulate Filter (DPF) control effectiveness assumptions in achieving the Tier 4 emissions standards.

DR AQ-17. Please provide documents and/or certificates from the vendor to verify the warm-up period of the SCR to reach Tier 4 emission rates for low-load cases.

BIOLOGICAL RESOURCES

Author: Chris Huntley

BACKGROUND: Proposed Project Scope and Location

In the SPPE application, Section 1 (Executive Summary and Project Description) and Appendix A.1 (Site Plan) do not describe or display temporary access roads, staging and/or laydown areas that may be required to construct the project. The SPPE Application, Appendix D.1 (Biological Analysis Report (BAR)) (TN 269600) also does not mention that potential temporary access roads, staging and/or laydown areas were considered or analyzed within the biological survey area defined in the report. It is not clear if all project access, staging and/or laydown areas would occur within the boundaries of the proposed data center facility or were considered in the analysis of potential impacts to biological resources.

DATA REQUEST

DR BIO-1. Please provide the following information:

1. Identify if there are any temporary access roads, staging, or laydown areas that were not identified in the application or included in the analysis of impacts to biological resources. Please describe if any of these features would be located

outside of the project footprint as described in the application or displayed on the site plan.
2. If there are any proposed or planned access roads, staging, or laydown areas that were not included in the original application, please provide a clean and updated application in red-line strikethrough including the acreage and location of the proposed features, figure(s) identifying these components, and a thorough assessment of the biological resources that occur in those areas, and an analysis of how the proposed project may affect those resources.
3. Submit any revisions in a clean updated application and a redline strikethrough version to account for any updates or revisions.

The SPPE Application, Section 1.4.5 (Water Supply and Conveyance), states the project is proposed to be annexed into the Inyokern Community Services District (CSD) to provide operational water usage for cooling, domestic water use, disposal of wastewater, conveyance of stormwater, and sanitary sewer service. The SPPE Application, Section 2 (Related Facilities and Transmission Lines), also describes the fiber optic interconnection for commercial fiber service provided by Onward from the Digital 395 fiber backbone. However, it is not clear from the application or the site plan where the interconnection points for these utilities would be located or if the biological resources analysis covered these areas.

In addition, Section 2 identifies two proposed 115 kV overhead transmission lines, two utility fiber optic lines, and a westward expansion of the Inyokern Substation that would be constructed by Southern California Edison (SCE). The proposed transmission lines and utility fiber optic lines would connect the Inyokern Substation to the project's substation and point of interconnection. The application states these proposed facilities are within the project's boundary but indicates the locations of these facilities have yet to be determined by SCE. It is unclear if the biological resources analysis fully addressed potential impacts to biological resources that may occur in these areas.

DATA REQUEST

DR BIO-2. Please provide the locations of biological resources and evaluate potential project-related impacts to those resources associated with the following project components:

1. The Inyokern CSD interconnections to municipal water, wastewater, stormwater, and sanitary sewer services.
2. The location of the fiber optic interconnection between the proposed data center campus and the Digital 395 fiber optic network.
3. The proposed SCE overhead transmission lines, utility fiber optic lines, and westward expansion of the Inyokern Substation.

4. If the exact locations of these facilities are not known, please ensure that the most likely alignments for these components have been surveyed for sensitive biological resources and that potential impacts are included in an updated application.
5. Submit any revisions in a clean updated application and a redline strikethrough version to account for any updates or revisions.

BACKGROUND: Biological Surveys

The SPPE Application, Appendix D.1 (BAR Section 2. Methods), describes the surveys conducted for the proposed project and provides the names of the biologists who conducted the reconnaissance-level surveys but did not identify the biologists who conducted the protocol-level floristic surveys. In addition, the report does not provide the qualifications or relevant experience of staff responsible for the biological resource surveys.

DATA REQUEST

DR BIO-3. Please provide the following information:
1. The names and resumes of the biologists who conducted the floristic surveys. Provide sufficient details to verify the qualifications of the biologists to perform specific surveys.
2. The resumes of the biologists who conducted the biological resources-related surveys. Provide sufficient details to verify the qualifications of the biologists to perform specific surveys. The biologists' resumes should indicate the amount of time spent performing specific surveys/monitoring (e.g., hours/days) or the time-period served on each project.
3. Submit any revisions in a clean updated application and a redline strikethrough version to account for any updates or revisions.

The applicant provides additional support documents. In Appendix D (TN 269600), Section 2.6 (Additional Surveys) briefly mentions that data from surveys conducted by the applicant's biological consulting contractor for other nearby projects were used to support the biological resources analysis provided in the application. However, the areas surveyed, survey dates, survey methods, and names and qualifications of those biologists were not described. In addition, no figures were provided to display where these surveys occurred and the locations of sensitive species (i.e., western burrowing owl, desert kit fox, Mohave ground squirrel) and/or habitat components (e.g., burrows, dens, etc.) identified during those surveys. This data is relevant to the analysis of the proposed project.

DR BIO-4 Please provide details regarding the "Additional Surveys" that were utilized in the proposed project's analysis:
1. Figures and defined survey area boundaries.
2. Survey dates and methodologies.

3. The names and resumes of the referenced biologists. Provide sufficient details to verify the qualifications of the biologists to perform specific surveys. The biologists' resumes should indicate the amount of time spent performing specific surveys/monitoring (e.g., hours/days) or the time period served on each project.
4. The locations of sensitive biological resources identified during the surveys.
5. Submit any revisions in a clean updated application and a redline strikethrough version to account for any updates or revisions.

In Appendix D (TN 269600), Section 2 (Methods) reports that floristic surveys were conducted in March, April, and May of 2024. 2024 was substantially dryer than average, with no precipitation recorded in the area during April and May when the average varies between 4.5 to 4.8 inches. In addition, the region received only 0.49 inches in March compared to an average between 4.6 to 5.6 inches (Weather Underground 2026). The lack of precipitation during 2024 likely reduced the potential germination of many annual plants including special-status species.

DR BIO-5. Please provide the following information:

1. Data from the floristic surveys conducted during the appropriate blooming period of Mojave tarplant (*Deinandra mohavensis*), Barstow woolly sunflower (*Eriophyllum mohavense*), beautiful threadplant (*Nemacladus bellus*), Charlotte's phacelia (*Phacelia nashiana*), and Latimer's woodland-gilia (*Saltugilia latimeri)*.
2. Any measures that were taken to confirm these species would likely be evident and identifiable during the survey period, if present.
3. Identify if reference sites were visited and if target species were identified at those locations.
4. Provide dates and location of the reference population, as well as the names and resumes of the biologists who visited the reference sites.
5. Submit any revisions in a clean updated application and a redline strikethrough version to account for any updates or revisions.

