

DOCKETED	
Docket Number:	26-SPPE-01
Project Title:	RB Inyokern Data Center (RBIDC)
TN #:	272264
Document Title:	Jennifer M Slayton Comments - Supplemental Comments in Support of Denial of Small Power Plant Exemption or Abeyance of Application
Description:	N/A
Filer:	System
Organization:	Jennifer M Slayton
Submitter Role:	Public
Submission Date:	8/30/2026 1:34:19 PM
Docketed Date:	8/31/2026

Comment Received From: Jennifer M Slayton

Submitted On: 8/30/2026

Docket Number: 26-SPPE-01

Supplemental Comments in Support of Denial of Small Power Plant Exemption or Abeyance of Application

Dear Commissioners and CEC Staff,

Attached are my supplemental comments regarding the proposed RB Inyokern Data Center (Docket No. 26-SPPE-01).

I am submitting these comments because the additional information provided since my initial June comments has not resolved my concerns about the project. If anything, the expanding record has raised additional questions about whether this project can be safely and responsibly accommodated at its proposed location and scale.

My comments focus on several particularly significant issues:

* Electricity and water are interconnected in the Indian Wells Valley: Approximately 800 groundwater wells depend on electricity to pump our community's water. The Indian Wells Valley Water District has now raised concerns about whether a 99 MW industrial load could affect electrical reliability for groundwater pumping during extreme heat and other constrained-grid conditions. I believe this connection requires substantially more analysis than has been provided.

* The project's water supply remains uncertain: The applicant continues to rely on an estimated 49.1 acre-feet per year, while the Water District has raised quantitative concerns about whether that estimate accurately reflects the proposed cooling system, particularly under our extreme summer conditions. The legal framework governing groundwater allocation also remains unsettled while the comprehensive adjudication and related litigation continue.

* The proposed emergency well does not resolve the water-supply issue: The new information provided by the applicant describes a well that has not yet been constructed or pump-tested, with its actual yield and impacts still unverified. A conceptual backup source cannot substitute for demonstrating a reliable and legally available primary water supply.

* The capacity of the Inyokern Community Services District remains fundamentally unresolved: ICSD's physical, financial, legal, and institutional ability to provide reliable water and wastewater service to this project has not been demonstrated. The will-serve letter is itself contingent on future groundwater allocation, and the Indian Wells Valley Water District has independently raised concerns about ICSD's ability to serve the project. Until these issues are settled, I do not believe the project has demonstrated the 20-year water supply required for its analysis under SB 610.

Jennifer Slayton
522 Peg Street
Ridgecrest, California 93555
jenslayton@outlook.com

August 27, 2026

Re: RB Inyokern Data Center – Docket No. 26-SPPE-01 – Supplemental Comments in Support of Denial of Small Power Plant Exemption or Abeyance of Application

Dear Commissioners and CEC Staff:

My name is Jennifer Slayton. I have lived in Ridgecrest, in the Indian Wells Valley, for nearly twenty years. I own a home here, and my husband and I are raising our three children here. I have a Bachelor's degree and a graduate degree in Economics and studied Community and Regional Development at the graduate level, so I have spent years paying attention to water policy, land use, economic development, and the decisions that shape the future of this valley.

I submitted comments to the Commission in June expressing my concerns about the proposed RB Inyokern Data Center. I am writing again because I have continued to follow this proceeding and review the additional materials that have been submitted since my first letter.

Unfortunately, what I have learned since June has not made me less concerned.

It has made me **more concerned**.

Since my first letter, CEC staff have issued extensive data requests. The applicant has submitted multiple responses and revised appendices. Local public agencies and affected service providers - including the Indian Wells Valley Water District, Naval Air Weapons Station China Lake, Sierra Sands Unified School District, the Indian Wells Valley Airport District, and the Eastern Kern County Resource Conservation District - have raised additional concerns. The applicant has also submitted new information about its proposed emergency groundwater well and geotechnical conditions at the site. The cumulative picture that is emerging is not one of a small, straightforward project whose impacts can be resolved through routine permits and conditions. Instead, it is a project whose size, infrastructure, water demands, electrical configuration, operating characteristics, and environmental impacts are still not fully settled.

And many of the questions being raised now are not simply questions from local residents. They are questions being raised by the public agencies and entities that are responsible for protecting our water supply, our children, our military mission, our airport, and our community's infrastructure. The record now contains fact-based disagreements about whether the applicant's assumptions are realistic and whether the project can safely be accommodated in this particular place.

