

| <b>DOCKETED</b>         |                                                                                                 |
|-------------------------|-------------------------------------------------------------------------------------------------|
| <b>Docket Number:</b>   | 26-SPPE-01                                                                                      |
| <b>Project Title:</b>   | RB Inyokern Data Center (RBIDC)                                                                 |
| <b>TN #:</b>            | 272326                                                                                          |
| <b>Document Title:</b>  | Rene Hersey Comments - Opposition to SPPE-Wildlife, Water, Energy Demand and Cumulative Impacts |
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| <b>Organization:</b>    | Rene Hersey                                                                                     |
| <b>Submitter Role:</b>  | Public                                                                                          |
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*Comment Received From: Rene Hersey  
Submitted On: 9/3/2026  
Docket Number: 26-SPPE-01*

**Opposition to SPPE-Wildlife, Water, Energy Demand and Cumulative Impacts**

*Additional submitted attachment is included below.*

# PUBLIC COMMENT

## RB Inyokern Data Center (RBIDC) - Docket No. 26-SPPE-01

**September 3, 2026**

California Energy Commission  
715 P Street  
Sacramento, CA 95814

Dear Commissioners and Staff:

I am writing to urge the California Energy Commission not to grant a Small Power Plant Exemption for the proposed RB Inyokern Data Center without comprehensive environmental review that fully examines this project's impacts on wildlife, habitat connectivity, groundwater, air quality, energy resources, and the cumulative effects of industrial development in the Indian Wells Valley.

I am especially concerned that a project of this magnitude is being considered for a desert landscape where water is an extraordinarily limited resource and where sensitive wildlife and habitat are already confronting increasing development and fragmentation.

### **Wildlife and cumulative habitat loss**

The environmental analysis of this project should not be confined to whether a protected animal happened to be observed on the project's approximately 50-acre footprint during a particular survey period. The larger ecological question is what continued industrial development does cumulatively to functioning desert habitat and wildlife movement throughout the Indian Wells Valley.

Special-status wildlife identified as having potential to occur within the project's biological study area include the Mojave desert tortoise, Mohave ground squirrel, western burrowing owl, golden eagle, Swainson's hawk, prairie falcon, loggerhead shrike, LeConte's thrasher, American badger and desert kit fox, among others.

The Mojave desert tortoise is now listed as **endangered under the California Endangered Species Act**. Its decline makes habitat fragmentation and cumulative loss especially important considerations. Environmental documents should accurately reflect its current conservation status and evaluate impacts accordingly.

The Mohave ground squirrel presents a similar concern. Its persistence cannot be evaluated solely parcel by parcel. Habitat connectivity between remaining populations and suitable habitat is essential.

### **Fifty acres should not be evaluated as though those fifty acres exist in isolation.**

The Commission should consider the cumulative effects of this project together with existing and reasonably foreseeable solar development, transmission infrastructure, roads, industrial development and other disturbances throughout the Indian Wells Valley and surrounding Mojave landscape.

### **Water and substantially lower-water cooling technology**

I am also deeply concerned about locating a water-intensive industrial facility in an arid desert basin facing serious groundwater constraints. According to applicant materials, the project proposes cooling infrastructure that includes cooling towers as part of a hybrid system. This makes a rigorous alternatives analysis especially important.

Closed-loop and air-cooled data-center cooling systems capable of dramatically reducing routine water consumption are no longer experimental technologies. They are commercially deployed, including in

California. Newer direct-to-chip liquid cooling can also recirculate coolant in a closed loop.

If substantially lower-water technology is commercially available, the Commission should require the applicant to demonstrate why a data center proposed for the Indian Wells Valley should consume scarce water for cooling rather than employ the least water-intensive feasible technology. In a severely water-constrained desert environment, water conservation should be a fundamental design requirement, not merely a mitigation measure considered after a project has been designed.

### **California should examine whether projected data-center demand represents demonstrated need**

California should not simply assume that every proposed AI data center - or every request for enormous quantities of electrical capacity - represents necessary and inevitable future demand.