Appendix D.1, the BAR, identified Crotch's bumble bee (*Bombus crotchii*), desert tortoise *(Gopherus agassizii)*, western burrowing owl (*Athene cunicularia ssp. hypugaea)*, desert kit fox (*Vulpes macrotis*), and Mohave ground squirrel (*Xerospermophilus mohavensis*) as having a potential to occur in the project area. However, the application noted that Crotch's bumble bee was determined to have a low potential to be present based on the availability of food plants being too low to support a colony. Desert tortoises were determined to have a low potential to be present based upon lack of observations of tortoises and their sign during the proposed project's reconnaissance-level surveys, results of older pre-activity surveys conducted for the RB Inyokern Solar Project to the north, and the level of development present surrounding the proposed project site.

While these conclusions may be accurate, a reconnaissance-level survey cannot be used to rule out the presence of these two species. Numerous ground squirrel burrows were documented throughout the proposed project site that could support nesting Crotch's bumble bee or provide refuge for desert tortoise neonates. Crotch's bumble bees are known from the region and seasonal usage varies with annual and perennial plant abundance. Even if the project site supports minimal annual plant occurrences the original assessment appears to have been conducted in a drought year which likely reduced annual plant expression on the project site. The applicant also noted a potential desert kit fox burrow with possible kit fox scat within the proposed project site. Desert tortoise and western burrowing owls will use burrows excavated by other species, such as desert kit fox. Further, as previously described, spring of 2024 was substantially dryer than normal which would have made detection of desert tortoise difficult U.S. Fish and Wildlife (USFWS of 2019).

The BAR relies on the results of western burrowing owl and Mohave ground squirrel surveys conducted sometime in or prior to 2023. However, focused surveys for these species were not conducted for the proposed project to confirm presence and quantify each species use of available habitat within the proposed project site and adjacent survey buffer. Any conclusions to exclude the potential for these species to occur should be based on a thorough survey of the project site based on standard survey and assessment protocols.

DR BIO-6. Please provide data from focused species surveys as follows:

1. Conduct Crotch's bumble bee surveys following CDFW's *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species* (CDFW 2023). Provide a habitat assessment to assess seasonal changes to habitat based on the high levels of recent rainfall in the region.
2. Conduct protocol level surveys for desert tortoise, following USFWS's *Preparing for Any Action that May Occur within the Range of the Mojave Desert Tortoise* (USFWS 2019).
3. Conduct protocol surveys for western burrowing owl within 500-meters of proposed disturbance areas where legal access is granted. Survey methodologies should follow the CDFW (2012) Staff Report on Burrowing Owl Mitigation.
4. Include surveys for sensitive thrashers and assess their potential to occur on the project site.
5. Include biological resources data for any proposed mitigation sites that are being considered as compensatory mitigation for the proposed project. These must include an assessment of vegetation communities, protocol surveys for rare plants and wildlife including western burrowing owls, desert tortoise, nesting birds, and evaluation of the potential to support Mohave ground squirrel and any other resource proposed to be mitigated by the acquisition and management of the parcels.

6. Submit any revisions in a clean updated application and a redline strikethrough version to account for any updates or revisions.

BACKGROUND: Assessment of Impacts that Could Result from Construction and/or Operations/Maintenance of the Proposed Project

The SPPE Application, Appendix D's impact analysis in Section 6 of Subsection D.1 (Biological Report) discusses how construction and the operations and maintenance phases of the proposed project could impact sensitive biological resources. However, the impact analysis did not include a discussion of the following potential impacts:

- The use of herbicides, pesticides, and/or rodenticides during construction and operation, including if these chemicals were going to be used and how they may impact biological resources, particularly special-status plant species, Crotch's bumble bee, desert kit fox, Mohave ground squirrel, and sensitive birds, including western burrowing owl and other raptors;
- Whether the proposed photovoltaic solar panels could create a "lake effect" and attract birds migrating along the Pacific Flyway, exposing them to risk of collision with infrastructure components;
- The potential avian electrocution and collision risk from the proposed overhead gen-tie lines, shield wires, and overhead electrical equipment at the project substation and point of interconnection;
- Whether project-related groundwater use supplied by the Inyokern Community Services District, which operates one active groundwater production well (as stated in application Appendix E.3 Water Supply Assessment), or by the emergency backup well proposed for the data center facility could impact any seeps, springs, or vegetation in the Indian Wells Groundwater Basin boundary.

DATA REQUEST

DR BIO-7. Please provide an analysis for the following items, how those impacts could occur, whether these impacts could be potentially significant, and any mitigation measures that could be applied to reduce potential impacts to a less than significant level:

1. Analyze and disclose the use of herbicide, pesticide, and rodenticide during each phase of the project and any potential impacts to sensitive biological resources.
2. Describe potential impacts to birds during the operation phase of the project from solar panels, including potential for "lake effect" impacts and collision and electrocution risks from overhead electrical infrastructure.
3. Describe any potential impacts to sensitive biological resources from the use of groundwater in the Indian Wells Groundwater Basin boundary, including water supplied by the Inyokern CSD and the proposed emergency backup well for the data center facility.

4. Submit any revisions in a clean updated application and a redline strikethrough version to account for any updates or revisions.

BACKGROUND: Battery Energy Storage System (BESS) Technology and Configuration

The SPPE Application, Section 4.9 (Hazards and Hazardous Materials), states that the BESS chemistry has not been fully determined by the applicant. Therefore, it is not possible to determine potential risks should there be a risk of thermal runaway and subsequent BESS fire. CEC staff acknowledge there are different BESS systems available; however, each of these systems poses some risk of exposure to fire-related chemicals should a BESS fire occur during the construction or operation of the project.

DATA REQUEST

DR BIO-8. Please provide an analysis of potential impacts to sensitive biological resources from a BESS fire resulting from thermal runaway as a worst-case scenario if lithium iron phosphate technology were to be chosen for the design. The analysis shall include an assessment of potential impacts from smoke and chemical deposition to sensitive plants and wildlife. Please submit any revisions in a clean updated application and a redline strikethrough version to account for any updates or revisions.

BACKGROUND: Impacts to Special-Status Plant Species

The SPPE Application, Section 4.4 (Biological Resources), includes applicant-proposed mitigation measures, including Mitigation Measure (MM) 4.4-1 (Pre-Construction Special-Status Plant Surveys). MM 4.4-1 is proposed to reduce potentially significant impacts to special-status plants that could result from the project. The measure does not specify the survey methodology that would be used to complete the survey or when the survey must be completed to reduce impacts other than "prior to the issuance of a grading permit or ground disturbance".

DATA REQUEST

DR BIO-9. Please specify the survey methodology and seasonal timing that would be required for the pre-construction special-status plant survey, including any applicable survey protocols, survey coverage requirements, and qualifications of survey personnel. In addition, please identify how many surveys would be needed to ensure detection of each special-status plant species that could occur in the project area. Please revise MM 4.4-1, as appropriate, to incorporate these requirements. Please submit any revisions in a clean updated application and a redline strikethrough version to account for any updates or revisions.