I want to again acknowledge that I am not an attorney, engineer, hydrologist, electrical engineer, or other technical expert. I am a resident and a parent who has made a good-faith effort to understand the material in this proceeding. I ask the Commission to evaluate the substance of these concerns on their merits and, where I have relied on technical information from other parties, to consider the underlying evidence and questions being raised rather than treating my lack of technical credentials as a reason to dismiss them.

I also want to be clear about something I said in my first letter: **I am not opposed to technology, data centers, or economic development.** I understand that our community needs economic opportunities and that technology will continue to play an enormous role in our economy. My concern is whether this particular project, at this particular location and at this particular scale, can be built and operated without imposing unacceptable environmental, infrastructure, financial, and public-health costs on the people who already live here.

At this point, I do not believe the record demonstrates that it can.

I. The Electricity and Grid Questions May Be Even More Important Than We Realized

I want to begin with this issue because it is a concern that has become substantially more significant to me as this proceeding has developed.

In my June letter, I raised concerns about electricity costs and the reliability of the electrical infrastructure that would be required to serve a 99 MW industrial load. I remain deeply concerned about both issues. But the new information has revealed something much more fundamental:

In the Indian Wells Valley, electricity reliability is directly connected to water reliability.

Our community's groundwater does not come out of the ground by itself. Approximately 800 groundwater wells in the area are electrically powered. The Indian Wells Valley Water District has now specifically raised the question of whether a 99 MW data-center

load could impair the electricity needed for critical groundwater pumping during extreme heat or constrained-grid conditions.

That is an extraordinary concern, especially as we have just ended a week of temperatures exceeding 110 degrees nearly every day!

We are being asked to evaluate whether this project can reliably receive enough electricity to operate. But we should also be asking what happens to **everyone else** if this enormous new load contributes to grid constraints during precisely the conditions when our community needs electricity the most.

Our hottest days are also the days when our electrical demand is highest. They are also the days when our residents need air conditioning, when our water infrastructure needs electricity to pump groundwater, and when a failure of either system can become a health and safety emergency very quickly.

This creates an interconnected infrastructure problem that I do not believe has been adequately evaluated.

If the project requires substantial new electrical infrastructure, the Commission needs to know exactly what infrastructure is required, who will pay for it, how construction of that infrastructure will affect the surrounding community, and what effect the new load could have on system reliability. The public also needs to know whether the project could increase the need for additional generation, transmission, substations, switching equipment, or other upgrades.

And we need to know what happens during conditions when the system is already stressed.

- What happens during an extreme heat event?
- What happens during a major wildfire elsewhere in the region?
- What happens during a transmission outage?
- What happens during a Public Safety Power Shutoff?
- What happens if one of the proposed electrical supply paths is unavailable?
- What happens if both the data center and hundreds of local groundwater wells are competing for reliable electrical service during the same extreme event?

These are not hypothetical questions in the Indian Wells Valley. They are precisely the kinds of questions that should be answered before approving a major new industrial electrical load.

The electrical configuration is also not yet as settled as I believe it needs to be. The applicant states that two independent 115-kV routes will be constructed, while

acknowledging that its public one-line diagram currently depicts only one connection for conceptual clarity and that detailed substation upgrade parameters remain incomplete and will be provided through later engineering. The application likewise identifies final right-of-way information as pending SCE engineering.

That is not sufficient for the public to understand the project's actual infrastructure footprint or its environmental consequences.

There is also a very real concern about **who ultimately bears the cost** of accommodating this enormous new load.

My family has experienced summer electric bills of more than \$600. I know what it means to look at an electric bill and wonder how much more expensive it can possibly become. I cannot accept the idea that local residents could be asked to absorb infrastructure or rate impacts associated with a major industrial customer without first being given a transparent analysis of those costs.

The electrical service information associated with this project has also been treated as confidential, making meaningful public evaluation of these questions particularly difficult.

The Commission should therefore require a comprehensive, publicly reviewable analysis of:

- The full electrical infrastructure required to serve the project;
- Both proposed SCE supply routes and all associated substations, switching equipment, transmission lines, and rights-of-way;
- Construction impacts associated with that infrastructure;
- The project's contribution to peak electrical demand;
- Grid reliability under extreme heat and other constrained conditions;
- The interaction between the project load and the approximately 800 electrically powered groundwater wells in the valley;
- The consequences of outages, Public Safety Power Shutoffs, transmission failures, or other emergency conditions;
- Any additional generation, transmission, or distribution infrastructure that may become necessary as a result of the project;
- The potential effect on residential and other local ratepayers; and
- Who will be responsible for paying for any necessary infrastructure upgrades.

