

DOCKETED

Docket Number:	20-LITHIUM-01
Project Title:	Lithium Valley Commission
TN #:	237510
Document Title:	Transcript for February 25, 2021 Meeting
Description:	Transcript of Lithium Valley Commission meeting held on February 25, 2021.
Filer:	Elisabeth de Jong
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	4/20/2021 5:08:25 PM
Docketed Date:	4/20/2021

CALIFORNIA ENERGY COMMISSION

In the matter of:

Notice of the Convening) Docket No. 20-LITHIUM-01
Of the Lithium))
Valley Commission))
_____)

LITHIUM VALLEY COMMISSION
NOTICE OF THE CONVENING OF THE
LITHIUM VALLEY COMMISSION

REMOTE VIA ZOOM

THURSDAY, FEBRUARY 25, 2021

1:00 P.M.

Reported by:

Elise Hicks

APPEARANCES

COMMISSIONERS

Rod Colwell

Roderic Dolega

Miranda Flores

Martha Guzman Aceves

James C. Hanks

Ryan E. Kelley

Luis Olmedo

Silvia Paz

Frank Ruiz

Manfred Scott

Jonathan Weisgall

CEC STAFF

David Hochschild

Karen Douglas

Kourtney Vaccaro

Eli Harland

Terra Weeks

Le-Quyen Nguyen

Gina Barkalow

Elisabeth de Jong

Justin Tran

Rizaldo Aldaz

CEC STAFF (cont'd)

Deborah Dyer

Kelly Beskin

Linda Barrera

Noemi Gallardo

Giana Villegas

PUBLIC COMMENT

Richard Diaz

Micah Mitrosky

Miguel Hernandez

Nikola Lakic

Rebecca Zaragoza

Patrick Dobson

Noel Bakhtian

Vijay Dhar (New Energy Nexus)

PRESENTERS

Alex Prisjatschew

Helena Khazdozian

John Mikulin

Shahed Meshkati

Gail Sevens

David Shabazian

1 P R O C E E D I N G S

2 1:01 P.M.

3 THURSDAY, FEBRUARY 25, 2021

4 MS. DE JONG: All right. Well we have
5 attendees joining right now. We're going to give folks a
6 moment to let their Zoom upload, but the attendees list
7 is growing rapidly. Just want to let everyone know that
8 I did hit record, so this meeting is being recorded and
9 we'll go into that detail in just a moment.

10 All right. Okay, well it looks like we have a
11 pretty good-sized group here, so I'll go ahead and get
12 started.

13 Hello everyone and welcome to the convening of
14 the Lithium Valley Commission. My name is Elisabeth de
15 Jong, and I work in the Energy Commission's Renewable
16 Energy Division. I will be the project manager from the
17 CEC on the Lithium Valley Commission.

18 Before we get started, I want to go over some
19 brief housekeeping this workshop is being conducted
20 entirely remotely via Zoom. This means that we're in
21 separate locations and communicating only through
22 electronic means. We are meeting in this fashion,
23 consistent with executive order N-25-20 and N-29-20, and
24 the recommendations from the California Department of
25 Public Health, to encourage physical distancing in order

1 to slow the spread of Covid-19.

2 This meeting is being recorded, as well as
3 transcribed by a court reporter. The transcript will
4 eventually be posted to the electronic docket. The
5 recording of the meeting will be available on the Lithium
6 Valley Commission webpage. Members of the public will be
7 muted during the presentations, but there will be a
8 chance for public comment on each agenda item and an
9 additional opportunity for public comments towards the
10 end of the agenda.

11 To provide public comments, please use the
12 raise hand feature in your Zoom applications to be called
13 on to speak. When you speak, please provide me your name
14 and affiliation. If you've called in by phone, you will
15 need to dial star nine to raise your hand, and star six
16 to unmute yourself. Before speaking, please say and
17 spell your name for the court reporter. There is also a
18 Q and A window in the Zoom application, which you may use
19 to type your question.

20 If you want to provide public comments but are
21 unable to raise your hand in the Zoom application, or by
22 phone, then during the public comment portion of the
23 workshops, you may type your comment into the Q & A
24 window, so we can relay your comments. We'll go over
25 these instructions again during the time for clarifying

1 questions and public comment. Please remember to stay
2 muted until you've been called on the speak. We also
3 have a chat function available for IT support. Written
4 comments must be submitted by 5:00 p.m. on Thursday March
5 4th.

6 Let me briefly go over the agenda for today.
7 Following opening remarks, and a required roll call for
8 our Commission members, we would like to ask everyone to
9 introduce yourself and provide brief comments on your
10 background and interest in the Lithium Valley.
11 Essentially what brought you here and what you hope to
12 achieve.

13 We will start with the Lithium Valley
14 Commission members and CEC support staff and then request
15 introductions from our collaborating agencies and
16 entities. This should bring up to our first break.
17 After break, I will provide a brief presentation on the
18 Lithium Valley Commission's purpose and goals, as well as
19 background on California lithium recovery efforts to
20 date.

21 Following each of those presentations, we would
22 like to invite Commissioners to ask questions and discuss
23 the presentations as well as other topics, speakers and
24 presentations the Commissioners might wish to have at
25 future meetings. After those presentations and public

1 comments, we will take another quick break.

2 Following the break, the CEC's legal staff
3 will, oh sorry, will provide a Bagley-Keene Open Meeting
4 Act and Public Records Act presentation. This
5 presentation is critical training outlining certain
6 requirements that the Lithium Valley Commission
7 activities will need to adhere to. Next up we would like
8 to facilitate a conversation, CEC Staff has identified a
9 few operational and administrative items that the
10 Commission may want to consider, as shown on this slide.
11 Then we will have designated time for public comments.
12 And finally, we will end the meeting after going over
13 next steps and closing comments.

14 Now we are going to really get started with
15 some opening comments. First by our CEC's Chair, David
16 Hochschild, followed by CEC's Commissioner, Karen
17 Douglas.

18 CHAIR HOCHSCHILD: Thank you so much Elisabeth
19 and welcome friends to all of you. Thank you for joining
20 the inaugural meeting of the Lithium Valley Commission.
21 I want to take my friend and colleague, Commissioner
22 Karen Douglas, for her work on this issue and all the
23 staff for doing all the legwork to get this setup, and
24 all the stakeholders for what you have done and what you
25 will do to bring this vision to fruition in the months

1 and years ahead.

2 I just want to begin by saying, you know, 2020
3 was probably the most challenging year I can remember for
4 our State and for our country. I feel like every one of
5 our systems was tested, our climate, our democracy, and
6 so much else. In this year, 2021 is really a year of
7 fixing what's broken and seed planting for the future.
8 And I really want to remind everybody that what we do in
9 California can become a model for the nation. You know,
10 just over two years ago California passed, or SB 100 went
11 into effect, the law demanding that we get to 100% clear
12 energy. And you know, the year before that that was
13 considered mythology. And that's now law in 17 states
14 and it's the new national goal for the country under
15 President Biden.

16 So things can go very quickly from seeming
17 outlandish and impossible to becoming conventional wisdom
18 and I think that's how we need to approach this vision of
19 Lithium Valley. Really lithium is the oil of the clean
20 energy future. We're lucky to have a resource that's
21 quite substantial in California and that can be produced
22 in a very low impact way. And we want to support the
23 development of that in a way that's going to lift up
24 under resourced communities in California and restore the
25 land of the health of the region along the way. That is

1 really the goal of this group.

2 And so I wanted to invite everybody, as we
3 approach this, to make every effort we can to get to know
4 each other better, to really form a bond as a group and,
5 beginning with our introductions. I don't want to do
6 that quickly. I'd like to do that slowly and carefully
7 so we all can get to know each other because actually,
8 what comes out of the power of this group, working
9 together when we can speak with one clear loud voice, I
10 think we can actually move mountains. This is an area
11 where I think we get a lot of resources devoted, you
12 know, from the Federal Government, ultimately, as well as
13 the state and other stakeholders. And we want to form a
14 vision together and really hear each other and listen to
15 what the issues are the concerns. This is a part of the
16 state that's had a lot of challenges over the years and
17 there's a lot of issues, we all need to understand and
18 get aligned on.

19 So I wanted to thank everybody for agreeing to
20 be a part of this. I'm really excited for what we can do
21 together. I'll just say, for me, as Chair, this is one
22 of the top priorities. I really think of it as kind of
23 the beginning of a whole new model, and you know when you
24 think back to Silicon Valley and its beginnings and how
25 that has made an impact. And also you know, in the first

1 year of the Roosevelt administration, I think about, you
2 know, incredible vision that that we saw then in the
3 country. And I really think this is one of the most
4 powerful levers that we have to bring a clean energy
5 future to fruition. So thank you all for being a part of
6 that, and with that, let me turn it over to my colleague,
7 Commissioner Douglas.

8 COMMISSIONER DOUGLAS: Hi. Good afternoon,
9 everybody and thank you. I'd like to start with some
10 thanks to the Chair for the vision and determination that
11 he's brought to this issue and the staff who've worked
12 really hard to get this Commission off the ground and, of
13 course to all of the Lithium Valley Commissioners,
14 welcome. Thank you for offering to serve and support you
15 know, the state and the regional vision in this capacity
16 and help us build the communication and work together to
17 bring the economic and environmental benefits of the
18 Lithium Valley vision to fruition working together.

19 And you know, you'll hear a number of things in
20 the presentations today that Staff has put together that
21 will help provide some background in how the Energy
22 Commission's been involved in geothermal. The geothermal
23 industry and in various ways in the Salton Sea area. The
24 funding that the Energy Commission, as well as other
25 entities, have provided to help better understand and

1 demonstrate the lithium potential and we're really seeing
2 those efforts accelerate in some really great results
3 from some of those efforts.

4 And I think the timing of having a Lithium
5 Valley Commission where we can work together to help
6 bring the big pieces of this together, to help bring, you
7 know, the economic, and jobs vision, and side of this.
8 Which as everyone here knows, is really important in the
9 Imperial Valley as one of the regions with, you know,
10 very high unemployment, for example. You know this is a
11 way to support the state in promoting renewable energy,
12 reducing emissions in domestically producing a very
13 critical mineral in very -- in large amounts. And
14 supporting potentially further geothermal development and
15 baseload clean energy and doing that in a way that from
16 the outset, is fostered, I hope, by the work of the
17 Commission and the dialogue that we will all be able to
18 have here together.