BACKGROUND: Impacts to Crotch's Bumble Bee

Appendix D.1, Section 6 (Impact Analysis and Recommended Mitigation Measures) states that the implementation of BIO-2 would contribute to reducing impacts to Crotch's bumble bee. However, BIO-2 (MM 4.4-2 in the application) addresses avoidance of listed special-status plant species and does not include any language about Crotch's bumble bee or their food plants. It is not clear how this measure would avoid or reduce impacts to Crotch's bumble bee.

DATA REQUEST

DR BIO-10. Please clarify whether the reference to BIO-2 (MM 4.4-2) is a measure that reduces impacts to Crotch's bumble bee is correct or was a typographical error. If so, describe the specific mechanisms by which this measure would avoid or reduce impacts to Crotch's bumble bee. If not, please identify the mitigation measures intended to address impacts to Crotch's bumble bee and revise the discussion accordingly. Please submit any revisions in a clean updated application and a redline strikethrough version to account for any updates or revisions.

BACKGROUND: Impacts to Swainson's Hawk

Appendix D.1, Section 6 (Impact Analysis and Recommended Mitigation Measures) states that implementation of applicant's proposed measures BIO-4 (MM 4.4-4) and BIO-5 (MM 4.4-5) would contribute to reducing impacts to Swainson's hawk (*Buteo swainsoni*). However, BIO-4 (MM 4.4-4) is specific to pre-construction surveys for burrowing owl, desert tortoise, American badger (*Taxidea taxus*), and desert kit fox, while BIO-5 (MM 4.4-5) addresses avoidance of burrowing owl burrows and Incidental Take Permit requirements for burrowing owl. Neither measure appears to be directly related to Swainson's hawk.

DATA REQUEST

DR BIO-11. Please clarify whether the reference to BIO-4 (MM 4.4-4) and BIO-5 (MM 4.4-5) as measures that reduce impacts to Swainson's hawk is correct or was a typographical error. If so, describe the specific mechanisms by which these measures would avoid or reduce impacts to Swainson's hawk. If not, please identify the mitigation measures intended to address impacts to Swainson's hawk and revise the discussion accordingly. Please submit any revisions in a clean updated application and a redline strikethrough version to account for any updates or revisions.

BACKGROUND: Impacts to Burrowing Owl, Desert Tortoise, American Badger, and Desert Kit Fox

Appendix D.1, Section 6 (Impact Analysis and Recommended Mitigation Measures) of the BAR proposes the implementation of BIO-4 (MM 4.4-4) Pre-Construction Surveys for Burrowing Owl, Desert Tortoise, American badger, and Desert Kit Fox. The measure states "some areas of the buffer may not be accessible, so transects within the buffer

will only be walked where feasible" but does not specify what must be done for surveying where areas of the survey buffer are not accessible.

DATA REQUEST

DR BIO-11. Please describe how areas within the survey buffer that are physically inaccessible would be assessed for presence of burrows and dens that could support these species. Please submit any revisions in a clean updated application and a redline strikethrough version to account for any updates or revisions.

BACKGROUND: Correspondence Between the Project Applicant and State and Federal Resource Agencies

Appendix B, Section 4.4.7 (Additional Biological Resources Requirements) states that item (g)(13)(G) of California Code of Regulations, Title 20, Appendix B is fulfilled by the contents presented in Appendix B within the BAR (Appendix D.1). Appendix B of the BAR contains the regulatory setting, summaries of each local, state, and federal law, ordinance, and regulation pertaining to biological resources in the region. California Code of Regulations, Title 20, Appendix B (g)(13)(H) specifically requires the following: "*Submit copies of any preliminary correspondence between the project applicant and state and federal resource agencies regarding whether federal or state permits from other agencies such as the U. S. Fish and Wildlife Service, the National Marine Fisheries Service, the U.S. Army Corps of Engineers, the CDFW, and the RWQCB will be required for the proposed project*." Appendix B of the application does not contain the required content.

DATA REQUEST

DR BIO-12. Please provide the preliminary correspondence required by California Code of Regulations, Title 20, Appendix B (g)(13)(H) as described above.

REFERENCES

CDFW (California Department of Fish and Wildlife). 2023. Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species. Accessed May 2026. Available online:. https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline

USFWS (US Fish and Wildlife Service). 2019. Preparing for Any Action That May Occur within the Range of the Mojave Desert Tortoise (Gopherus agassizii). Version: October 8, 2019. Accessed: May 2026. Available online at: https://wildlife.ca.gov/Conservation/Survey-Protocols#377281283-reptiles.

Weather Underground. 2026. Inyokern Airport Station (KIYK – KCAINYOK27). Accessed: May 2026. Available online at: https://www.wunderground.com/weather/us/ca/inyokern/KIYK.

CULTURAL AND TRIBAL CULTURAL RESOURCES

Authors: Lauren DeOliveira and Michael Hoke

BACKGROUND: Records Search Results

CEC staff has reviewed the docketed information for this project (RLC 2026b; 2026c, 2026d, 2026e, 2026s, 2026t) and has found Confidential Appendix M does not include the full records search results as required by Appendix B (g) (2) (B). Neither Department of Parks and Recreation 523 (DPR 523) forms of previously identified cultural resources nor copies of previously conducted technical studies covering the project area or buffer are included. Additionally, a map showing the records search results were not provided.

DATA REQUESTS

DR CUL-1. Please provide copies of all DPR 523 forms for cultural resources (ethnographic, architectural, historical, and archaeological) identified in the 1-mile literature search.

DR CUL-2. Please provide copies of all technical reports whose survey coverage is wholly or partly within 0.25 miles of the area surveyed for the project or which report on any archaeological excavations or architectural surveys within the literature search area.

DR CUL-3. Please provide a copy of the USGS 7.5' quadrangle map of the literature search area delineating the areas of all past surveys and resources and noting the California Historical Resources Information System (CHRIS) identifying number.

BACKGROUND: Archaeological Technical Study

CEC Staff have reviewed the application and docketed technical studies for this project (RLC 2026b; 2026c, 2026d, 2026e, 2026s, 2026t) and has found that the archaeological technical study is missing both a survey coverage map and a 1:24,000 USGS quadrangle map depicting all previously and newly identified cultural resources. In addition, several of the citations do not appear in the references cited. Please provide the following in accordance with CEQA Appendix B (g)(2)(C):

DATA REQUESTS

DR CUL-4. Please confirm that the new pedestrian archaeological surveys included the project site and project linear facility routes extending to no less than 200 feet around

the project site and staging areas, and no less than 50 feet to either side of the right-of-way of proposed linear facility routes. If so, please revise the language in the archaeological technical study to reflect the buffers surveyed.

DR CUL-5. Please provide a map at a scale of 1:24,000 U.S. Geological Survey quadrangle depicting the locations of all previously known and newly identified cultural resources identified through the record search and new pedestrian survey.