Most importantly, the CEC should not evaluate electricity reliability and water supply as two unrelated issues. **In this valley, they are connected.**

A data center that threatens the reliability of the electricity needed to pump our groundwater would be creating a water-supply risk even if the data center itself uses relatively little water.

That possibility deserves serious, independent analysis.

II. The Project's Water Supply Remains Uncertain - and the New Information Has Raised More Questions

Water remains one of my greatest concerns.

I have watched this community grapple with groundwater management for years. I have watched neighbors reduce their water use. I have removed my own front and back lawns. I have watched agricultural operations prepare to phase out because of the water constraints facing our valley. I have watched our community spend enormous amounts of money trying to determine how to manage a resource that every one of us depends upon.

Our basin is in **overdraft**: we are pumping more groundwater than is naturally recharged. That is a factual description of our current situation, regardless of the ongoing disagreement over how severe the overdraft is or whether the basin should be characterized as *critically* overdrafted.

I do not personally agree with the characterization that our basin is in critical overdraft. I believe there is more water available to our community than the Indian Wells Valley Groundwater Authority has assumed, and I have serious concerns about the way the Authority has calculated available water and justified an extremely expensive imported-water solution.

But that disagreement actually makes the water question before the Commission **more important, not less**.

The amount of water that is legally and sustainably available to this community is currently being litigated and challenged. The basin's water rights are being adjudicated, and the Groundwater Sustainability Plan itself is the subject of a Reverse Validation Action. Until those proceedings establish the legal framework governing groundwater extraction, it is impossible to confidently determine what water is actually available for a new industrial customer over a 20-year period.

The Commission should not resolve that uncertainty by simply accepting the most favorable assumption for the applicant, but instead should rely on factual and settled law, and postpone any decisions until that is available.

The Applicant's Water-Use Estimate Is Still Not Demonstrated

The applicant continues to rely on an estimated annual water use of approximately 49.1 acre-feet.

But new information from the Indian Wells Valley Water District raises a serious quantitative question about whether that number is realistic.

The Water District calculated that the applicant's stated water use corresponds to approximately 0.1 to 0.12 liters per kilowatt-hour. Yet the applicant's own Environmental Sustainability Plan identifies approximately 0.1 to 0.3 liters per kilowatt-hour for closed-loop chilled water and **0.5 to 2.0 liters per kilowatt-hour for adiabatic cooling**. Because the proposed system includes evaporative or adiabatic components, the Water District concluded that the discrepancy could indicate substantially greater water consumption than the applicant has disclosed.

That is exactly the kind of technical disagreement that should not be resolved by simply choosing the applicant's number.

And this is the Indian Wells Valley.

We live in a desert with extreme summer heat and extremely low humidity. Cooling equipment does not operate in our climate the same way it operates in a cool, humid environment. The applicant's own materials contemplate a hybrid cooling system, and other agencies have questioned whether compressor-based cooling can reliably operate under our 100-plus-degree summer conditions without falling back to wetter cooling methods. And in fact this summer, it has often been 110-plus-degree conditions. NAWS China Lake specifically raised this concern and warned that fallback to wetter cooling could substantially increase water consumption.

The Commission should therefore require realistic, climate-adjusted, worst-case water-use modeling - not simply accept an annual average that may not reflect actual summer operation.

The Emergency Well Does Not Solve the Water Problem

The applicant has now provided additional information about a proposed onsite emergency backup well.

I appreciate that this is more information than was available when I wrote my first letter. But after reviewing the new material, I do not believe it resolves the concern.

The applicant's July 28 engineering memorandum describes the well as a backup or supplemental source. It says the well would ideally be capable of approximately 45–50 gallons per minute and uses a tentative example of approximately three days of pumping. But the memorandum itself acknowledges that the proposed well does not yet exist and that its yield and pumping capacity have not been verified through site-specific hydrogeologic investigation, drilling, well development, water-quality testing, or pump testing. Not to mention, they also have no water rights in an adjudicated basin to even install the proposed well.

The applicant's geotechnical investigation does not change that.

The geotechnical investigation explored soil conditions to a maximum depth of 85 feet. It did not encounter groundwater, but the applicant's own information indicates that groundwater in the surrounding area is approximately 241–256 feet below ground surface. In other words, the investigation stopped more than 150 feet above the mapped groundwater level. It therefore does not establish the characteristics of the aquifer from which the proposed well would actually draw water.

The applicant's well memorandum itself is appropriately cautious. It says the proposed well is likely technically feasible based on nearby wells, but that is very different from demonstrating a reliable site-specific yield or demonstrating that pumping the well will not harm neighboring wells or groundwater resources. And it fails to fully explore the impacts of a high-draw well on other local well users when pumping at this significant level creates a localized cone of depression negatively impacting other users.