Recent national experience has raised serious questions about so-called "ghost demand": speculative, overlapping, or insufficiently committed data-center power requests that can exaggerate the amount of generating and transmission capacity actually required. The rapid growth of artificial intelligence does not establish that every proposed data center is necessary, nor that every projected request for electrical capacity will ultimately materialize.

Before California facilitates another generation of extraordinarily energy-intensive facilities, regulators should distinguish demonstrable, committed demand from speculative or duplicative projections. California should not sacrifice scarce groundwater, wildlife habitat, or grid capacity based upon assumptions about future demand that may prove inflated.

### **A full environmental review is warranted**

I support technological innovation, including responsible development of artificial intelligence. But technological advancement and environmental stewardship are not mutually exclusive. California should lead the country in demonstrating that infrastructure supporting AI can be built only where appropriate and with the strongest available standards for water conservation, energy efficiency and protection of biodiversity.

The Indian Wells Valley is not an empty landscape simply because it is desert. It is a functioning ecosystem supporting native wildlife, sensitive species and ecological connections that become increasingly difficult - or impossible - to restore once fragmented.

I therefore respectfully request that the California Energy Commission:

1. **Decline to grant the requested Small Power Plant Exemption** unless and until the Commission can determine, based on comprehensive environmental analysis, that the project will not cause significant individual or cumulative environmental impacts;
2. **Require thorough analysis of cumulative habitat loss and wildlife connectivity**, particularly for the Mojave desert tortoise, Mohave ground squirrel and other special-status desert wildlife;
3. **Require the applicant to evaluate and employ the least water-intensive feasible cooling technology**, including meaningful comparison with closed-loop, air-cooled and other near-zero-water cooling systems already commercially deployed;
4. **Fully evaluate groundwater availability and cumulative water demand** before allowing additional industrial water consumption in the Indian Wells Valley;
5. **Evaluate the project's electricity demand in the context of California's rapidly expanding data-center pipeline**, including whether projected demand represents committed need rather than

speculative or duplicative capacity requests; and

6. **Require comprehensive CEQA review wherever significant environmental questions remain unresolved**, rather than allowing the SPPE process to substitute for the level of analysis warranted by a project of this scale.

California has an opportunity to establish a responsible standard now, before AI data-center development expands much further across the state's deserts and other environmentally sensitive landscapes. Once groundwater is depleted or functioning wildlife habitat is fragmented and lost, technological improvements cannot simply restore what was there.

Thank you for considering these comments.

Respectfully submitted,

**Rene Hersey**

California

## Selected References

These sources are provided to identify the principal public records and supporting materials underlying this comment. The Commission's docket contains additional applicant filings, agency materials and public comments.

1. California Energy Commission, RB Inyokern Data Center (RBIDC), Docket 26-SPPE-01, project page and docket materials.  
<https://www.energy.ca.gov/powerplant/backup-generating-system/rb-inyokern-data-center>
2. California Energy Commission, Docket Log, 26-SPPE-01.  
<https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=26-SPPE-01>
3. California Energy Commission, Data Centers - statewide information on active data centers and electricity demand.  
<https://www.energy.ca.gov/programs-and-topics/topics/data-centers>
4. California Department of Fish and Wildlife, California Endangered Species Act / status information for Mojave desert tortoise.  
<https://wildlife.ca.gov/Conservation/CESA>
5. Vantage Data Centers, Santa Clara III (CA3), California - closed-loop chilled-water / air-cooled cooling information.  
<https://vantage-dc.com/data-center/santa-clara-iii-california/>
6. Microsoft, water-efficiency and closed-loop cooling developments for AI data centers. <https://blogs.microsoft.com/>
7. Reuters, Sept. 1, 2026, reporting on U.S. utility scrutiny of speculative or overlapping data-center electricity requests ('ghost demand'). <https://www.reuters.com/>

**Submission note:** Submit this PDF under Docket **26-SPPE-01** using the California Energy Commission's RB Inyokern project page and its **Submit e-Comment** link.