19 So and including, of course, the opportunity to
20 consider the restoration work at the Salton Sea that has
21 been ongoing now, and how it fits in the context of
22 geothermal and Lithium Valley. So there's a lot of
23 opportunity here for collaboration for learning from each
24 other, for outlining a joint vision and addressing the
25 issues that the legislature put forward for the

1 Commission to address, and I'm excited to take part in
2 these discussions. Again, I welcome all of you. And
3 with this, I'll turn this back to Elisabeth.

4 MS. DE JONG: Thank you. Now we are going to
5 move to introductions, starting with a roll call of
6 Lithium Valley Commission members to determine a quorum.
7 And eight out of 14 members will make a quorum. We will
8 call your names, please respond if you are present and
9 turn on your camera if you can. I will be calling the
10 names in alphabetical order.

11 Rod Colwell.

12 MS. DE JONG: Rod Colwell.

13 COMMISSIONER COLWELL: Here.

14 MS. DE JONG: Roderic Dolega.

15 COMMISSIONEER DOLEGA: Here. Present.

16 MS. DE JONG: Miranda Flores.

17 COMMISSIONER FLORES: Present.

18 MS. DE JONG: Martha Guzman Aceves.

19 COMMISSIONER GUZMAN ACEVES: Present.

20 MS. DE JONG: James C. Hanks.

21 COMMISSIONER HANKS: Present.

22 MS. DE JONG: Ryan E. Kelley.

23 COMMISSIONER KELLEY: Present.

24 MS. DE JONG: Arthur Lopez. Not present.

25 Okay.

1 Luis Olmedo.
2 COMMISSIONER OLMEDO: Present.
3 MS. DE JONG: Thank you.
4 Silvia Paz.
5 COMMISSIONER PAZ: Present.
6 MS. DE JONG: Frank Ruiz.
7 COMMISSIONER RUIZ: Present.
8 MS. DE JONG: Manfred Scott.
9 COMMISSIONER SCOTT: Present.
10 MS. DE JONG: Thomas Soto.
11 COMMISSIONER SOTO: Here.
12 MS. DE JONG: And Jonathan Weisgall.
13 COMMISSIONER WEISGALL: Present.
14 MS. DE JONG: All right. I heard all but
15 Arthur Lopez present. That means we have eight members -
16 we have at least eight members, so we have a quorum. As
17 mentioned, we will now ask you to introduce yourself and
18 provide brief comments on your background and interest in
19 the Lithium Valley and this Commission. To manage
20 participation again, I will call out the names in
21 alphabetical order. So if we can go ahead and get
22 started with Rod Colwell.
23 COMMISSIONER COLWELL: It's certainly a
24 pleasure to be here. My name's Rod Colwell. I'm the
25 chief executive officer of Control Thermal Resources.

1 We've been involved in a lithium geothermal development
2 here close to eight years now, on the foreshore of the
3 Salton Sea. I can only echo David Hochschild's comments
4 earlier that 2020 was tough. I think the world changed
5 in a -- in a big way. We've seen the inaction of EVs,
6 and I think everything coming into, you know, demand into
7 2021. Commissioner Douglas's comment, I think there very
8 much is a great opportunity for environmental repair of
9 the Salton Sea. It's an interesting crossroads where we
10 are right now, and I think this is the world's highest
11 sustainable lithium that can be produced without any sort
12 of the environmental issues with it. We can produce a
13 lot of baseload power and we're very privileged,
14 personally, I am very privileged to be on part of this
15 Commission. So thank you.

16 MS. DE JONG: Thank you. Roderic Dolega.

17 COMMISSIONER DOLEGA: Hi. I'm Roderic Dolega.
18 I'm here representing Ford. I've been with Ford 10 years
19 and, most recently, looking after our raw materials
20 strategy as it relates to EV cell manufacturing. So
21 pleasure to be on this Commission and our interests are
22 well, I mean I think it's fairly obvious but from -- from
23 an OEM perspective, localized supply chains make sense.
24 And as we look to build out and integrate the supply
25 lines having North American supply of critical minerals

1 is important. So happy to be part of the Commission.

2 Thanks.

3 MS. DE JONG: Thank you. Miranda Flores.

4 COMMISSIONER FLORES: Yes. Good afternoon,
5 everyone. My name is Miranda Flores, and I was appointed
6 by the California Natural Resources Agency where I'm
7 currently the Deputy Secretary of Legislation. The
8 California Natural Resources Agency oversees more than 26
9 distinct department's conservancy Commissions. Prior to
10 Agency, I worked in the legislature for 17 years with the
11 last four years, focusing on energy policy. I'm looking
12 forward to working with everyone on the Commission to
13 ensure that we can capitalize on the Salton Sea's lithium
14 resources and continued California's lead in being the
15 center for electric vehicle manufacturing, while building
16 economic development for the local economy and creating a
17 revenue stream to assist with ongoing conservation
18 efforts and build climate resiliency. Which are all core
19 priorities for my agency. So I'm really excited to be
20 here. Thank you.

21 MS. DE JONG: Thank you. Martha Guzman
22 Aceves.

23 COMMISSIONER GUZMAN ACEVES: Good afternoon,
24 everyone. It's nice to see some familiar faces and to be
25 here. I'm one of the Commissioners on the California

1 Public Utilities Commission. And I think the most
2 obvious contribution that we'll have to this dialogue and
3 these efforts is to understand the role of the
4 local -- the load serving entities, the utilities and the
5 CCAs in potentially procuring geothermal as part of the
6 solution. And I did just want to note that my fellow
7 Commissioner, Commissioner Rechtschaffen, who is the
8 assigned Commissioner to our Integrated Resource Planning
9 Proceeding did just issue a ruling yesterday or the day
10 before, I can't remember, that does propose additional
11 generation to be procured for all of the load serving
12 entities, and as part of that there is an additional
13 proposal of 1000 megawatts of new geothermal procurement
14 to be required, no later than 2025. Now this is in a
15 very early stage of our process. It is a proposal that
16 will take comment and eventually be turned into a
17 proposed decision that will also take comment before we
18 can eventually issue a decision, but just to let you all
19 know that that is something that is active and I'm sure
20 you -- we would welcome all of your engagement in that
21 process. Thank you.

22 MS. DE JONG: Thank you. James C. Hanks.

23 COMMISSIONER HANKS: Yes. I'm a lifetime
24 resident of the area known as the Salton Sea Resource
25 Area. I am currently the Board President of Imperial

1 Irrigation District. I'm serving my 4th term, my 15th
2 year in this capacity on the Board. I am also on this
3 Commission representing the public utilities. Prior to
4 becoming a Board member on the -- on the Imperial
5 Irrigation District Board, I was spent 20 years as the
6 Calipatria Unified School Superintendent, which serves
7 the students in the Known Geothermal Resource Area around
8 the Salton Sea. A I've had a history of pursuing of the
9 minerals and the area. My first experience was in the
10 late 80s and I negotiated with Cal Energy on some tax
11 incentives dealing with mineral extraction of zinc. So I
12 have an extensive knowledge of the area and experience
13 with both geothermal and some of the mineral extraction.
14 Thank you.

15 MS. DE JONG: Thank you. Ryan E. Kelly. Ryan
16 if you're speaking, we can't hear you.

17 COMMISSIONER KELLEY: Here I am. So my name is
18 Ryan Elliot Kelly. I was born and raised in Brawley
19 California. Those that are from, or know, Imperial
20 County, I am the supervisor from the Board of Supervisors
21 representing District Four, which it encompasses all of
22 the Salton Sea and the Known Geothermal Resource Area. I
23 started out as a farming family but there was no farm
24 when I was of age to start working because of the economy
25 and a hurricane that came through this valley in 1977.

1 But I am well aware of many of the people that are
2 attending and part of this. I have spoken with members
3 of the Public Utility Commission, and the Energy
4 Commission, the State Water Resources Board, the
5 Governor's Office on this topic about the potential of
6 lithium development in Imperial County and advocated for
7 it in Sacramento and Washington. So I'm very happy to be
8 joining you in this conversation. I'd also really
9 welcome the comments by Commissioner Guzman Aceves. We
10 did petition, through the Integrated Resource Planning a
11 few years ago and met with the Commissioner and the other
12 Commissioners in trying to bring awareness to the
13 geothermal missing out on the portfolio and the
14 advantages of Salton Sea restoration with industrial
15 energy development.

16 And something lighthearted I will share with
17 you is I've just bought an e-bike with a 52-volt lithium
18 battery and I am commuting every day from my home, which
19 is three quarters of a mile away from my work site.

20 MS. DE JONG: Very cool. Thank you. Luis
21 Olmedo.

22 COMMISSIONER OLMEDO: Hi. Good afternoon. My
23 name is Luis Olmedo. I'm executive director Comite
24 Civico del Valle. This organization has operated in the
25 City of Brawley for over 35 years. It's a farm worker

1 founded organization. Following the spirit of Supervisor
2 Kelley, I was the majority of my life raised here. I
3 come from an immigrant family. Like the most of us, or
4 majority of us. And our, as an organization we have
5 focused on environmental justice, environmental health,
6 disadvantaged communities, which is the majority of the
7 region, the Salton Sea region. And we have focused on
8 areas of policy, advocacy, research, and everything
9 driven by equity and disadvantaged communities encompass.
10 And that's the -- that's the background that that I hope
11 brings value to this Commission and thanks to all the
12 Members. And look forward to working with each and every
13 one of you as we move forward in putting together a plan
14 that is -- that has both the just transition that brings
15 economic equity, opportunities. At the same time protect
16 public health and our environment, so that we can be
17 sustainable in every future development or opportunities
18 that come our way. Thank you.

19 MS. DE JONG: Thank you. Silvia Paz.

20 COMMISSIONER PAZ: Hi. So good to be here and
21 to see some of my colleagues here on the ground from the
22 Salton Sea region, as well as some people that I haven't
23 seen in a long, long time. So it's really nice to see
24 familiar faces. I currently lead a nonprofit
25 organization called Alianza Coachella Valley. And before

1 I get into the work that we do there, prior to that I did
2 work for Assembly Member -- former Assembly Member Manny
3 Perez, where I was able to meet so many of the people on
4 this call and work on Salton Sea specific issues. My
5 transition from working for an Assembly Member and now
6 leading a group of community organizations and residents
7 who are all interested in achieving a more thriving
8 community is sort of what brings me here. I think the
9 Lithium Valley and the potential that lithium extraction
10 has is representative of key opportunities that this
11 region has been lacking, not only the promise of a just
12 transition to better environmental promises, but also the
13 hope that these communities can be transformed along the
14 process, that our communities can reap the benefits of
15 providing a renewable energy source in terms of being
16 more economically stable, more environmentally safe.