I am not asking the Commission to require every possible engineering detail before environmental review can begin. I am asking for the Commission to recognize the distinction between **“we believe we can build a well”** and **“we have demonstrated that we can legally even be allowed to build a well and that this well can provide the water we are relying upon without unacceptable environmental consequences or negative impacts on those around us.”**

Those are not the same thing.

The Commission should require a clearly defined and enforceable operating envelope for the well, including its maximum pumping rate, maximum duration, maximum number of events, maximum annual extraction, permissible purposes, and emergency triggers. It should also require hydrogeologic modeling of the resulting drawdown and interference under worst-case conditions. And, should also ensure that the developer has the legal rights to even construct it at all.

III. The New Water Information Makes the Electricity Issue Even More Troubling

The more I learn about the water and electrical systems, the more concerned I become about treating them as separate environmental issues.

The applicant proposes to add a major industrial electrical load in a community where groundwater wells are electrically powered.

At the same time, the applicant proposes to add a new groundwater user in a community where the water supply is entirely dependent upon groundwater.

And the most stressful conditions for both systems occur at the same time: **extreme summer heat.**

This means the project creates the possibility of a feedback loop:

- Extreme heat increases demand for electricity.
- The data center adds a very large electrical load.
- Local residents increase air-conditioning use.
- Groundwater wells require electricity to continue pumping.

If grid capacity becomes constrained, the consequences are not limited to inconvenience or higher electric bills. They could affect our ability to access the water that our homes, businesses, schools, and military facilities depend upon.

The Indian Wells Valley Water District has now raised this precise concern.

I believe this deserves to become one of the central issues in the Commission's environmental review.

IV. The Inyokern Community Services District's Capacity and Ability to Serve Remain Fundamentally Unresolved

I remain deeply concerned about the project's reliance on the Inyokern Community Services District (ICSD) as its primary water and wastewater provider. I raised these concerns in my original June comments, and despite the additional materials submitted since then, I do not believe they have been meaningfully resolved.

This is not simply a question of whether ICSD has issued a will-serve letter. The fundamental question is whether ICSD actually has the **physical, financial, legal, and institutional capacity to provide reliable water and wastewater service to this project for the period being relied upon in the project's SB 610 water-supply analysis.** At this point, I do not believe the record establishes that it does.

The 2023–2024 Kern County Grand Jury found ICSD financially insolvent and identified multiple critical operational deficiencies. Among other concerns, the Grand Jury found that ICSD had failed to report water production data to the Indian Wells Valley Groundwater Authority since 2018. ICSD is also currently involved in litigation with the Groundwater Authority, while the State is pursuing consolidation of the district and negotiations concerning a substantial reorganization with the Indian Wells Valley Water District have been underway.

These are not minor administrative issues. They raise a fundamental question about whether ICSD is an entity capable of making a reliable long-term commitment to serve a major new industrial customer.

The additional information submitted since my first letter has actually reinforced rather than resolved this concern. The Indian Wells Valley Water District has now independently questioned ICSD's ability and capacity to provide future water and wastewater service. It has also raised concerns about ICSD's ability to sustainably provide safe and affordable drinking water and questioned how ICSD could accommodate demand approaching half of its stated annual groundwater allocation for this single customer. And most importantly, has indicated that if consolidation happens, this well-serve letter may not even be honored.

The scale of that proposed commitment matters. This is not an ordinary residential connection being added to an established system. The applicant's stated water demand is approximately 49.1 acre-feet per year. ICSD has indicated that it currently serves a community whose overall groundwater use is only a fraction of that amount. Adding a major industrial customer whose water demand represents such a substantial share of the district's available allocation creates a fundamentally different service obligation.

And importantly, the applicant's water-use estimate itself remains disputed. If the project's actual consumption is substantially higher than the approximately 49.1 AFY claimed in the application - as the Indian Wells Valley Water District has questioned based on the applicant's own cooling-system assumptions - then the burden placed on ICSD could be substantially greater than the will-serve letter contemplated.

There is also a critical distinction between a **will-serve letter** and a demonstrated, legally and physically reliable water supply.

When local residents attended an ICSD board meeting in May, the board was asked what would happen if ICSD did not receive sufficient water through the comprehensive adjudication process to meet the data center's additional demand. The district's attorney explained publicly that, under those circumstances, ICSD would rescind the will-serve letter and deny service. That answer is extraordinarily important to this proceeding

because it demonstrates that the will-serve letter is not an unconditional commitment to provide water regardless of the outcome of the basin's adjudication.