DR CUL-6. Please add Bancroft (1963), Boyd et al. (1982), Dillon (1984), Indian Wells Valley Airport District (2015), InyoKern Community Center (2025), JRP Historical Consulting (2009), Settle (1963), and Walker (1971) to the references cited and any others that may have been missed.

BACKGROUND: Native American Outreach

CEC Staff has reviewed the docketed information (RLC 2026b; 2026c, 2026d, 2026e, 2026s, 2026t) for this project and has found that copies of correspondence with California Native American tribes was not provided. Please provide the following as required by Appendix B (g)(2)(D):

DATA REQUEST

DR CUL-7. Please provide a copy of all correspondence sent to Native American individuals and groups listed by the NAHC and copies of all responses received. Provide a written summary of any oral responses.

References

RLC 2026s – R&L Capital Inc (TN 269893). RB Inyokern Data Center – SPPE Application, dated May 8, 2026. Available online at: https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=26-SPPE-01 .

RLC 2026b – R&L Capital Inc (TN 269595). RB Inyokern Data Center - SPPE Application - Appendix B - Part 1 of 4, dated April 23, 2026. Available online at: https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=26-SPPE-01

RLC 2026c – R&L Capital Inc (TN 269596). RB Inyokern Data Center - SPPE Application - Appendix B - Part 2 of 4, dated April 23, 2026. Accessed online at: https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=26-SPPE-01

RLC 2026d – R&L Capital Inc (TN 269597). RB Inyokern Data Center - SPPE Application - Appendix B - Part 3 of 4, dated April 23, 2026. Accessed online at: https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=26-SPPE-01

RLC 2026e – R&L Capital Inc (TN 269598). RB Inyokern Data Center - SPPE Application - Appendix B - Part 4 of 4, dated April 23, 2026. Accessed online at: https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=26-SPPE-01

RLC 2026t – R&L Capital Inc (TN 269993). RB Inyokern Data Center – SPPE Application – Appendix M, dated April 27, 2026. Accessed online at: https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=26-SPPE-01

OHP 1990 – Office of Historic Preservation, *Archaeological Resource Management Reports (ARMR), Recommended Contents and Format*, Sacramento, CA: Office of Historic Preservation, February 1990. Available online at: https://ohp.parks.ca.gov/pages/1069/files/armr-remediated.pdf

EFFICIENCY AND ENERGY RESOURCES

Author: Ardalan Sofi, Ph.D., P.E.

BACKGROUND: Capacity and Redundancy Inconsistency

The SPPE application states that the emergency generator system consists of forty (40) Caterpillar 3516E diesel generators, each rated at 3 MW, for a total installed nameplate capacity of 120 MW. The system is described as two generator yards with 20 units per yard, configured to provide N+1 redundancy within each yard and N+2 redundancy campuswide. The maximum operational facility load is identified as 99 MW. The application also notes that, under standard emergency operation, each generator would operate at no more than 80 percent of its rated capacity to ensure reliability and longevity. However, the application does not include the detailed generator bay or block configuration that supports the stated N+1 per yard and N+2 campuswide redundancy.

In addition, operating all generators at 80 percent of nameplate capacity yields approximately 96 MW, which is lower than the stated 99 MW maximum operational load. Additional information is required to understand how the proposed configuration can support the 99 MW design load while maintaining the stated redundancy criteria.

DATA REQUESTS

DR EFF-1. Please provide the detailed generator bay or block configuration supporting the stated N+1 redundancy per generator yard and N+2 redundancy campuswide. The response should identify:

1. The number of bays or blocks within each yard
2. The number of generators assigned to each bay or block
3. The number of generators required to serve load within each bay or block
4. The number of redundant generators associated with each bay or block

DR EFF-2. Please explain how the proposed redundancy architecture supports the 99 MW maximum operational load while maintaining the stated N+1 per yard and N+2 campuswide redundancy criteria.

DR EFF-3. Please clarify how the statement that each generator will operate at no more than 80 percent of rated capacity during standard emergency operation is reconciled with the 99 MW maximum operational load, given that 80 percent of the total 120 MW installed capacity equals approximately 96 MW.

GEOLOGY AND SOILS

Author: Kevin M. DeLano, P.G. 10178, M.S.

BACKGROUND: Preliminary Geotechnical and Geohazard Investigation

The SPPE Application, Appendix K.1 (TN 269261), is a Preliminary Soil and Geology Evaluation that BSK Associates completed on December 12, 2025, for the applicant. The Preliminary Soil and Geology Evaluation characterized the project site's geology and potential hazards using existing geotechnical and geologic information and observations collected during a site visit. The SPPE Application, Section 4.7, Soils and Geology (TN 269893) also proposed mitigation measures to reduce potential impacts related to geologic hazards to less than significant.

However, the application stated that, in compliance with the 2025 California Building Code (CBC) and Kern County Code of Ordinances, a design-level geotechnical and geohazard investigation will be performed to collect subsurface geotechnical and geophysical data, evaluate geologic hazards, and propose mitigation for geologic hazards. CEC staff currently has insufficient geotechnical and geohazard data and analyses to evaluate the potential impacts from, and on, geologic hazards, and needs the results of the subsurface and geophysical data to complete their analyses.

DATA REQUEST

DR GEO-1. Please complete and submit the Preliminary Geotechnical and Geohazard Investigation required pursuant to the 2025 California Building Code, Section 18.03, and the Kern County Code of Ordinances, Chapter 17.08.

GREENHOUSE GAS EMISSIONS

Authors: Brewster Birdsall, Rachael Dal Porto

BACKGROUND: Sulfur Hexafluoride Emissions

The SPPE application's Air Quality Impact Analysis (AQIA, TN269606, pg. 4-21) states "Additionally, the proposed Project substations may feature circuit breakers that contain

SF_6 gas, used as an insulator and an arc suppressor in the breakers. At this time SF_6 circuit breakers are not proposed and even with the addition of SF_6 circuit breakers the annual threshold for GHG emissions would not be exceeded." CEC staff needs to confirm how the use of SF_6 would comply with the phase out regulation (California Code of Regulations, Title 17, § 95352) and the applicable phase out date based on the proposed GIE characteristics.

DATA REQUEST

DR GHG-1. Please verify how the project would comply with the current SF_6 phase out regulation (California Code of Regulations, Title 17, § 95352). If SF_6 is not used, please provide information on the non-SF_6 alternative to be used in the breakers.

BACKGROUND: CARB REFRIGERANT MANAGEMENT PROGRAM

The California Air Resources Board (CARB) Refrigerant Management Program (RMP) requires facilities with refrigeration systems containing more than 50 pounds of high-global warming potential (GWP) refrigerant to conduct and report periodic leak inspections, promptly repair leaks; and keep service records on site. Stationary refrigeration facilities with more than 50 pounds of high-GWP refrigerant in the largest on-site refrigeration system must register with the RMP. Those with at least 200 pounds of high-GWP refrigerant in the largest system have annual reporting and additional duties. Given that there are approximately 19 tons of refrigerant being used in the proposed cooling units, CEC staff needs to confirm how the project would meet the RMP requirements.