17 And I hope that in the process of this
18 Commission, we are going to be looking at the development
19 of lithium holistically and not only on the environmental
20 impacts, but that cross section about how do we achieve
21 good environmental policy, good economic development
22 policies that our communities directly benefit from,
23 along with community development as a whole. So again,
24 looking forward to being a part of this and to work
25 alongside all of you to achieve, not just a better

1 region, but a better California.

2 MS. DE JONG: Thank you. Frank Ruiz.

3 COMMISSIONER RUIZ: Hi everyone. My name is
4 Frank Ruiz, and I am the Salton Sea Program Director for
5 Audubon California and I lead a program, you know, that
6 has four different elements. We focus on science, we
7 focus on education, policy, and community
8 enfranchisement. I lead most of the biological
9 monitoring of the Salton Sea, so I know the terrain
10 rather well. And of course, you know, my interests, you
11 know, comes from the conservation perspective to find
12 ways to revitalize the Salton Sea. At the same time, you
13 know, to create the minimum impact to the environment to
14 stop dependency on fossil fuels, but not as a collateral
15 benefit, but more on the intentional side is to develop
16 economic opportunities for the local community some. So
17 I think you know my approach is more comprehensive in
18 that perspective. And I'm so thrilled to be here.

19 MS. DE JONG: Thank you. Manfred Scott.

20 COMMISSIONER MANFRED: Yes. My name is Manfred
21 Scott. I am a Tribal member of the Fort Yuma Quechan
22 Indians here on Fort Yuma Indian Reservation, and I am
23 also the Acting Chairperson for the Cultural Committee.
24 By preserving our history and cultural heritage, as well
25 as educating ourselves and the public, they share the

1 future of our tribe by building self-esteem and awareness
2 of traditional identity among the Quechan youth,
3 preserve, protect, and promote understanding and respect
4 for our cultural heritage to encourage our elders to
5 share their knowledge of our ancestral heritage,
6 including all history, language, tradition, arts and
7 crafts, and knowledge about our physical environment. I
8 also serve on the Tribal Council back in the 1980s, the
9 late 80s to the late 1990s. And I was also appointed a
10 liaison for the Quechan Cultural Committee during that
11 time. And again, I served on the Quechan Tribal Council
12 in 2005 to 2007, and again appointed to a liaison as the
13 Quechan Cultural Committee. In 2014 I was the Acting
14 Chairperson for the Quechan Cultural Committee and we
15 work with different federal agencies in consultation. We
16 work with the BLM, Bureau of Reclamation, state counties,
17 Arizona State Lands, Border Patrol, military bases, MCAS,
18 YPG, Barry Goldwater Range, East and West Naval Base, US
19 Fish and Wildlife. So we've been really involved in all
20 the federal, state, and local agencies on preservation
21 laws, such as Section 106, NEPA, NHPA, ARPA, SEQA, AB52,
22 SB18. So we've been really involved in all these
23 agencies on a lot of different projects have been
24 [indiscernible] up here in our area and other areas and
25 trying to preserve a lot of the culture that's being

1 destroyed and so forth. And I'd like to thank the
2 California Energy Commission for them appointed me to the
3 Lithium Valley Commission, appointing me as a
4 Commissioner on the Lithium Valley Commission member. So
5 I'd like to thank them for that. Thank you.

6 MS. DE JONG: Thank you. Thomas Soto.

7 COMMISSIONER SOTO: Hey everybody. Nice to be
8 here. Thank you for all the leadership, David, that you
9 have provided in getting Lithium Valley and this dialogue
10 and conversation to the point where it's at now and all
11 of your team for gathering us and being able to support
12 all the scaffolding necessary to get this Commission
13 constituted. Again, my name is Tom Soto. I'm managing
14 partner and founder of Diverse Communities Impact Fund.
15 It is a lower, middle market private equity fund. I'm
16 more so known as a long-time investor in the impact space
17 and invest in technologies that help to bridge the gap
18 from the older economics to the economics we live in, and
19 those in the future.

20 I'm a appointee of Assembly Speaker Anthony
21 Rendon and as of like an hour ago, so here I am. And so,
22 all of that said, I come to this Commission as a former
23 Coastal Commissioner, a former Vice Chair of the Board of
24 Corrections, a former Commissioner on the Border
25 Environment Cooperation Commission during the Clinton

1 era, which regulated North American Development Bank,
2 which allowed us to have a lot of exposure to the Salton
3 Sea area. And I'm a long-term environmental activists
4 that, you know, has had you know something to do with the
5 air quality regulations and standards in place that have
6 forced the production of electric vehicles in California.
7 So I'm very, very pleased to have been asked, and honored
8 to have been asked, to be part of this Commission and
9 look forward to supporting the conversation, knowing that
10 we're going to use it to elevate and lift the economics
11 of Imperial Valley, to make it a global focal point for
12 sustainable energy development. Thank you.

13 MS. DE JONG: Thank you. And Jonathan
14 Weisgall.

15 COMMISSIONER WEISGALL: Thanks very much.
16 Jonathan Weisgall. I'm Vice President for Government
17 Relations for Berkshire Hathaway Energy. I'm very
18 honored to be on the Commission. My training is as a
19 lawyer. I'm based in Washington DC. Joined our company
20 way back in the 20th century, 1992 when we were nothing
21 but a geothermal company. So we're certainly familiar
22 with a geothermal operations. I've been working for at
23 least four or five years now on trying to develop the
24 potential of recovering lithium from the geothermal brine
25 at our plants. A big push for -- from the Energy

1 Commission, of course, and thanks to the Chairman and to
2 Commissioner Douglas and the others. Also lithium
3 production, domestic lithium production is getting a big
4 push from the US Congress and the US Department of
5 energy. We're on our way as a company. We've got two
6 research and development matching grants, one from the
7 Energy Commission, one from the Department of Energy.
8 Just to demonstrate the technical and commercial
9 feasibility of recovering lithium from brine, grants of
10 about \$21 million, which we will match with corporate
11 funds.

12 And so I want to touch on a couple other
13 little, points almost all global lithium today relies on
14 environmentally destructive open pit mining in Australia
15 or huge evaporation ponds in South America. I taught
16 about recovery of lithium not extraction of lithium
17 because we -- if we're successful, our closed loop
18 recovery from geothermal brine will eliminate the need
19 for extraction for these evaporation ponds or from
20 mining, would instantly become the world's most
21 environmentally friendly lithium recovery plants. And
22 they will be -- and they will be powered by on-site
23 renewable energy. So if we can fully commercialize the
24 technology in the Lithium Valley, these projects could
25 deliver multiple benefits to Imperial County, would be a

1 huge addition to our existing operations which employ
2 about 225 people and have been operating for over 35
3 years. So we look forward to advancing the work of the
4 Commission and the work of lithium recovery, especially
5 given the incredible potential it has to bring new
6 economic, local benefits, revenues, and opportunities to
7 Imperial County, whether it's in the form of local hires
8 or using lithium as a way to jumpstart a broader battery
9 ecosystem, if you will.

10 And lastly, as Commissioner Douglas alluded to,
11 I think lithium recovery from geothermal brine could
12 serve as a catalyst to revive Imperial County's decade's
13 old geothermal power industry. Again, creating more jobs
14 and also making the price of baseload geothermal power
15 much more cost effective for the benefit of California
16 customers. So lots of work to do, lots of tremendous
17 potential and delighted to be on the Commission.

18 MS. DE JONG: Thank you. And we'll now take a
19 moment to introduce names of CEC support staff. So as
20 mentioned, I'm Elisabeth De Jong, and I will be the
21 project manager for the Lithium Valley Commission. Also
22 in attendance from the CEC, Commissioner Douglas's
23 advisors, Kourtney Vaccaro and Eli Harland. Chair
24 Hochschild's advisors, Le-Quyen Nguyen and Terra Weeks.
25 Renewable Energy Division's Natalie Lee, the Deputy

1 Director. Justin Tran and Ariel Lee from the Chief
2 Counsel's Office. We will be hearing a presentation from
3 later on in this in this agenda, Deborah Dyer, Senior
4 Staff Counsel. Energy Research and Development
5 Division's Rizaldo Aldas. Public Advisor, Noemi
6 Gallardo.

7 Also here today, assisting to run this meeting,
8 our IT staff, Giana Villegas and Raj Singh. And our
9 Court reporter, Elise Hicks.

10 We also have representatives from a number of
11 other collaborating agencies and entities. So let's go
12 ahead and start by hearing from them, Alexandra, sorry
13 I'm going to get the name wrong again, Prisjatschew.

14 MS. PRISJATSCHEW: Hi everyone. Should I go
15 ahead and get started.

16 MS. DE JONG: Yes, please.

17 MS. PRISJATSCHEW: Okay. Hi everyone. I'm
18 Alex Prisjatschew. I'm with the Geothermal Technologies
19 Office, of the Department of Energy's Geotechnical, or
20 Geothermal Technologies Office. Sorry. I'm excited to
21 be here and thank you for inviting us today. I wanted to
22 talk a bit about how the work we've fund at GTO
23 compliments to work CEC's funding.

24 For those unfamiliar with GTO, we're divided
25 into four technology sub programs. The first being the

1 Hydrothermal Resource Program focused on funding research
2 and development. That identifies 30 gigawatts of
3 undiscovered hydrothermal resources in the western US.
4 Second, being the Enhanced Geothermal Systems or EGS
5 subprogram focused on engineering or enhancing the
6 subsurface unlocking 100 plus gigawatts of untapped
7 energy. The third being the Low Temperature and
8 Coproduction subprogram focused on the non-electric
9 sector for heating, cooling, as well as focusing on
10 thermal storage for grid reliability. And then the
11 forth, we have a Data Modeling and Analysis subprogram
12 focused on identifying and addressing barriers for
13 geothermal adoption in the US.

14 Within these subprograms, GTO is focusing on
15 three main priorities. One being unlocking the potential
16 of EGS, increasing geothermal energy on the US
17 electricity grid and then three, expanding geothermal
18 energy opportunities throughout the US, including the
19 advancement of critical material extraction from
20 geothermal brine.