In other words, the applicant's claimed water supply is contingent upon a future determination of how much water ICSD is legally entitled to provide.

That determination does not yet exist. And no weight can be put on the letter until it does.

The Indian Wells Valley's comprehensive groundwater adjudication is ongoing. The legal allocation of groundwater among the various parties remains unsettled, and the Groundwater Sustainability Plan is separately being challenged through the Reverse Validation Action. Until those proceedings establish the legal framework governing groundwater extraction and allocation, neither the applicant nor the Commission can simply assume that ICSD will have sufficient water available to dedicate to this project.

This is particularly significant because the applicant is relying on a **20-year water supply determination**. A water provider cannot credibly demonstrate a 20-year supply merely by issuing a letter that it has acknowledged may be rescinded if the district does not ultimately receive the necessary water rights.

There is an additional concern that I raised in my original letter that I believe deserves consideration and has not yet been addressed by the CEC or applicant: at that same May meeting, an ICSD board member indicated after the meeting that he had not fully understood what the district was agreeing to when the will-serve letter was issued and had concerns about whether the district should have issued it at all. Whether or not that individual concern ultimately changes the district's position, it reinforces the need for the Commission to look beyond the existence of a signed letter and independently evaluate whether ICSD has the actual institutional capacity and authority to make the commitment on which this project depends.

The district's wastewater capacity is also part of this problem. The project is not simply asking ICSD to provide water; it is also relying on the district for wastewater service associated with the facility. If ICSD's ability to provide future water service is uncertain, its ability to provide reliable wastewater service to a major industrial facility must also be independently demonstrated.

The applicant's proposed onsite emergency well does not resolve these concerns. The new well information describes that well as a backup or supplemental source, while ICSD remains the project's anticipated primary water supplier. The well itself has not yet been constructed or pump-tested, and the applicant's own engineering memorandum acknowledges that its yield and final characteristics remain uncertain. The existence of

a conceptual emergency well therefore cannot substitute for demonstrating that the project's primary water provider has the capacity to serve it.

Taken together, these facts lead me to a simple conclusion: **the project currently does not have a demonstrated water service provider with a demonstrated ability to provide the water and wastewater services on which the project depends.**

That is not an impact that can simply be mitigated later.

A future permit cannot create water that ICSD does not legally possess. A future adjudication cannot retroactively make an existing will-serve letter a guaranteed 20-year supply. And a future consolidation or restructuring of ICSD cannot be assumed to result in an entity capable of serving this project unless and until that capacity is actually established.

Until ICSD's legal water allocation, physical system capacity, financial stability, water and wastewater infrastructure, and long-term institutional ability to provide service are established - and until the project's actual water demand is reliably quantified - the fundamental premise that this project can be served at its proposed location remains unresolved.

For that reason, I do not believe the Commission can reasonably determine that this project has a reliable 20-year water supply under SB 610 at this time. More fundamentally, I believe the unresolved capacity and service issues surrounding ICSD make the project **infeasible as currently proposed** until those issues are settled. The Commission should not approve an exemption for a project whose most basic infrastructure requirements - electricity, water, and wastewater - have not yet been demonstrated to be reliably available for the life of the project.

V. The Project Still Appears to Be Larger Than the 99 MW Application Suggests

My June comments raised concerns about the apparent effort to structure this project just below the 100 MW threshold.

Nothing I have seen since then has made that concern go away.

The application describes forty 3 MW generators - 120 MW of aggregate nameplate generation capacity - while proposing to limit their operation to 99 MW. The applicant's own Noise Analysis has considered all forty generators operating simultaneously. The physical facility therefore contains 120 MW of generation capability even if a contractual or operational limitation is intended to prevent more than 99 MW from operating at once.

I continue to question whether a private contractual limitation should determine the environmental scope of a facility that physically contains 120 MW of generation equipment.

More importantly, the broader 198 MW vision remains relevant.

The project's investor-facing materials previously identified a 198 MW, multi-phase campus, including additional parcels. The applicant may now describe the current application more narrowly, but the Commission should not simply disregard evidence of reasonably foreseeable future development because the applicant has changed how that development is described.

CEQA requires consideration of the whole action and reasonably foreseeable phases. The Commission's own supplemental record now emphasizes that the project description must include the whole project and connected infrastructure, rather than allowing environmental impacts to be divided among separate approvals.

At an absolute minimum, the Commission should determine that the second phase is reasonably foreseeable and ensure that its potential cumulative impacts are addressed.

VI. I Am Increasingly Concerned About the Applicant's Reliance on Future Permits and Studies

One of the most troubling themes in the new records submitted by the applicant is how many important questions appear to be deferred to future engineering, future permits, future agency determinations, or future studies.