DATA REQUEST

DR GHG-2. Please confirm how the project would meet the CARB RMP requirements.

BACKGROUND: STATE OF CALIFORNIA GHG GOALS AND PROGRAMS

Executive Order (EO) B-55-18 (2018) and the 100 Percent Clean Energy Act of 2018 (Senate Bill 100, De León, Chapter 312, Statutes of 2018) establish a goal for California to achieve carbon neutrality as soon as possible and no later than the year 2045 and to maintain net negative carbon emissions thereafter. California state agencies are directed to incorporate this goal and identify measures to meet the goal. It also directs state agencies to work with businesses to achieve the goal of carbon neutrality. CEC staff will need to describe the project and its GHG emissions in the context of the State of California policies, programs, and long-term goals for achieving carbon neutrality.

DATA REQUEST

DR GHG-3. Please identify what actions have been taken by the project applicant for the procurement of renewable diesel fuel for the backup generators and procurement of

a carbon-free supply of electricity for the data center. Please provide a zero-carbon plan in compliance with EO B-55-18 and SB 100.

HYDROLOGY AND WATER QUALITY

Author: Ghazal Mehdizadeh

BACKGROUND: Hydrologic Modeling

Section 4.10.1 of the application (TN 269893) states that the project site is located within a Zone A FEMA special flood hazard area. Flood modeling for the project was conducted using Civil Design Unit Hydrograph Software (CivilD) in accordance with the prescribed method in the Kern County Hydrology Manual. The Hydrologic Engineering Center – River Analysis System (HEC-RAS) was used to model the flood depth and velocities at the project site and surrounding area. However, the application does not include the key model assumptions or supporting calculations. Also, results were not provided.

DATA REQUESTS

DR HYD-1. Please provide key model assumptions, support calculations, and results.

BACKGROUND: Water Demand Estimates

In the SPPE Application, Appendix E, Water Supply Assessment (TN 269636), it is mentioned that the total water demand for construction during the first 8 months would be 39.28 acre-feet (AF). However, in Table 1-1, the water use during the first 8 months is approximately 3 to 3.5 million gallons, equivalent to 9.2 to 10.7 AF.

DATA REQUEST

DR HYD-2. Please clarify the inconsistency between the stated amounts.

BACKGROUND: Water Demand Estimates

The SPPE application, states that based on the 2020 Indian Wells Valley Groundwater Authority (IWVGA) Groundwater Sustainability Plan (GSP) future water budget, approximately 26,511 acre-feet (AF) is predicted to be extracted in 2040 for users at and near the project site. However, based on Table 3-8 of the 2020 GSP, the groundwater extraction estimated for WY 2040 is estimated at 11,240 AF (IWVGA 2020).

Therefore, based on the application, the maximum water demand of 49.10 AFY represents approximately 0.44 percent of the projected annual extraction available.

DATA REQUEST

DR HYD-3. Please reconcile the figures or clarify the basis and source used for the percentage calculation and projected basin groundwater extraction values.

BACKGROUND: Water Demand Estimates and Groundwater Sustainability

The WSA relies on basin-wide IWVGA GSP projections and concludes that groundwater supply is generally sufficient under the Sustainable Groundwater Management Act (SGMA) planning framework. However, the application does not clearly discuss how the project's specific groundwater allocation, pumping entitlement, or how possible future SGMA restrictions or adjudication outcomes for the critically over drafted groundwater basin could affect long-term project operations.

DATA REQUESTS

DR HYD-4. Please explain how adding a new groundwater demand is consistent with achieving groundwater sustainability in a critically over-drafted basin.

DR HYD-5. Have alternative sources of water such as imported water, recycled water, or water offsets been considered for the project? If so, please provide information about the alternatives considered.

BACKGROUND: On-Site Groundwater Well

The SPPE Application, Section 4.18.2, stated that water required for project operations would be provided from the Inyokern CSD. An on-site water well would also be used for emergency fire suppression and redundancy in the event of a service loss. This on-site well is proposed in the northeastern corner of the project site. However, no information was provided about the characteristics of the on-site well such as the estimated yield and pumping capacity.

DATA REQUEST

DR HYD-6. Please provide estimated on-site well yield and pumping capacity.

Reference

IWVGA 2020 - Indian Wells Valley Groundwater Authority (IWVGA). Groundwater Sustainability Plan for the Indian Wells Valley Groundwater Basin. Retrieved from Indian Wells Valley Water District GSP. Available online at: https://sgma.water.ca.gov/portal/gsp/preview/59

LAND USE

Authors: Negar Vahidi and Tatiana Inouye

BACKGROUND: Project Data and Maps

California Code of Regulations, Title 20, Appendix B (g)(3)(A) requires an SPPE application to include "…[d]escriptions of all significant assumptions, methodologies, and computational methods used in arriving at conclusions in the document." To evaluate project impacts to existing land uses, CEC staff review the assumptions for each project component such as project site plan, location and length of electric subtransmission and distribution lines, and number of subtransmission and distribution structures. SPPE Application Section 1.4.7 states that "…[t]he Project will be served by a customer-owned substation, providing the primary electrical interface between SCE's 115 kV subtransmission system and the Project's medium-voltage distribution network" (TN 269893). SPPE Application Section 2.3.1 further states that "…[t]he [Point of Interconnection] would provide the primary electrical interface between SCE's 115 kV subtransmission system and the customer's medium-voltage distribution network, operating at 34.6 kV under SCE MOS174 specifications and nominally classified as 34.5 kV under IEEE/ANSI standards" (TN 269893). Staff notes that the SPPE Application does not include a description of the length and width of the electrical distribution right-of-way that would connect the data center to the customer-owned substation, nor does it describe the total number and type(s) of structures (i.e., towers or poles) required for the distribution lines. To support staff's analysis of the project, staff requires the applicant to provide information on the length and width of the electrical distribution right-of-way and the number of structures or poles required.

In a SPPE Application per California Code of Regulations, Title 20, Appendix B (g)(3)(A)(iv) must also include "…[l]egible 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." The maps provided in the SPPE Application (Section 1.15, Figures 1-1 through 1-3; Appendix N.2) are low-resolution and static images and cannot be used by staff to calculate property setbacks or distances from surrounding land uses. To support staff's analysis of the project, staff requires the applicant to provide shapefiles of the proposed project components.

DATA REQUESTS

DR LAND-1. Please provide a detailed description of the proposed medium-voltage distribution network that includes the total length and width of the electrical distribution right-of-way from the data center to the customer-owned substation, and the total number and type(s) of structures (i.e., towers or poles).