21 Most recently GTO has funded three reports to
22 identify areas within the valley of death. We can help
23 overcome. The first report was completed by Lawrence
24 Berkeley National Lab. That's a retrospective report
25 summarizing findings from two prior GTO BOAS from 2014

1 and 2016 on Rare Earth and Critical Material Extraction.
2 The second report, published by the National Renewable
3 Energy Laboratory, called the Geo Mining Study, focusing
4 on how geothermal industry can leverage costly data
5 collected by the mining industry to develop geothermal
6 and other mineral resources. And then the third report,
7 which is in its final edits is also from the National
8 Renewable Energy Laboratory. It's called the State of
9 Lithium, focusing on the techno economic analysis of
10 lithium extraction technologies from geothermal brines.
11 All three of these reports, or the first two reports I
12 should say, well, all three reports rather, found lithium
13 is a feasible, abundant and economic critical mineral
14 that can be extracted from geothermal brine. And then
15 the first two reports can be found currently on the
16 Aussie website. And then the third report from NREL,
17 will be available through the Aussie website later the
18 spring.

19 Also, I'm excited to say that, as proposed in
20 the president's FY21 budget, GTO has been directed to
21 focus on a geothermal lithium prize, with the goal of
22 overcoming critical technological barriers currently
23 inhibiting the ability to produce cost effective domestic
24 lithium from geothermal brines. The prize intends to
25 leverage and combine the power of the American industry,

1 academia, and national labs to identify and solve the key
2 critical technology challenges and move beyond the
3 commercialization valley of death. So please keep a
4 lookout for more information on the prize. You can find
5 out more about this by subscribing to our newsletter
6 through our website and keep checking back on the GTO
7 website periodically for more information. Thanks.

8 MS. DE JONG: Thank you.

9 Another representative from the DOE Advanced
10 Manufacturing Office, Helena Khazdozian.

11 MS. KHAZDOZIAN: Thanks so much for having me.
12 I'm Helena Khazdozian. I'm a technology manager in the
13 Advanced Manufacturing Office at Department of Energy or
14 AMO and I manage the Critical Materials Institute, which
15 is an energy innovation hub, led by The Ames Laboratory.
16 And I also manage a large portion of our other critical
17 materials R&D projects. I am partners with industry,
18 academia, states, and national labs, to catalyze R&D and
19 offer the adoption of advanced manufacturing technologies
20 and practices. And we work to increase energy and
21 material assistancy in manufacturing and to drive energy
22 productivity and economic growth.

23 Our portfolio is quite broad, so I won't talk
24 about everything AMO does, but we'll try to keep it more
25 focused on our efforts, as they relate to critical

1 materials, and lithium, and the supply chain. So
2 broadly, DOE looks to address supply chain risk by
3 diversifying the supply of critical materials, so we're
4 not resilient on single source. Developing alternatives
5 when it makes sense to help, you know, offset some of
6 demand as we look at really aggressive targets for
7 renewable energies. And also looking at, you know,
8 recycling and reusing the materials that are already in
9 use.

10 So in 2020 DOE launched the Energy Storage
11 Grand Challenge, which is the department wide initiative.
12 And as part of the challenge, AMO is leaving a domestic
13 manufacturing and supply team track. And as part of that
14 track you know, improving critical material supply chain
15 resilience is a really key component. And so as kind of
16 in that umbrella effort to diversify supply of these
17 material, last month AMO announced the selections a 15-
18 year projects to advance extraction, separation, and
19 processing technologies for critical materials key to
20 energy technologies. And one of the four demonstration
21 scale projects that was selected is to convert lithium
22 chloride from geothermal brines in the Salton Sea and
23 convert that to lithium hydroxide for manufacturing of
24 lithium-ion batteries.

25 We're really looking forward to working with

1 Berkshire Hathaway and this Commission and leveraging the
2 investment that the California Energy Commission has made
3 with the lithium chloride plant, pilot plant that's
4 already ongoing. And the [indiscernible] with supply
5 chain. AMO also partnered closely with the Vehicle
6 Technologies Office, we look to advance R&D for
7 manufacturing of energy source technologies, including
8 the lithium-ion batteries themselves, and looking at
9 future technologies as well.

10 And then finally, AMO also looks at the, you
11 know, at the end of life of batteries. So the Critical
12 Materials Institute looks at physical, chemical, and
13 biochemical approaches to recover the materials, from
14 electronically to manufacturing scrap. And we also
15 partner with the Vehicle Technologies Office on the
16 lithium-ion battery recycling price to look at, you know,
17 how do we actually get the batteries from the users at
18 end of life to the recyclers so that we can, you know,
19 make sure those materials aren't lost.

20 So I hope that's a good summary of what we do
21 at AMO. I virtually summarized, you know, kind of
22 scanned the entire supply chain for lithium. And we're
23 really looking forward to working with all of you as part
24 of this initiative and that we've heard from Biden
25 administration, you know, environmental justice is a big

1 -- a big priority, and so is decarbonization. So I'm
2 really looking forward to seeing what you all are able to
3 do to finish this, so thanks so much.

4 CHAIR HOCHSCHILD: Yeah. Sorry, to interject.
5 I just wanted, while we're talking about Department of
6 Energy, to note that as of three hours ago Jennifer
7 Granholm was confirmed as the new Secretary of Energy,
8 which I think she'll be a terrific partner for us. And
9 one thing we should think about as a group is inviting
10 her and in expectation that Secretary Holland will be
11 appointed to the Department of Interior, perhaps finding
12 occasions to get both of them out to meet with us and to
13 visit the region and to look at what we're trying to do.
14 So just to flag that.

15 MS. DE JONG: Thank you. So we're going to
16 hear from the EPA. John Mikulin.

17 MR. MIKULIN: Elisabeth, can you hear me.

18 MS. DE JONG: Yeah.

19 MR. MIKULIN: Great. Well, thank you,
20 everyone. I'm John Mikulin and I work for the US
21 Environmental Protection Agency. Thanks for inviting us
22 to consult on this important proceeding. Again, we at
23 EPA have a number of different partnerships across the
24 State of California's agencies, as well as at the local
25 level, so we're certainly committed to partnering where

1 we can with our state and local agency partners at the
2 CEC and also an Imperial County to develop a resource
3 that we all view is very important for environmental
4 protection and sustainability over the longer term.

5 For me personally at EPA, my role is as part of
6 our Air and Radiation Program is on vehicle technology
7 advancement and innovation. Also on clean energy,
8 technology, research, and development, broadly. So
9 certainly a lot of the projects that I have -- I co-fund
10 from the federal side involve lithium-ion battery
11 technologies, whether they be for mobile transportation
12 applications or for stationary energy storage. So
13 certainly, looking to develop domestic supply of critical
14 mineral for a lot of those technological outcomes is
15 really an important endeavor and certainly in line with,
16 as my colleagues from, you know, we were just outlining
17 some of the priorities that we have at the federal level.
18 And just most recently, yesterday, President Biden issued
19 an executive order directing the agencies to address a
20 number of different supply chain vulnerabilities,
21 including for battery technology. An assessment will be
22 coming out of DOE in the next hundred days to evaluate
23 that. So it's certainly very timely that we're convening
24 today around [indiscernible] and certainly the Salton
25 Sea, and Imperial County can benefit dramatically from

1 the development and the resource. Obviously in an
2 environmentally responsible way since my mission is to
3 protect public health and in the environment at EPA, so
4 that will be the lens that I look at this project and the
5 different, or this proceeding and the different projects
6 that will comprise it.

7 Just in terms of our role at EPA, we have a
8 delegated authority for most environmental decisions in
9 California. So for Salton Sea, the Regional Water Board
10 would really dictate most permitting conditions.

11 And then the Imperial County Air Pollution Control
12 District issue most permit conditions for any type of
13 stationary facility. However, if there are federal funds
14 involved in any of the projects being developed, or if
15 it's being done federal lands, we would have a nexus with
16 our NEPA review authority for the National Environmental
17 Policy Act. And myself, and many of my colleagues at our
18 region nine office right here in the western states would
19 be responsible for overseeing that review. Also for
20 underground injection control for water, that's likely a
21 potential nexus for some of the brine injection and
22 geothermal facilities that would be part and parcel of
23 some of these more innovative recovery methods. So still
24 trying to feel out what the exact pressure points will be
25 here for EPA but generally, want to be supportive,

1 understand that the outcome from this proceeding is
2 extremely beneficial from an energy sustainability
3 standpoint. And would address a number of air quality
4 and greenhouse gas mitigation needs nationally. So thank
5 you, again, for the opportunity to participate.

6 MS. DE JONG: Thank you. Now we're going to
7 hear from the State Land's Commission Shahed Meshkati.

8 MR. MESHKATI: Hi. Good afternoon, everybody.
9 My name is Shahed Meshkati, as Elisabeth mentioned and
10 I'm the planning manager within one of the groups in
11 State Lands Commission. We are a group of engineers and
12 geologists. Within my group they oversee the leasing of
13 oil, gas and geothermal resources. Within the lens at
14 this stage managers, we are both very interested in
15 geothermal, as well as lithium. We have seven leases in
16 northern California with Calpine that generates quite a
17 bit of income for the State of California. And we have
18 five geothermal leases in the Salton Sea area. I want to
19 also take a minute and introduce Vanessa Perez who is one
20 of our senior mineral resources engineers. She works
21 with me on all of these activities in our department.

22 So we currently have, as I said, five leases.
23 Two of them actually, I'm glad that Jonathan mentioned
24 them, are with CalEnergy previously CalEnergy. And I
25 believe they're now, the name has been changed to be

1 Beatrice Renewables. And we're currently in discussion
2 with them to renew and amend these leases. We have a
3 small 40-acre lease with Energy Source, which is not
4 currently active or producing.

5 And, last year we issued two new geothermal
6 leases in that area to Ormat. These leases are located
7 on a combination of private lands, lands that the State
8 Lands Commission manages, and we either own both the
9 surface and the mineral, or just hundred percent of the
10 mineral interest. And we have provided these leases, and
11 over the next five years they're supposed to develop
12 three or four wells on one of the leases, and also do
13 some additional geothermal, geophysical surveys in
14 another one.

15 And as far as lithium is concerned, we are very
16 interested. We discussed it with all of our leases as
17 that are working on geothermal resources. And also, as I
18 said, we are a small group of engineers and geologists,
19 our group, our geologists in our group, have conducted a
20 review with the primary focus on the lands that the State
21 owns on capabilities for lithium exploration. And they
22 have used the BLMs gem data set, as well as mineral
23 resources data system and they've identified parcels that
24 we believe have somewhat of a lithium potential. So
25 we're very excited to work with everybody, and I want to

1 thank you for giving us the opportunity to work with you
2 and to learn. Thank you.