I understand that a project does not have to have every construction drawing finalized before environmental review. That would be unreasonable.

But there is a very important difference between **finalizing details** and **figuring out the environmental impacts later**.

The CEC's own data requests demonstrate that important information was missing from the original application. Staff requested information about construction water, haul routes, temporary access and staging areas, lower-load generator operation, warm-up emissions, sensitive receptors, and other impact-controlling factors.

The applicant's later filings have added useful information, but they have also continued to revise appendices and defer some important matters to future engineering.

The Commission should not allow a future permit or engineering study to become the first time that anyone actually determines how significant an environmental impact will be.

For example:

- A future air permit can enforce limits that the CEC has already analyzed; it should not be the first document to determine what the project's actual emissions envelope is.
- A future water agreement can implement a water supply that has already been demonstrated to be reliable; it should not be the first evidence that the supplier actually has the capacity to serve the project.
- A future well pump test can confirm assumptions that have already been conservatively analyzed; it should not be the first meaningful evaluation of whether pumping the well will affect surrounding groundwater.
- A future airport determination can implement known height and lighting restrictions; it should not be the first determination of whether an undefined project configuration is compatible with the airport.
- A future SCE engineering package can finalize a previously analyzed utility configuration; it should not be the first time the public learns the actual environmental footprint of the project's electrical infrastructure.

The new comments provided by Taxpayers for Accountability for Our Groundwater explain this distinction in detail, and I believe it is particularly important here because so many impact-controlling elements of this project remain unsettled.

VII. Air Quality and the Health of Children Near the Project Remain Serious Concerns

As a parent, I continue to be deeply concerned about the proximity of this facility to Inyokern School and nearby homes.

Inyokern School is less than 1,400 feet from the project. Homes are approximately 370 feet away.

The project includes forty large diesel generators. CEC staff has now specifically requested additional analysis of generator testing, lower-load operation, warm-up emissions, particulate emissions, and enforceable operating limits. Staff's requests indicate that the original analysis did not adequately establish all of the conditions necessary to determine the project's actual emissions.

The Sierra Sands Unified School District has also identified Inyokern Elementary School and its preschool-through-sixth-grade students as a nearby sensitive receptor and requested analysis of generator testing, particulate exposure, cooling and mechanical noise, construction dust and vibration, transportation safety, emergency response, and cumulative infrastructure impacts.

That matters enormously to me.

- I do not want my children - or anyone else's children - to be treated as a statistical point on an environmental impact map.
- Children will actually be in that school.
- Families will actually live 370 feet away.
- People will actually breathe the air.

And those people should not be asked to accept additional industrial emissions in an already challenged desert airshed simply because the project promises that it will stay under a regulatory threshold it has every capacity of exceeding.

VIII. Noise, Waste Heat, Light, and the Character of Our Community Matter Too

The impacts of this project extend beyond the things that are easiest to quantify.

I live here because of what this valley is.

Our dark skies are part of what makes this place special. Our open spaces and quiet communities are part of what makes people choose to live here. The surrounding desert, the military mission, the scientific work conducted here, and our unique landscape all contribute to the character and economic identity of the Indian Wells Valley.

A 24-hour industrial facility with extensive cooling equipment, generators, security lighting, transmission infrastructure, and other mechanical systems will change that environment.

The project should therefore be evaluated for its cumulative noise, vibration, lighting, visual, and thermal effects - not just whether individual pieces technically comply with a particular standard.

I am particularly concerned about waste heat.

Our summers are already extreme. A large data center produces substantial waste heat, and that heat will be released into an environment that is already dangerously hot for much of the year. Increased local heat can increase the need for air conditioning and

evaporative cooling in the surrounding community, which could in turn increase both electricity and water consumption.

NAWS China Lake has also raised concerns about the project's thermal plume and its potential interaction with the military test range.

That deserves serious independent analysis.

IX. Military and Aviation Concerns Are Not Peripheral

One of the things I appreciate most about the Indian Wells Valley is that we are home to an extraordinary military and scientific community.

NAWS China Lake has now raised concerns about water sustainability, electromagnetic interference, and thermal plumes. The installation specifically stated that empirical information regarding EMI propagation into weapons testing, telemetry, and range facilities was lacking and requested further analysis. It also raised concerns about thermal plumes from the cooling systems and generators.

The Indian Wells Valley Airport District has separately raised aviation and airport compatibility concerns.

The applicant's own filings contain inconsistencies about the status of FAA and airport-land-use review. The application has described an FAA filing as submitted while elsewhere indicating that no filing is required, and it has described airport compatibility as both obtained and something that will be addressed through future County review.