DR LAND-2. Please provide shapefiles of the proposed project components that include the data center, emergency generators, battery energy storage system, access roads, driveways, parking, drainage basin, electrical distribution lines, customer-owned substation, SCE-owned subtransmission lines (connecting the customer-owned

substation to the Inyokern Substation), Inyokern Substation expansion, and construction staging and laydown areas.

BACKGROUND: Existing Land Uses and Sensitive Receptors

California Code of Regulations, Title 20, Appendix B (g)(3)(A) requires an SPPE application to include "…[a] discussion of existing land uses, general plan land use designations, and current zoning districts (including any overlay districts) 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." Appendix B (g)(3)(A)(i) further states that the discussion of existing land uses shall include "…[a]n 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."

CEC staff notes that SPPE Application, Appendix N, includes a Parcel Owner List (TN 269892, part N.1). However, the Parcel Owner List is difficult to read due to the small font size and the table's-colored shading. To allow staff to confirm the existing land uses within one mile of the project site and one-quarter mile of the proposed gen-tie route, staff requires parcel owner information in a legible format.

SPPE Application, Section 4.11 (Land Use and Planning), states that "…[n]o schools, hospitals, daycare facilities, skilled nursing facilities, or similar sensitive land uses are located within 0.25 mile of the Project Site or linear facility corridor" (TN 269893). However, CEC staff has reviewed geospatial maps and notes that there are sensitive uses within 0.25 mile of the project site, which include residential development, Inyokern Elementary School, Inyokern Senior Center, and Inyokern United Methodist Church. CEQA Guidelines Appendix G requires staff to evaluate project effects to existing land uses, including sensitive receptors. Staff requests that the applicant revise SPPE Application Section 4.11 to identify all sensitive uses within 0.25 miles of the project.

DATA REQUESTS

DR LAND-3. Please provide a legible Parcel Owner List that includes the APN, property address, and owner information for the following parcels: parcels within the project site, parcels contiguous to the project boundary, parcels within 1,000 feet of the project boundary, and parcels within 500 feet of the proposed gen-tie line. The Parcel Owner List may be provided as an Excel file if the table is not legible in a PDF format.

DR LAND-4. Please revise SPPE Application Section 4.11 to identify all sensitive receptors within 0.25 miles of the project site, including residences, educational uses (i.e., Inyokern Elementary School), institutional use (i.e., Inyokern Senior Center), and religious uses (i.e., Inyokern United Methodist Church).

BACKGROUND: Specific Plan Amendment and Conditional Use Permit Application

California Code of Regulations, Title 20, Appendix B (g)(3)(A)(ii) requires an SPPE application to include "…[a] discussion of any recent or proposed zone changes and/or general plan amendments; noticed by an elected or appointed board, commission, or similar entity at the state or local level." Per CEQA Guidelines Appendix G, CEC staff must evaluate whether the project would cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

SPPE Application Section 4.11.3 states that "…[t]he Project requests a Specific Plan Amendment to eliminate a 90-foot-wide future road reservation of a secondary collector that was created by the Inyokern Specific Plan Circulation Element" (TN 269893). SPPE Application Section 5.3.4 further states that "…[t]he [Specific Plan Amendment's] sole purpose is to eliminate a future 90-foot right-of-way secondary collector reservation established by the Inyokern Specific Plan Circulation Element on APNs 084-010-43, -44, and -48…this future road reservation will never be constructed due to existing development to the north, Navy-owned property constraints, and the proposed data center use to the south" (TN 269893). Staff have reviewed the Inyokern Specific Plan and Kern County zoning maps and is unable to identify the location of the secondary collector that would be eliminated by the Specific Plan Amendment. To adequately evaluate the project's consistency with the Inyokern Specific Plan per Appendix B (g)(3)(A)(ii) and CEQA Guidelines Appendix G, Land Use staff requires further information on the proposed changes to the existing adopted Inyokern Specific Plan that would occur under this project-specific plan amendment.

SPPE Application Section 4.11.2 and Table 4.11-9 describe the project's compliance with the setbacks and development standards applicable to a Medium Industrial (M-2) zoning district, which include front, side, and rear setbacks, height limits, parking, landscaping, and screening (TN 269893). SPPE Application Section 4.11.2 states that "…[t]he Project would require a Conditional Use Permit and other discretionary County review to confirm consistency with applicable zoning requirements and development standards" (TN 269893). Currently, the application does not include a list of the development standards applicable to an M-2 zoning district and does not explain how the project would comply with each of these development standards. To adequately evaluate the project's consistency with the Kern County Zoning Ordinance per California Code of Regulations, Title 20, Appendix B (g)(3)(A)(ii) and CEQA Guidelines Appendix G, staff requires a description of the M-2 development standards, and an explanation of how the proposed project would be consistent with each of these standards.

DATA REQUEST

DR LAND-5. Please provide the following documentation to support staff's evaluation of project consistency with land use plans, policies, or regulations per CEQA Guidelines Appendix G:

1. Provide a copy of the Inyokern Specific Plan Amendment that was submitted to the Kern County Planning Department.
2. Provide a map illustrating the exact location of the secondary collector that would be eliminated under the Inyokern Specific Plan Amendment.
3. Explain the project-specific trigger for the Inyokern Specific Plan Amendment, and what changes to the existing adopted Inyokern Specific Plan would occur under this project-specific plan amendment.
4. Provide a copy of the project's Conditional Use Permit (CUP) application and all supporting documentation that was submitted to the Kern County Planning Department.
5. Provide an evaluation of the project's compliance with each of the development standards for a Medium Industrial (M-2) zoning district that are applicable to the proposed project.

NOISE

Author: Jacob Locsin

BACKGROUND: ESTIMATED PROJECT NOISE LEVELS

In the SPPE Application (TN 269893), Section 4.13-1, the applicant provides a "worst case scenario" of predicted noise levels that assumes all 40 backup generators and other mechanical equipment run for 24 hours continuously (Table 4.13-3). In the SPPE Application, Section 4.6.5.5, the applicant describes the backup generators testing program, including monthly load tests with each tested individually in sequence. However, the SPPE Application does not evaluate estimated noise levels from the testing scenario or any other operational mode. CEC staff require additional information on estimated project noise levels at the noise sensitive receptors identified in the SPPE Application, Appendix G.1, Figure 7 (TN 269607).

DATA REQUESTS

DR NOI-1. Please provide the operational noise contour maps or tabulated values at receptors R-1 through R-8 (as shown in Table 4.13-3, in units of dBA L_{eq}) for the following two modes:

1. Normal mode, which assumes normal operating conditions, including operation of all mechanical equipment including HVAC, without any of the gensets operating; and
2. Testing mode, which assumes testing one genset in the southwest generator yard at full load concurrently with the operation of all mechanical equipment including HVAC at full load.