3 MS. DE JONG: Thank you. Now let's hear from
4 the Salton Sea Management Program Gals, sorry, Gail
5 Sevrens.

6 MS. SEVRENS: Hi. My name is Gail Sevrens.
7 Thank you very much. I am the program manager for the
8 Salton Sea Management Program, or SSMP, for the State of
9 California. I work for the Department of Fish and
10 Wildlife. The Salton Sea Management Program is a cross
11 departmental program under the leadership of the
12 California Natural Resources Agency, along with the
13 Department of Water Resources and the California
14 Department of Fish and Wildlife. Additionally, we
15 partner with other agencies and organizations.

16 The SSMP team is focused on the following
17 goals; implementation of the SSMPs phase 1, 10-year plan,
18 which aims to improve conditions around the sea by
19 constructing approximately 30,000 acres of projects to
20 suppress dust from exposed [indiscernible] lakebed and
21 create habitat for fish and birds. Established a long-
22 term pathway for the Salton Sea beyond Phase 1, 10-year
23 plan. Continuing to build the SSMP team to enable the
24 state to develop projects and strengthen partnerships
25 with local leaders and communities to deliver projects

1 and institutionalize inclusive community engagement
2 within and across SSMP projects.

3 Our current program activities include
4 construction of the Species Conservation Habitat Project
5 at the southern end of the sea consisting of
6 approximately 4100 acres of habitat ponds, supporting
7 fish and birds and providing dust suppression. And a
8 NEPA planning effort for the 10-year plan, in conjunction
9 with the US Army Corps of Engineers, which is the League
10 Agency, as well as planning for dust suppression
11 projects.

12 So thank you for the opportunity to be here
13 today.

14 MS. DE JONG: Thank you. Now, if we could hear
15 from the Director of the Department of Conservation,
16 David Shabazian.

17 MR. SHABAZIAN: Good afternoon. I'm David
18 Shabazian and yes, I'm the director of the Department of
19 Conservation. We are standing up efforts across the
20 department to support a number of state objectives
21 focused on water resources, and carbon neutrality,
22 natural and man-made hazards, and economic development.
23 And we feel strongly that these efforts are, and themes,
24 are also supporting this Commission. It's through three
25 of the division, pardon me, three of, four of the

1 Department's Divisions that we can assist the Commission
2 on a broad array of scientific, technical, and regulatory
3 information related to the Commission's charge.

4 Just briefly, those Divisions are the
5 California Geologic Energy Management Division, the
6 California Geological Survey, and the Division of Mine
7 Reclamation. I'll briefly talk about what each of
8 the -- each of these Divisions bring to the table.

9 CalGEM provides regulatory oversight for the
10 development of geothermal wells and other geothermal
11 assets within the state, including the drilling of wells
12 to extract geothermal resources. Furthermore, the
13 Division has extensive information on the size and status
14 of all the geothermal resources, the lithium content of
15 the geothermal grinds, and permitting requirements for
16 the development of additional geothermal resources for
17 heat and lithium and extraction. And I also want to note
18 that these are class 2 fluids, so CalGEM has a regulatory
19 primacy over these assets.

20 We also have the California Geological Survey,
21 or CGS, which provides regional and site-specific
22 geologic information such, as rock types and locations.
23 And the potential geologic hazards associated with
24 geothermal fluid extraction.

25 CGS also conducts assessments of economic

1 minerals and mineral deposits from which additional
2 lithium and other critical minerals could be in the
3 Salton Sea area. And also relevant to the Commission's
4 charge, the CGS partners extensively, with the US
5 Geological Survey on the Mineral Research Initiative for
6 Critical Minerals, which include lithium. And they also
7 partner with the Department of Energy's critical minerals
8 efforts through partnerships at the national
9 laboratories.

10 And then finally our Division of Mining
11 Reclamation provides oversight for service mining
12 operations in California pursuant to the Surface, Mining
13 and Reclamation Act of 1975. DMR also [indiscernible]
14 and addresses physical and chemical and hazards
15 associated with legacy abandoned mine features, including
16 historic mining sites, mining waste dumps, the tailings
17 that could potentially be re-mined for lithium and other
18 critical minerals.

19 So with these three Divisions, and our effort
20 to DOC, we really look forward to the Commission's
21 deliberations and are prepared to provide information and
22 expertise as needed by Commission. Thank you.

23 MS. DE JONG: Thank you very much.

24 So before we go to a break, let's check if
25 there's any public comments regarding what we have

1 discussed -- covered, thus far. Remember that we will
2 have other opportunities for public comment later in the
3 agenda as well. Ariel is going to help facilitate the
4 public comment.

5 MS. LEE: Hi. If you're joining us by Zoom
6 today on computer, please use the raise hand feature. If
7 you've called in, please dial star nine to raise your
8 hand, and star six to unmute your phone line. If you're
9 unable to make your public comment orally, you may type
10 your comment into the Q and A box, and we will read it
11 aloud. Oral comments will be limited to three minutes
12 per speaker. If you have typed in your comment, that
13 limit will be applied during the reading of your comment
14 by CEC staff.

15 First, we'll go through hands raised in the
16 Zoom application, then on phones.

17 Okay, we have some raised hands. Let me go
18 down the line.

19 Richard Diaz. If you can unmute yourself, you
20 can go ahead and ask your question.

21 MR. DIAZ: I'm just curious about the procedure
22 that would allow lithium to be extracted. Where you
23 don't have evaporation and you don't dig it out. I was
24 just curious if one of the comment -- one of the people
25 commented on that. If you could elucidate on that. I'd

1 appreciate it. Thank you.

2 MS. DE JONG: Thank you. So I think to answer
3 that, we would have to turn to a developer. If it's
4 possible, could we ask you to bring that up again later
5 in the public comment section when we'll be able to dive
6 more into the details of the technology.

7 MR. DIAZ: Sure. Thank you very much.

8 MS. DE JONG: Thank you.

9 MS. LEE: Okay. Micah Mitrosky, if you can go
10 ahead and unmute yourself.

11 MS. MITROSKY: Hi. Good afternoon. Can you
12 hear me.

13 MS. DE JONG: Yeah.

14 MS. MITROSKY: Great. Hi, everybody. Micah
15 Mitrosky speaking on behalf of over 3200 members of the
16 International Brotherhood of Electrical Workers IBEW
17 Local 569 the Electricians Union representing San Diego
18 and Imperial Counties. My name is spelled M-I-C-A-H, M-
19 I-T-R-O-S-K-Y. IBEW 569 operates the State Certified
20 Electrical Apprenticeship facility in Imperial County and
21 our Members have built over two gigawatts of renewable
22 energy. The vast majority of these clean energy projects
23 have been built under project labor agreements. These
24 projects have generated good paying Union jobs, employing
25 local workers, and have provided skilled training and

1 benefits in an economically hard-hit region that includes
2 high scoring Cal and virus screened communities. It's
3 encouraging to see this conversation today and we
4 appreciate the statewide leadership and opportunity to
5 comment.

6 From a local community benefits and workforce
7 perspective, we believe the following are critical to
8 embed in any statewide initiative or related policies.
9 One, require strong workforce and labor standards that
10 create high quality jobs for local community members and
11 support local state certified apprenticeship
12 opportunities. We must ensure proposed lithium and
13 geothermal projects follow the same high road jobs track
14 record as other renewable energy projects built in
15 Imperial County. Two, ensure any efforts in Imperial
16 County compliment the ongoing work at the Salton Sea to
17 protect public health and restore habitat. We have
18 joined allies in the conservation community, IID, and
19 Imperial County to support these efforts over the years
20 at the sea, it is vital to the health of communities in
21 Imperial County.

22 And finally, number three, ensure projects are
23 being done in a way that is environmentally responsible
24 and safe for workers and surrounding communities. This
25 also ties into point number one, ensuring proper skills

1 and training for construction, operations, and
2 maintenance personnel is critical to help ensure
3 facilities are running safely.

4 Thank you so much, and we look forward to
5 continuing to engage with Stakeholders.

6 MS. DE JONG: Thank you

7 MS. LEE: Okay. Next up, we have Miguel
8 Hernandez. If you can unmute yourself, you may go ahead
9 and speak.

10 MR. HERNANDEZ: Hello.

11 MS. LEE: Hi. We can hear you.

12 MR. HERNANDEZ: Okay. Hi. This is Miguel
13 Hernandez. I'm with Comite Civio del Valle, and I just
14 want to express support to the group. And thank you for
15 the opportunity to provide comment. I think there is a
16 lot of good discussion that's going to come out of this
17 group. And a lot of details that we need to be paying
18 attention to in order to have a meaningful participation
19 and meaningful project and vision of what the group is
20 intended to do. Just a hope that you know the positions
21 that have been allocated in the background, each and
22 every one of you brings to this group, it's really
23 representative of the future of the region, not just for
24 California and not just for the whole nation, but more
25 specifically for the community at the Salton Sea region,

1 you know, as there has been a lot of disadvantages. You
2 know, historical burdens that our community has gone
3 through. And just keep in mind that this environmental
4 justice, communities have a lot to offer, you know, not
5 just the resources that are in there, but also
6 culturally, mentally, you know ,the workforce that's in
7 there.

8 Hopefully, this group keeps that in mind
9 throughout the process and be as inclusive as you can be.
10 Community has a lot to offer and well, thanks again for
11 the opportunity for the comment. Thank you.

12 MS. LEE: All right. Thank you, Miguel.

13 Next, we have Nikola Lakic. Please correct me
14 if I'm mispronouncing your name. You can go ahead and
15 unmute yourself now.

16 MR. LAKIC: Hello, can you hear me?

17 MS. LEE: Yes, I can hear you.

18 MR. LAKIC: Oh, very good. My name is Nikola
19 Lakic. I'm a graduate engineer architect. I'm inventor
20 of several technologies for energy, including solar,
21 hydro, and geothermal. I'm out of the proposal for the
22 restoration of the Salton Sea, which include harnessing
23 lithium. Now what I am -- I am against current course of
24 action which is perimeter brine lake and importing
25 seawater. I would need some radical change. I would

1 like just to mention, before I say that I would like if
2 you could invite me to make presentation. It's very
3 serious project, it's comprehensive project that includes
4 several technologies, all green energy, and it's
5 harnessing lithium much, much more than from geothermal
6 brine.

7 What I'm doing is I'm importing first of all,
8 new river and Alamo River has to be divided has to be
9 redirected to the Laguna Salana and to re-establish floor
10 in the Sea of Cortez. On central part of the lake, well
11 north part, the salt part will be [indiscernible] of
12 century, but center part of the lake, this is very
13 important, I'm using vertical circulation. High, salty
14 water has high density and has tendency to go to the
15 bottom. I'm taking it out using, in my design geothermal
16 power plan, producing electric energy [indiscernible]
17 water as a byproduct and brine that can be used for
18 extraction or lithium.