Those contradictions should be resolved before the Commission makes an environmental determination.

These are not simply paperwork problems. Airport compatibility can affect building heights, cranes, lighting, glare, thermal plumes, wildlife hazards, and other aspects of the project. EMI and thermal effects could potentially affect the military mission that is one of the most important economic and institutional assets in our valley.

Those impacts deserve the same careful treatment as every other potentially significant environmental effect. And they must be settled before any serious review could even be considered.

X. Fire, Seismic, Hazardous Materials, and Emergency Response Deserve Full Analysis

I remember the 2019 earthquake. I remember what it felt like to have our community suddenly lose critical infrastructure.

We had damage to our walls and furniture. The earthquake was not an abstract seismic-risk scenario in a report. It was something my family and our neighbors actually experienced.

That experience makes me particularly concerned about placing a large industrial facility containing extensive electrical infrastructure, battery systems, cooling chemicals, and hundreds of thousands of gallons of diesel fuel near homes and a school.

The question is not simply whether individual tanks or pieces of equipment meet their applicable codes.

- What happens when multiple systems fail simultaneously?
- What happens after a major earthquake when roads may be blocked, utilities may be disrupted, and emergency personnel may already be overwhelmed?
- What happens if a seismic event causes a fuel spill or battery fire?
- What happens if the facility needs large quantities of water for firefighting at exactly the time when the local water system is already under stress?
- And what happens to the rest of our rural community if local emergency resources are committed to a major industrial incident?

These are precisely the kinds of cumulative, worst-case scenarios that a full environmental review is designed to examine. Yet they have not yet been meaningfully addressed by the applicant.

XI. Environmental Justice Means Considering Who Bears the Risks

The project is not being proposed in an empty industrial park.

It is being proposed near homes and a school in a community where many families have fewer resources to absorb additional costs or environmental burdens.

More than 80% of students at the nearby school are classified as socioeconomically disadvantaged. The surrounding community already experiences significant environmental and health challenges.

Families with fewer resources cannot simply respond to a failed well by drilling a deeper one. They cannot necessarily absorb a major increase in their electricity bill. They cannot easily move if noise, air pollution, lighting, or other impacts make their homes less livable.

I am fortunate that my family has more resources than some of our neighbors. That makes me even more conscious of the fact that **the people who can least afford additional burdens should not be the people asked to carry them.**

A meaningful environmental justice analysis should therefore look at the combined effect of water, electricity, air quality, noise, heat, traffic, and other impacts on the people who live closest to this project. And this has yet to be done on any meaningful level.

XII. The Record Now Clearly Supports a Full EIR

I recognize that preparing an EIR does not automatically mean the project can never be built.

That is not what I am asking the Commission to decide at this stage.

I am asking the Commission to acknowledge that the record now contains substantial evidence and unresolved technical questions that require a level of environmental review greater than simply assuming the applicant's preferred numbers are correct.

CEC staff itself has identified information that was necessary to complete its review. The Indian Wells Valley Water District has raised questions about water consumption, water supply, ICSD capacity, and the interaction between the project and grid-dependent groundwater pumping. NAWS China Lake has raised water, EMI, and thermal-plume concerns. The school district has raised sensitive-receptor, air-quality, noise, transportation, and emergency-response concerns. The Airport District has raised aviation issues. Other agencies and organizations have raised biological and cumulative-impact concerns.

Those are not simply complaints from people who do not like the project.

They are fact-supported concerns from agencies and entities with direct responsibilities and expertise related to the impacts in question.

The applicant may ultimately be able to answer some of those questions.

But that is exactly what an EIR is for.

It is not the Commission's job to choose the applicant's most favorable assumption when there is a legitimate, fact-based dispute about whether that assumption is accurate.

It is the Commission's job to independently evaluate the whole record and determine what this project will actually mean for the environment and for the people who live here.

What I Am Asking the Commission to Do:

For all of these reasons, I respectfully ask the California Energy Commission to:

1. **Require preparation of a full Environmental Impact Report** and issue a Notice of Preparation so that the public and affected agencies have a meaningful opportunity to participate in scoping.
2. **Do not grant the requested Small Power Plant Exemption unless and until the Commission can make the finding required by Public Resources Code section 25541** that the project will cause no substantial adverse impact on the environment or energy resources.
3. **Evaluate the entire project, not simply the 99 MW portion of it**, including the physical 120 MW generation capacity, all connected electrical infrastructure, water and wastewater infrastructure, and any reasonably foreseeable future phases, including the proposed second 99 MW campus.
4. **Require a complete and stable project description** that identifies the actual electrical, water, cooling, generator, battery, transmission, access, construction, lighting, aviation, and other components of the project.
5. **Require a comprehensive electrical infrastructure and grid-reliability analysis**, including the effects of the project on extreme-heat conditions, groundwater pumping, emergency conditions, Public Safety Power Shutoffs, and local ratepayers.
6. **Treat electricity and groundwater as interconnected infrastructure issues**, and specifically analyze the possibility that a large new electrical load could impair the reliability of the approximately 800 electrically powered groundwater wells serving our community.
7. **Require an independent, basin-specific water-supply analysis** that does not assume an uncertain future water-importation project as a committed supply, is realistic about the capacity and future prospects of the Inyokern Community Services District, and that recognizes that the legal allocation of groundwater remains unsettled while adjudication and related litigation are ongoing.
8. **Require realistic, climate-adjusted water-use modeling**, including worst-case summer conditions and the possibility of increased consumption if the proposed cooling system cannot maintain its assumed operating efficiency under extreme desert temperatures.

9. **Require site-specific analysis of the proposed emergency well**, including reliable yield, pumping limits, drawdown, interference with neighboring wells, water quality, and cumulative impacts.
10. **Require meaningful analysis of air quality, noise, vibration, waste heat, lighting, fire safety, seismic risk, hazardous materials, biological resources, traffic, aviation, electromagnetic interference, military mission compatibility, and environmental justice.**
11. **Do not allow future permits or later engineering to substitute for the CEC's own environmental analysis.** Future permits should implement environmental protections already established by the Commission, not determine for the first time whether significant impacts exist.
12. **Require all mitigation measures to be specific, enforceable, monitored, publicly reported, and backed by an appropriate mitigation monitoring and reporting program.**
13. **Hold a public hearing or workshop in the Indian Wells Valley** so that the people who will actually live with the consequences of this project have a meaningful opportunity to participate in the process.
14. **If material project changes or new information alter the environmental analysis, require recirculation or additional environmental review as appropriate**, rather than allowing those changes to be absorbed into an already-approved project.

Conclusion

When I wrote my first letter in June, I was concerned that this project was being presented as something smaller and simpler than it really was.

After following the proceeding for another several months, I am even more convinced that this concern was justified.

But I am also concerned about things I did not fully appreciate when I wrote that first letter.

I did not yet understand how many critical aspects of the project's electrical infrastructure remained unresolved.

I did not yet understand that the community's water supply and the electrical grid are so directly connected.

I did not yet have the benefit of seeing the Indian Wells Valley Water District itself question whether a 99 MW industrial load could interfere with the electricity needed to operate hundreds of groundwater wells during extreme heat.

I did not yet have the applicant's own new documentation showing that its proposed emergency well is still a planning concept rather than a demonstrated water source.

I did not yet have the benefit of seeing the number of agencies and affected entities raising independent concerns about water, air quality, sensitive receptors, military operations, aviation, biology, and infrastructure.

And I did not yet understand how many important questions could potentially be pushed into future permits and engineering rather than answered as part of the Commission's environmental review.

I am not asking the Commission to reject economic development because I am afraid of change.

I am asking the Commission to **do its job before approving a project that could permanently change the place where my family lives.**

The Indian Wells Valley is not an abstract collection of environmental statistics. It is our home.

Our groundwater is our water supply.

Our electrical grid is what powers our homes and our wells.

Our schools are where our children spend their days.

Our air is what our families breathe.

Our dark skies and open spaces are part of what makes this valley special.

Our military and scientific institutions are fundamental to our community.

And the costs of mistakes here will not be borne equally. They will fall hardest on the people who have the fewest resources to respond.

I believe that responsible economic development is possible in the Indian Wells Valley. But responsible development requires knowing what we are actually approving, understanding its full impacts, and making sure that the people who benefit from a project are not shifting its environmental and infrastructure costs onto the people who already live here.

At this point, the record does not give me confidence that the RB Inyokern Data Center has met that standard.

Instead, the additional information submitted since June has made me **more concerned, not less**.

For my family, for my neighbors, and for the future of the community I have called home for nearly twenty years, I respectfully ask the Commission to require a full EIR, fully evaluate the project's true scope and cumulative impacts, and deny the requested Small Power Plant Exemption unless the Commission can ultimately demonstrate - based on the complete record and enforceable protections - that this project will not cause substantial adverse impacts to our environment, our infrastructure, or our community.

Thank you for taking the time to consider these comments and for giving the concerns of local residents the serious consideration they deserve.

Respectfully submitted,

Jennifer Slayton
Ridgecrest, California