DR NOI-2. Please provide the construction noise contour map or tabulated values at receptors R-1 through R-8 (as shown in Table 4.13-3, in units of dBA L_{eq}) representing the aggregate construction noise levels during the loudest construction phase.

POPULATION AND HOUSING

Authors: Negar Vahidi and Irene Kaufman

BACKGROUND: Project Construction and Operation Workforce

California Code of Regulations, Title 20, Appendix B (g)(7)(A) requires information on baseline information pertaining to workforce. Section 2.0 of the application discusses related off-site SCE facilities and transmission lines. Section 2.5 describes the construction of the SCE 115 kV subtransmission facilities, fiber optic routes, and substation expansion. The section does not include construction workforce required to complete these activities.

The SPPE Application, Section 1.3, states there will be 30-60 permanent operations positions. Section 1.4.1 states that the project facility is expected to accommodate approximately 100-115 employees and visitors per day, including deliveries and personnel. However, the application does not describe the nature of the 2- to 3-fold increase in daily visitors that are not included as operational employees. If there were the higher end of 60 permanent operations employees, and "115 employees and visitors per day," there will be approximately 50+ visitors per day. It is unclear the purpose and nature of the visitors and if they are visiting from nearby local areas or outside of the region. An increase in the number of daily visitors could affect the need for temporary lodging or demand for public services. These visitors will need to be included in the analysis for housing and public services.

California Code of Regulations, Title 20, Appendix B (g)(7)(A)(iii) requires the existing and projected unemployment rate. Section 4.14.1 of the application provides the existing unemployment rate. California Code of Regulations, Title 20, Appendix B (g)(7)(A)(iv) requires availability of skilled workers by occupation required for construction and operation of the project. The SPPE Application, Appendix J-2, Section 4, Economic, Socioeconomic, Environmental Justice, and Growth-Inducing Impact, provide the number of skilled workers by occupation required for construction of the project.

DATA REQUESTS

DR POP-1. Does the estimated peak construction workforce (approximately 600 workers) include the workforce required to complete the construction activities described in Section 2.5 of the application (i.e., constructing the SCE 115 kV subtransmission facilities, fiber optic routes, and substation expansion)? If not, provide information about additional construction workers required to complete these activities.

DR POP-2. Describe the daily project-related 50+ visitors expected to be on site daily. For instance, what project activities will they be part of? Are they expected to be long-term visitors? Are these visitors assumed to be local residents or visiting from outside of the region?

DR POP-3. Provide the *projected* unemployment rate of the region affected by construction and operation of the project, or if this data is unavailable, provide an explanation.

DR POP-4. Provide the availability (i.e., baseline number of workers by occupation type in the region of the labor pool) of skilled workers by occupation for construction and operation of the project.

BACKGROUND: Temporary Housing Availability

California Code of Regulations, Title 20, Appendix B (g)(7)(A)(v) requires the availability of temporary and permanent housing. The SPPE Application, Appendix J.2, Section 4.1provides the permanent housing vacancy, but information is also necessary about the temporary housing available to the temporary construction workforce for the project.

DATA REQUEST

DR POP-5. Provide a discussion of the available short-term lodging options (e.g., hotels, motels, RV-sites) in the region available to accommodate the construction workforce, including vacancy rates.

EXECUTIVE SUMMARY

Authors: Elizabeth Huber and Ali Jahani

BACKGROUND: Current Assessor Parcel Numbers and Owner Names/Addresses

California Code of Regulations, Title 20, Appendix B (a)(1)(E) requires an appendix listing current assessor parcel numbers and owner names/addresses within:

1. 500 feet of proposed transmission or linear facilities
2. 1000 feet of the power plant and related facilities

CEC staff needs a complete list for required noticing and CEQA compliance.

DATA REQUEST

DR EXEC SUMM-1. Given the SPPE application data in the Land Use section, "The Notice Area Map and Parcel Owner Notice List per California Code of Regulations, Title

20, Appendix B, Section (a)(1)(E) identifies 42 private parcels within the required notice area: 6 contiguous parcels (requiring owner and occupant notice), 16 parcels within 1,000 feet of the project boundary, 1 parcel within 500 feet of the subtransmission linear facility, and 19 additional parcels identified through historical record review included conservatively," CEC staff requests the complete parcel owner list, including:

- APN
- Owner name
- Mailing address
- Identification of parcels within the 500-ft and 1,000-ft notice

Provide the dataset in PDF and Excel formats.

BACKGROUND: Regional, Vicinity, and Site Maps

California Code of Regulations, Title 20, Appendix B, requires that regional, vicinity, and site maps used in the Executive Summary and Project Description include sufficient resolution, scale, symbology, and contextual detail to allow staff to accurately evaluate land uses, environmental setting, and project siting. The SPPE Application's Figures 1-1, 1-2, and 1-3, are low-resolution and do not contain scale bars, legends, or consistent cartographic formatting, which limits CEC staff's ability to use them for technical analysis.

In addition, the vicinity map lacks sufficient detailed depiction of surrounding land uses, including commercial, industrial, residential, aviation, public-service, and open-space features. A lower-scale, more detailed vicinity land-use map is needed for CEC staff's assessments in land use, visual resources, environmental justice, and cumulative analysis.

DATA REQUEST

DR EXEC SUMM-2. Submit high-resolution versions of Figures 1-1 (Regional Location Map), 1-2 (Vicinity Map), and 1-3 (Site Plan / Site and Surrounding Parcels). Each map must include:

- A scale bar
- A north arrow
- A legend identifying all symbology
- Readable parcel boundaries and labels
- Clear resolution suitable for reproduction in staff documents

Please provide the maps in both PDF and original GIS-export format.

DR EXEC SUMM-3. Submit a new vicinity land-use map at a lower scale (larger geographic extent) with substantially more detail than the current Figure 1-2. This map should show:

- Residential areas

- Commercial and industrial uses
- Public service facilities (e.g., airport, fire, schools)
- Open space and undeveloped lands
- Infrastructure corridors (transmission, pipelines, major utilities)
- Major roadways and access routes
- Surrounding land-use designations (County and Specific Plan)

The map should cover at least a 2-to-3-mile radius around the project site and include:

- A scale bar
- A north arrow
- A legend
- Clear symbology for each land-use category

Provide in PDF and GIS-export format.

Project Description

Authors: Usama Khalid and Ali Jahani

Background: Transmission System Engineering

The RB Inyokern Data Center (Project) includes an onsite substation with transmission line connecting it to the SCE's substation. CEC staff need a complete description of the project's interconnection to the SCE transmission grid and the reliability of the SCE grid in the area, to understand the potential operation of the back-up generators.

DR PD-1. Please provide information summarizing the frequency and duration of historic outages or service interruptions on the 115 kV system that would have resulted in a loss of the electric service to the proposed onsite substation, had this substation existed. This response should identify the historical reliability of service that SCE has provided to similar customers within this portion of its service territory.