19 Now, there'll be many power plants, hundreds.
20 Each of those plants has mineral instruction going in in
21 in it. So I'm taking high salty water from the bottom
22 and bringing less salty water out or it will be, we can
23 equalize salinity of the lake with salinity of the ocean
24 in several years. 5, 6, 6 years. I just want to say,
25 this is no time, three minutes to explain it. It's five

1 segments each of them at least half hour. I
2 unfortunately, I wasn't selected to be a Commissioner.
3 But I hope that I would be invited to make presentations.
4 It's very, very important. I heard some issue problems
5 that is all around my proposal, so all those things.
6 Again I am inventor in your system for solar energy so
7 little bit thicker than photovoltaic but several times
8 more powerful and I'm using pipelines as a foundation for
9 my solar panels.

10 Again I am assistant for hydro power which in
11 downhill general electric energy that can be used for
12 horizontal and uphill. Also, for drilling deeper and
13 wider available and most importantly, instructional
14 lithium, closed loop system.

15 Please invite me. I will be glad to make
16 presentation for you. Thank you very much.

17 MS. DE JONG: Thank you.

18 We do have a comment, or a question written
19 from New Energy Nexus, which we will ask to hold and
20 answer that question during the later public comment in
21 the agenda as it seeks to technical nature of the
22 project.

23 So do we have any others that are either on the
24 phone, or online on Zoom, that would like to raise their
25 hand and speak during the other comment?

1 Okay, great. So we will go ahead and move onto
2 a break. We'll make it a 12-minute break. So we can
3 come back here at 2:20. Please feel free to stay on if
4 you'd like. We're just going to go ahead and give
5 everyone a moment to take a breather and we'll see you at
6 2:20.

7 (Off the record at 2:08 p.m.)

8 (On the record at 2:20 p.m.)

9 MS. DE JONG: All right. It is 2:20. We're
10 going to go ahead and get back on the agenda here. So
11 thank you all for your prompt return from the break.
12 I'll start slow here.

13 To set the stage for our conversation, we have
14 prepared a brief presentation on the Commission and some
15 of the background that led to where we are now. Assembly
16 Bill 1657, introduced by Assembly Member Eduardo Garcia
17 require the CEC to convene the Blue-Ribbon Commission on
18 lithium extraction in California, that we refer to us and
19 Lithium Valley Commission by March 1, 2021. AB 1657
20 charges the Lithium Valley Commission with reviewing,
21 investigating, and analyzing certain issues and potential
22 incentives regarding lithium extraction and use in
23 California and you consult when feasible, with the EPA
24 and the DOE in performing these tasks. AB 1657
25 requires the Lithium Valley Commission to submit on or

1 before October 1, 2022 and report to the legislature
2 documenting its findings and recommendations.

3 Specifically, the Lithium Valley Commission is
4 required to review actions that will support the further
5 development of geothermal power that have the potential
6 to provide the co-benefits of lithium recovery from
7 existing in new geothermal facilities. Analyze market
8 opportunities for lithium, investigate the potential
9 benefits of, and added value to, existing and new
10 geothermal facilities in areas that contain mineral rich
11 brine for the state, the western energy grid and the
12 United States, including but not limited to grid
13 stability, reliability, and resiliency. To review
14 methods of overcoming technical and economic challenges
15 that currently limit lithium extraction, processing, and
16 production from geothermal brines, and to investigate
17 safe environmental methods and standards for lithium
18 extraction from geothermal brine, and how this compares
19 to other methods for deriving lithium.

20 Additionally, the Lithium Valley Commission is
21 tasked to investigate potential economic and
22 environmental impacts to the state resulting from
23 extraction, processing, and production of lithium, and
24 lithium independent products from geothermal brines.
25 Review the importance of and opportunities for the

1 application of local, state, and federal incentives and
2 investments to facilitate lithium extraction from
3 geothermal brines, including but not limited to the
4 following; use of enhanced infrastructure, financing
5 districts, and or community revitalization investments
6 authorities, new employment tax credits in former
7 enterprise zones, income or franchise tax credits under
8 agreements approved by the California Complete Tax
9 Credits Committee, sales tax exemptions for new
10 manufacturing equipment,
11 leveraging tax incentives in federally recognized
12 opportunity zones.

13 And to analyze recommendations for legislative
14 or regulatory changes that may be needed to encourage
15 lithium extraction from geothermal brine, including
16 whether the development of a centralized tracking system
17 for lithium project permitting by state and local
18 regulatory agencies would assist with the development of
19 the lithium industry.

20 This is a very busy slide and I apologize for
21 all the text, but the main message here is that of the
22 four Commission members, the CEC have responsibility to a
23 appoint nine members with the remaining appointments made
24 by California Public Utilities Commissioner, the
25 Secretary of the California Natural Resources Agency, the

1 Senate Committee on Rules, the Speaker of the Assembly,
2 and the Governor. We collected applications from
3 candidates interested in the nine membership seats
4 appointed by the CEC, which included a resume, a letter
5 of interest, as well as optional letters of support.

6 Appointees were selected from these
7 applications. But these nine appointments were approved
8 during the CEC's December 9, 2020 business meeting. The
9 CPUC and CNRA made their appointments shortly after, and
10 the Governor's Office and Speaker of the Assembly
11 appointments were announced just recently, and the
12 remaining appointment has not yet been announced.

13 We will now be opening this time up for
14 questions and discussion amongst Commissioners,
15 facilitated by CEC Commissioner Douglas, followed by time
16 for public comment.

17 COMMISSIONER DOUGLAS: All right. Well, this
18 is Commissioner Douglas. Thank you. I, you know we're
19 eager to hear from the Commission members. I feel like
20 we've, you know, we didn't try to make you sit through a
21 lot of presentations but we're well into our afternoon
22 here and so I'd just like to ask, or invite, the
23 Commissioners to give us your thoughts about where you'd
24 like to see the Commission focus and, you know, how
25 you -- we've got a, you know this is such a patch topic

1 and it's got so many overlaying issues. But anyway, we
2 wanted to give you a little time right now to share your
3 thoughts. And so Elisabeth, you may need to help me. I
4 can't see all the raised hands as well, I think, as you
5 can.

6 MS. DE JONG: Yes, I'm happy to do so.

7 So if you could just please raise your hand,
8 we'll call on you to help facilitate this discussion.

9 COMMISSIONER DOUGLAS: And I did just want to
10 invite you to speak to, you know, potential agenda topics
11 for future meetings, potential speakers or -- or topics
12 that you think would be useful to cover, as well as
13 anything else that you'd like to discuss at this point.

14 MS. DE JONG: We have a hand raised by Silvia
15 Paz.

16 COMMISSIONER PAZ: Yes. Thank you.

17 So I really appreciate the presentations and
18 being able to hear from some of the public comments.
19 What comes to mind right now is really a question about
20 what our baseline data is when it comes to the
21 methodologies for lithium extraction. I know that
22 there's been some investments already made into some
23 potential pilot projects and it would be -- and then
24 there were, during the reports, there were some, during
25 the presentation, there were some studies mentioned as

1 well. I think it would be helpful, for me in particular,
2 perhaps for others here in the Commission to be able to
3 have access to some of that baseline information, so we
4 can understand what's been done, where we're starting
5 from as we envision potentially where we're going to go
6 in order to meet the intentions of this Commission, as
7 set out by Assembly Member Garcia's Bill.

8 The other question that I have heard in the
9 community, and I believe somebody asked during the public
10 comment, is the like, how is it technology for extracting
11 lithium at the Salton Sea going to be different and less
12 environmentally damaging than what is known about lithium
13 extraction in other places. So perhaps having a panelist
14 of experts that can start answering that question from
15 the get-go. I think it would create a much smoother
16 process for us moving forward, because those, especially
17 in the environmental justice communities, are questions
18 that I've heard being raised. Thank you.

19 CHAIR HOCHSCHILD: Elisabeth, this -- that is
20 actually a threshold question. I actually think if we
21 could maybe just go to Jonathan or Rod to speak to that,
22 it would be helpful for the rest of the discussion.

23 MS. DE JONG: Jonathan Weisgall has raised his
24 hand.

25 COMMISSIONER WEISGALL: Sure. Well, let me get

1 the discussion started. And certainly defer to Rod as
2 well. I -- I'm not an engineer. I think I can give you
3 a pretty high-level view of what the technology, what the
4 technical challenges are and where a project would go.
5 The two biggest technical challenges, or how do you deal
6 with the very high levels of other metals in the
7 geothermal brine. You know, we process in our plants
8 over 50,000 gallons per minute of this geothermal brine,
9 which is water with a saline solution that's got lithium,
10 but it's also got iron, and zinc, and manganese, and
11 silica, and other transition metals. So problem number
12 one, you know, in getting the geothermal and getting the
13 lithium out, is what do you do with the other metals.

14 And number two, how do you keep the temperature
15 of those metals high enough during the recovery process
16 that you can inject them back into down hole into the
17 reservoir. At our plants we have 23 production wells
18 where we bring up the geothermal brine that of course is
19 turned into electricity, and that range from anywhere
20 from about half a mile deep to over a mile deep. And,
21 and then we have also what we call injection wells,
22 where, after we go through the process of creating the
23 electricity we inject that back down, back down -- back
24 down hole. So that's, you know, that's the basic system.

25 But we bring up this brine that's actually

1 forced up that has got this this fluid, expands it,
2 flashes into steam, and that turns the turbines, and the
3 unused fluid goes back to the reservoir. But the
4 challenge is what to do with that, with those other
5 metals and how do you keep the temperature high enough to
6 get it back down whole to keep the geothermal reservoir
7 as a renewable energy resource. So some early
8 technologies our company looked at would have required
9 lowering the temperature to these other metals quite low,
10 like to, I mean the brine we get is as high as 500
11 degrees Fahrenheit. Some of the technologies would
12 require lowering it to about 120 to 150 degrees. And
13 that would basically require these transition metals
14 essentially solidifying and settling out and would
15 require dozens and dozens of truckloads each day to get
16 rid of them. That makes no sense that would really be an
17 environmental problem.

18 We've got a process now that will keep these
19 other metals suspended, and then convert them back into
20 lithium -- back into liquids after the lithium is
21 recovered so they can get back down the injection wells
22 into the reservoir. So the first big step here, the
23 first big technical step is the pretreatment process,
24 getting that brine ready to be processed for lithium
25 extraction. That's a lot of material handling, process

1 engineering, lots of tanks, lots of valves, but the goal,
2 keep those metals, the other metals suspended, to get
3 them back down.

4 The second step then, is stripping out the
5 lithium. And there are a lot of technical terms that you
6 may have heard about, ranging from sorbents to membranes.
7 We're going to use something called an ion exchange
8 technology. It's been an operation for over 80 years in
9 various industries. It's kind of a molecular CIV that
10 will selectively extract the lithium and then reject all
11 those other transition metals in the brine. And we've
12 confirmed that technology in the lab. The real question
13 now is can we show that this can work at a commercial
14 level that would make sense.

15 The second part of your question let me address
16 very quickly. Lithium, it's a sad story to see how
17 lithium is mined in the world today because, you know, we
18 love the clean energy economy, and we think about our
19 electric vehicles, and our tablets, and our computers,
20 and our e-bikes, and the like. It's a pretty sad story.
21 Australia uses open pit hard rock mining. This leaves
22 huge scars in the landscape. It requires a huge amount
23 of water, a huge physical footprint, and really reshapes
24 the environment as gigantic tracts of land or altered
25 physically and ecologically. And then a lot of this

1 rocket ship overseas mostly to China, where a lot gets
2 discarded.

3 The other major technology, and the other major
4 source of lithium in the world today, comes from South
5 America, primarily salt flats, Salars, in Chile and
6 Argentina. Which use what they call evaporation ponds
7 where lithium is extracted by pumping large amounts of
8 water from under the earth's surface into these ponds.
9 Now I -- they call them ponds. Some of these are half
10 the size of San Francisco. They are thousands and
11 thousands of acres. That is left to evaporate over time,
12 leaving a lithium chloride solution. And the amazing
13 thing is this takes place in one of the driest places on
14 earth, the Atacama Desert. And it requires a huge amount
15 of water, almost 500,000 gallons of lithium. So again, a
16 gigantic physical footprint, increasingly scarce
17 quantities of water, and a severe impact on groundwater
18 and land subsistence.

19 And as you can imagine, local farmers are
20 seeing their, you know, their resources depleted. So
21 these ponds also -- and these ponds also expose these
22 chemicals to the wind, they are residual salt waste that
23 can be toxic. So those are the two systems today. What
24 is going to be -- what will work at the Salton Sea is a
25 closed loop system. It's essentially a bolt-on-

1 technology to existing geothermal plants. We've had our
2 geothermal plants running for 35 years in a closed loop
3 system. And there will simply be a very small physical
4 footprint, no open pit mining, no evaporation ponds.
5 That's why I've been talking about lithium recovery, not
6 extraction. About 90% less water use.

7 And, of course, fully regulated by
8 California's, you know, state and local environmental
9 agencies. And, as I mentioned briefly, the process will
10 be powered by 100% renewable energy, which would be
11 geothermal power from our own plants. So no fossil fuel
12 energy and basically it would be inside the fence energy,
13 meaning no need for transmission lines or anything like
14 that. So that's a long answer to your to your two-part
15 question, but maybe that will get the discussion going
16 and others may want to contribute.

17 COMMISSIONER DOUGLAS: So Jonathan, thank you.
18 I think the end of your answer really was kind of the
19 punch line for, you know, the quick answer which, which
20 is that the idea, the ideal here, is that lithium
21 recovery would be kind of an extra process step for
22 geothermal brine at geothermal plants so that you are not
23 looking at ponds, you are not looking at mining, you are
24 not looking at truckloads of anything that needs to be
25 disposed. The companies that are looking at technologies

1 to do this extraction are looking at some you know, there
2 are some differences in approach, but in general, that is
3 the idea and so it really could be that you could get the
4 lithium from the geothermal brine while producing clean
5 energy and without additional environmental effects, but
6 --

7 COMMISSIONER WEISGALL: I think that's -- I
8 would only add, I don't think you could even permit in
9 California what I described that takes place in South
10 America or Australia, I mean it would be out of the
11 question.

12 COMMISSIONER DOUGLAS: Right. So that's it,
13 you know, but I heard Silvia put two topics on the agenda
14 for you know, at least expressed an interest, one would
15 be, you know, what are some of these different
16 technologies and approaches for extracting lithium and
17 maybe more details. Some, you know, pictures, diagrams,
18 whatever helps so that the Commission members can,
19 especially the ones who are not familiar with the
20 technology, can visualize it and see what we're talking
21 about. And I heard the second topic being, what's the
22 status of things right now. There's been some mention of
23 pilot projects. There are some pilot projects. So who's
24 doing what right now. And those are the two topics I
25 heard Silvia put forward. Silvia please speak up if I

1 missed anything.

2 COMMISSIONER PAZ: No, you're correct, and
3 thank you, Jonathan, for your answer. It is consistent
4 with the research I've been doing and the people I've
5 been speaking with. And really I think my question comes
6 from being someone who lives locally near the Salton Sea,
7 who is in constant contact with community members that
8 are raising this question and thinking about what is our
9 role now, as Commissioners, to be able to inform and put
10 out the right information out there.

11 COMMISSIONER DOUGLAS: Okay. Thank you. We
12 have a raised hand.

13 MS. DE JONG: Yes. Luis Olmedo.

14 COMMISSIONER OLMEDO: Hi. Thank you. Just
15 wanted to give, not sure if it's too early, but I want to
16 give some format. This may have already been thought out
17 I'm not really sure. But when you select the Chair, and
18 I'm not sure that's going to happen. I'm not sure if all
19 those positions have, all those seats have been filled or
20 not. How long that's going to take. I think, like to
21 get started sooner than later. But at the next meeting
22 we're going to have a full Commission then maybe we need
23 to start thinking about making those kinds of decisions.
24 Having served on other similar Commissions, I think it's
25 important to inventory. What do we have in terms of

1 technical writer, legal support, and I know we have the
2 entire team of the CEC here. So I imagine that's, it's
3 all there. It feels that way.

4 But I thought I'd still bring it up. We need
5 to be sure that we have somebody taking note and start
6 giving, you know, making sure none of this is getting
7 lost because there will be some early conversations, but
8 we do need to get to developing an outline. Right, what
9 are the main points that we're hearing now. What are
10 those main points that we need to take a deep dive and
11 start developing and then, of course, you know it's going
12 to be growing as we identify new areas and new
13 opportunities. We need to -- I always favor, you know,
14 seeing things. So planning some virtual tours.

15 Hopefully, if we get past Covid, right. Maybe
16 we'll have enough time. Even do physical tours at some
17 point. I think it's important to have a good inventory
18 of data. My personal preferences is that there's a new
19 site where links, or data, sort of data repository.
20 There's a lot of agencies who track the operations of
21 geothermal, mining, and many other, perhaps applicable or
22 not, operations and whether they track data or whether
23 they regulated or permit it, a lot of this data isn't
24 easy to find.

25 COMMISSIONER DOUGLAS: Mm-hmm.

1 COMMISSIONER OLMEDO: But we need to be able to
2 have access to that so that we can start formulating our
3 questions, right. Or perhaps data itself might answer a
4 lot of those questions, so therefore, getting us into a
5 very productive space, right.

6 And the other is something I'm, you know,
7 certainly interested in, you know, for years, is getting
8 down to the accuracy and characterization of waste,
9 mineral values. What are those crater-to-cradle
10 opportunities. Maybe they exist, you know when we talked
11 about it's close to, I don't know. I'm here to learn, as
12 well as to contribute. And, and ultimately as I've said
13 in my opening statement, I think we need to find that
14 sweet spot, right. We want to make sure there's a
15 balance moving forward and when we're in a disadvantaged
16 community, you know that that balance isn't, you know,
17 from the onset. You know, it's -- the scale is tipped so
18 that's where we start talking about well what's equity
19 right.

20 COMMISSIONER DOUGLAS: Mm-hmm.

21 COMMISSIONER OLMEDO: And I think that needs to
22 be part of this conversation moving forward because,
23 while best case scenario we would want to say hey, this
24 is a level playing field, this is a brand-new idea, let's
25 start figuring how do we take this to sort of the next

1 opportunity, but it's not really like that, you know. So
2 we need to make sure that we bring it to that sort of
3 level playing field and what exists there now. How has
4 it operated. How have we hit all, you know, checked all
5 the boxes and then, you know, maybe some of those haven't
6 been checked, you know. So then we make sure that that
7 becomes part of the outline. And then okay, well how do
8 you move that forward to make sure that as new
9 innovations come in, new like obvious the lithium, then
10 how do you make sure then, that you're moving now in that
11 level format moving forward.

12 So that's what I would offer at this point,
13 just because I know there's probably a lot of ideas and
14 then we're all very eager probably just contribute a lot.
15 I certainly am. But I'm not -- I'm not sure if this
16 particular meeting is going to provide us the format to
17 be able to take a deep dive on everything right now. But
18 I thank you for the opportunity to speak right now.

19 COMMISSIONER DOUGLAS: Yes. Thank you, and
20 you're right this meeting, in some ways, it's an
21 orientation and an introduction so that, you know,
22 hopefully we'll be able to take more of that deep dive in
23 the next meeting. But let me ask -- answer a few of your
24 questions.

25 Selection of a Chair is something you could do

1 today, or you could put off to a subsequent meeting. The
2 second half of the agenda is more administrative and so
3 Elisabeth will go through some of those options. The
4 only seat that has not been filled as the Senate's, so
5 the Governor's Office and the Assembly have made their
6 appointments, and as have the other agencies so we're
7 just waiting on the Senate.

8 And I -- your suggestions are fantastic, and
9 we'll really think them through you know, for example,
10 maybe we can put together links to key information on our
11 website. Key information, key, you know we can work with
12 some of the agencies who spoke here today. I think, you
13 know, we'll -- and we are, we do have a court reporter,
14 we're recording this, we're transcribing it. There will
15 be support provided for the actual writing of a report.
16 Elisabeth can walk through that as well.

17 But thank you for all of those comments and
18 suggestions and thanks for your engagement in this.

19 And let me ask Elisabeth, who else has their
20 hand raised?

21 COMMISSIONER OLMEDO: Commissioner Douglas,
22 what would be the process by which we would present a
23 nomination at this very moment.