1. Have Public Safety Power Shutoffs (PSPS) impacted transmission facilities that would serve the proposed project, and are future PSPS events expected to interrupt utility service to the data center in a way that would warrant the use of the back-up generators? Additionally, is the project located in a high wildfire-threat zone?
2. The SPPE application states that two transmission lines will be constructed whereas the one-line diagram shows only one 115 kV transmission line connection to the project's substation.
    a. Are both routes being constructed as part of this project or will only one be selected?

b. How many 115 kV lines in total will be constructed to supply the proposed substation from the utility's side once design is finalized?

3. What upgrades are needed to the SCE's substation besides being converted to ring bus structure? How many lines will be moved? What kind of new equipment will be installed?

BACKGROUND: RB Inyokern Backup Generating Facility Section

The SPPE Application presents information interspersed throughout the broader data center project description. Appendix B requires a clear, complete, and stand-alone description of the generation facility and all associated systems, separate from unrelated data center components. CEC staff requires this information to evaluate air quality, noise, water use, hazardous materials, engineering design, and operational characteristics specific to the SPPE-regulated generating facility. To conduct a consistent and complete review, staff needs the applicant to prepare and submit a dedicated, unified Backup Generating Facility (BGF) section that includes all required components and that clearly distinguishes RB Inyokern BGF (RIBGF) systems from general data center systems.

DR PD-2. Please provide the consolidated BGF section as a polished, standalone document requiring no further editing prior to insertion into staff's analysis. The section must clearly distinguish the BFG-specific systems from the data center building-specific systems. Include all figures, tables, and citations in their final locations. Please provide in Word (.docx) and PDF formats, at minimum, include the following elements:

1. Generating Capacity (total installed MW, MW per unit, number of units, redundancy configuration).
2. Generating Capacity and Power Usage Effectiveness (PUE).
3. Backup Electrical System Design (BGF-specific one-lines, transfer switching, redundancy, load-shed logic).
4. Uninterruptible Power Supply (UPS) System Description (interface with BGF only; separate from IT/data center UPS systems).
5. Generator System Description (engine type, aftertreatment, enclosure, operating load ranges, warm-up/cool-down sequences, testing schedule).
6. Fuel System (tank capacities, containment, day-tank arrangements, DEF system, refueling routing, turnover schedule).
7. Cooling System for the BGF (generator-specific cooling only, separate from data center cooling).
8. BFG Water Supply and Use (quantities, source, and purpose attributable only to the BGF).
9. Hazardous Materials Management (BGF-specific materials, storage, containment, SPCC details, handling procedures).
10. Waste Management (BGF-only waste streams such as oil, filters, DEF containers, oily wastewater, and disposal pathways).

11. Project Substation description as it relates to the BGF (interconnection, switching, protection schemes).
12. SCE Switching Station Expansion and Transmission Line Facilities (if applicable to BGF support).
13. Site Access and Parking related to BGF operations (fuel delivery, maintenance access, emergency access).
14. BFG Construction Description (construction schedule, excavation depths, staging areas, equipment, and activities specific to BGF construction).
15. BFG Operation Description (operational profile, emergency operations, testing frequency, noise characteristics).

PUBLIC SERVICES

Authors: Negar Vahidi and Irene Kaufman

BACKGROUND: Capacities, Service Standards, and Response Times

California Code of Regulations, Title 20, Appendix B (g)(7)(A)(vi) requires the SPPE Application to include the capacities, service standards, 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, school districts, parks and recreation facilities, libraries, and other public facilities. California Code of Regulations, Title 20, Appendix B (g)(7)(B)(i) specifically asks for response times to hospitals and for police protection, fire protection, emergency services, parks and recreation facilities, libraries, and other public facilities.

The public service providers were generally discussed in the SPPE Application, Section 4.15, Table 4.14-D, including the distance and driving time to the project location. Note that the driving time is distinct from the response time (i.e., turnout time plus drive time for fire protection services). However, other information for service standards and response times of public services (fire protection, law enforcement, emergency response) was not included in the application.

DATA REQUEST

DR PS-1. Provide the current service standards and response times of the affected fire protection services, law enforcement, and emergency response agencies.

TRANSPORTATION

Author: Margaret Herrera

BACKGROUND: Construction Activities and Worker Vehicle Trips

The project is located in an unincorporated area of Kern County falls under the jurisdiction of the Caltrans Transportation Impact Study Guide for land use projects and plans. In compliance with that guidance, the construction and operation analysis should provide information and materials to support the determination if the project meets all the criteria of the environmental checklist established by CEQA Guidelines, Appendix G.

CEC staff reviewed the SPPE Application but could not find the Vehicle Miles Traveled (VMT) Analysis (CEQA Appendix G) to accompany the discussion of construction worker vehicle trips required for the construction of the project. In addition, the table provided for construction worker vehicle trips was difficult to read. To adequately answer CEQA Transportation question a, which asks "Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?" The applicant must provide more details related to the construction of the project.

DATA REQUESTS

DR TRANS-1. Please provide the VMT analysis and include a table labeled "Construction Trip Generation" that identifies offsite construction worker trips that would be routed to the site from State Route 178 (Inyokern Road). The trip generation table should also include worker VMT per day during construction (X trips, X miles), worker VMT during construction, project life in days, average daily number of workers, Kern Council of Governments average employee VMT, and threshold of significance. See example below.

DR TRANS-2. Please provide a high-quality site map, transportation facility inventory map and airport proximity map.

TABLE 5.14-5 TOTAL WORKER VMT DURING CONSTRUCTION PHASE

Phase	Worker Trips per Day (2 trips/worker)	Average Miles per Trip	Duration (days)	VMT per Phase
Access Road construction	40	40	16	25,600
Site Prep	40	40	10	16,000
Switchyard Site Prep	40	40	10	16,000
Site Grading	40	40	30	48,000
Switchyard Grading	40	40	10	16,000
Battery Install	40	28.5	10	11,400
Switchyard Install	40	28.5	221	251,940
Transmission Line and Tower	10	40	31	12,400

Transmission Stringing/Pulling	8	40	20	6,400
Stormwater, Water, Landscaping	40	40	90	144,000
Commissioning	160	28.5	90	410,400
Decommissioning	40	40	154	246,400
TOTAL				1,204,540

TABLE 5.14-6 DAILY AVERAGE WORKER VMT DURING CONSTRUCTION PHASE

Item	**Amount**
Worker VMT during Construction (from Table 5.14-5)	1,204,540
Project Live (25 years, expressed in days)	6,500
Daily Worker VMT (total divided by number of days)	185
Average Daily Number of Workers over Life of Construction	40
Average VMT per Worker (daily VMT divided by number of workers)	4.6
Orange County average VMT/employee (from OCTA travel model)	17
Threshold of Significance (15% below OC average)	14.4