24 COMMISSIONER DOUGLAS: Well it's on a different
25 portion of the agenda. But you, as the Commissioners,

1 could discuss it among yourselves and if somebody wanted
2 to make A motion or, you know, you could find out, you
3 could ask who's interested and see who's interested, you
4 could choose to act today, you could choose to wait until
5 you have the last appointment made. So that's later on
6 in the agenda but, but you as the Commissioners will have
7 to, you know, do that. And I realized that it will be
8 much more, much easier to function efficiently when you
9 do have a Chair and when you have decided more about the
10 structure of how you want to work together.

11 COMMISSIONER OLMEDO: Commission, just for
12 clarity, would we at this point, consider you as the, by
13 default, Commissioner, until such time we make that
14 motion and move that process forward. Is, or would it be
15 Elisabeth.

16 COMMISSIONER DOUGLAS: Well, we are, so Chair
17 Hochschild and I are intending to be very engaged and
18 very supportive of the Lithium Valley Commission's
19 efforts. We are not on the Commission and so I think
20 that, as much as we can help, we will and will be part of
21 discussions. But, for example, when it comes time to
22 decide whether to vote for Chair, or something like that,
23 we'll be, you know,
24 express any opinion we have if we think it's appropriate
25 but really, we won't be voting on that.

1 COMMISSIONER OLMEDO: Thank you. I apologize,
2 Commissioner Hochschild. I didn't mean to.

3 COMMISSIONER DOUGLAS: Absolutely. Yeah.
4 Thank you. Those are great questions because it comes
5 down to how is this going to run and the second part of
6 the meeting, there'll be more space for that kind
7 of -- that discussion, as well as a deep dive on the
8 Bagley-Keene Open Meetings Act, so we'll all look forward
9 to that.

10 So Elisabeth, who else has a hand up? I don't
11 see other hands up, but I have to scroll.

12 MS. DE JONG: I'm sorry. I'm sorry. I forgot
13 I was muted--

14 COMMISSIONER DOUGLAS: Oh, Ryan Kelley. Ryan
15 Kelley's raising a hand.

16 Supervisor Kelley.

17 COMMISSIONER KELLEY: Luis, I thought I was
18 never going to get to talk. So I heard Silvia's request
19 and Karen, you touched on it. Some of the things that I
20 can recall and that I could probably dig up, but the
21 Livermore pilot or that started out here, and then the
22 Department of Energy did a Resource Analysis, as well as
23 a Renewable Energy Lab. I think those documents would be
24 good for everyone. I'm sure that Jonathan and Rod have
25 already seen them or maybe used them for paper airplanes,

1 but for everyone else, I think those resources. There's
2 a few others. There was a Proof of Concept that the
3 Department Energy paid for on the Simbol Project. So
4 that would be a good, I think that's what Silvia was
5 looking for, maybe some of the background on the resource
6 and its availability.

7 COMMISSIONER DOUGLAS: That makes sense and
8 thanks for suggesting those resources.

9 MS. DE JONG: We have a hand raised by Jonathan
10 Weisgall.

11 COMMISSIONER DOUGLOAS: Please, go ahead.

12 COMMISSIONER WEISGALL: Thanks very much.

13 Well, first of all, following up on Ryan's point, yeah,
14 I've got a library full of documents. And actually, UC,
15 University of California at Riverside also has done a
16 large amount of work, but I think what I'll do, well once
17 we get our housekeeping done, I will assemble links to
18 two reports that I think could help Commissioners.

19 Let me, I want to quickly, also go back to
20 Silvia's question about kind of where things stand today
21 and let me just take three minutes to, I alluded to two
22 research and development grants we have, just to kind of
23 get folks up to date where one of one of the companies is
24 we. We realized early on that we needed R&D money to you
25 know, reduce the risks associated with this new

1 technology that had not been done before. So one of the
2 -- one of the grants from the Energy Commission came
3 in May of last year and that's a \$6 million matching
4 grant to design and construct a demonstration plant just
5 to show the technical and commercial feasibility of
6 recovering lithium from our plants. That is in the form
7 of lithium chloride. And that is underway. Covid has
8 not stopped us. We've got a process engineering firm.
9 We're designing it. We do regular meetings, in fact, we
10 had one today with Rizaldo, our Commission Agreement
11 manager to provide an update and, with luck, we hope that
12 that demonstration plant will be in service by about
13 April of 2022, which would actually be 17 months ahead of
14 that grants duration.

15 Now one requirement of that award is that 5% of
16 the funds have to be dedicated to knowledge transfer,
17 sharing with the public the information we learn from the
18 grant. So we've also partnered with University of
19 California Riverside and Lawrence Berkeley National Labs
20 to assist on knowledge, technology transfer and some
21 other technical work, some measurement and verification
22 testing and the like. Now that project will produce
23 lithium chloride. The final product that goes into a
24 lithium-ion battery, is either lithium carbonate or
25 lithium hydroxide. We applied for another grant to

1 convert that lithium chloride into battery grade lithium
2 hydroxide. And for that we applied to a US Department of
3 Energy grant last year for matching funds for number one,
4 to build a demonstration plant to convert the lithium
5 chloride we get with the Energy Commission grant into
6 lithium hydroxide, which is the battery grade material.

7 And secondly, engineering funding for a full-
8 scale commercial process if we're successful. We just
9 won that award a couple of weeks ago. It was actually on
10 January the 20th. And that was a \$14.9 million award.
11 We'll match that grant, again with the same amount of
12 corporate funds and hope to finalize our contract with
13 the Department of Energy by April, I hope.

14 So where we are is two steps. Number one,
15 recovering the lithium chloride, and that's the Energy
16 Commission grant. Secondly, a demonstration plant to
17 convert the lithium chloride into battery grade lithium
18 hydroxide. If those work, and we hope to have that other
19 demonstration planned up, we hope by the end of 2020.
20 But, you know we're not, we don't even have a contract
21 signed yet. That's the goal. If that works, then we
22 would proceed to commercial level. But we are definitely
23 crawling before walking and walking before running.

24 But Silvia, that's a -- that's an update of
25 where our company is today in the -- in the process.

1 COMMISSIONER DOUGLAS: Yes, and there -- thank
2 you, Jonathan. And there are a number of other grants
3 that the Energy Commission's provided over time that I
4 think we should summarize in the next meeting. And I
5 think I'm definitely hearing a real interest in just the
6 technical, the resource, you know the characterization of
7 the resource, the processes that we're talking about. So
8 we'll definitely take note of that for the next meeting.

9 would anyone else, like to make a comment at
10 this point on the agenda or should we go on to .

11 CHAIR HOCHSCHILD: Rod Colwell has been waiting
12 and so has Tom Soto.

13 COMMISSIONER DOUGLAS: Oh, thank you. Okay Rod
14 and then Tom. Go ahead.

15 COMMISSIONER COLWELL: Yeah, thanks,
16 Commissioner Douglas and all. I'd just like to add to, I
17 think Jonathan well cover the, I think the technology
18 approach to lithium. Added to that, I think, you know,
19 the key is, Jonathan also touched on is pre -- is
20 pre-treatment. That really is key. The technology's
21 been around, you know, for [indiscernible], you know,
22 that ion exchange. And that's our approach. What I
23 would like to just table because we're in that part about
24 what's the purpose of the Commission. What, you know,
25 I'd like to just go back to 60,000 feet here for a

1 second. I think the establishment of an enterprise area
2 or enterprise zone would be a very high-level approach to
3 the, you know, for example, the known geothermal resource
4 areas are very well studied, resource area very defined
5 maps of the existing plants. The area's been studied
6 many times, you know, from an environmental point of
7 view, you know, resource point of view, the parts per
8 million from the brine point of view, the resource point
9 of view, access to power infrastructure point of view.
10 So it's all there.

11 I think, you know, for us to compete, you know,
12 just diversifying from just from lithium extraction, and
13 I -- we've been focused on that and that's, yeah, very
14 important, of course. But to compete with Georgia and
15 the Gulf Coast, you know, we really need to, you know,
16 look at this as an enterprise area. So it may include,
17 you know, discussions around tax, land tax exemptions.
18 It may involve, you know, some sort of fast track to
19 permitting. That obviously would, you know, put a
20 connection to the Feds and bring everyone all together
21 into the table as these subcommittees start to form. It
22 may need to include, I see it's great to see the Union so
23 involved in this, for the early comments before, and
24 particularly our development with jobs and training.
25 Because, you know, we've got this great opportunity, and

1 this will employ a lot of people in a whole new tax base
2 in the United States really, you know. You know, in a
3 commercial scale. So Berkshire along will produce, you
4 know, just massive, volumes and massive jobs that that
5 are provided.

6 So I think the enterprise zone means beyond
7 just lithium. It means of cathode to be about cathode is
8 the I guess the side of the battery that's basically a
9 high-tech foundry. And a lot of renewable energy employs
10 lots of people, so that's an obvious co-location that
11 makes little sense to send this product to China or South
12 Korea to get processed to send it back again. There's a
13 real opportunity in the supply chain, and we know what
14 our colleagues here on the line from the big auto sector
15 would tend to agree with that.

16 And then also, the enterprise zone or area,
17 whatever it's figured out, how does new development
18 positively, how can we contribute to Salton Sea, you
19 know, restoration right. So in, control thermal
20 resources, in our case, where a lot of our leases are
21 still underwater and being exposed by the day. You know
22 it's mid-summer, this shoreline's receding by 40 yards a
23 month. It's just crazy. So you know, there's a way of
24 doing this and think about it more like a master plan,
25 but again an enterprise zone or area could very well, you

1 know, we could -- we could lift this up and look at it a
2 little bit more holistically and try to, you know,
3 there's so many solutions. There's probably so many
4 wings that we haven't really thought about so.

5 COMMISSIONER DOUGLAS: Yeah. Thank you, Rod.
6 Really good suggestions. Both the enterprise zone idea,
7 which kind of comes down to what mechanisms do we have to
8 create. Incentives. You know what follow on industries,
9 like cathode manufacturing might be drawn in. And also,
10 the connection to something that's always front of mind
11 everyone who lives in -- in the region, as well as the
12 state, which is Salton Sea and how does this mesh with,
13 and ideally help support the environmental efforts at the
14 Salton Sea. So yeah, thank you for putting all that on
15 the table and let's turn now to Tom Soto.

16 COMMISSIONER SOTO: Sure. Thanks. I -- I'd
17 only like to add that a lot of what we're discussing is
18 relative because we live in a era where the regulatory
19 framework pushes a lot of this. And a good reason why
20 we're having this conversation and why the topic of
21 lithium is so relevant is because of the leadership that
22 California has had on emission credits, on Zero-load
23 emission vehicle standards and so forth. And you know
24 that has pushed and how to create an EV structure, EV
25 infrastructure, EV charging, and EV industry. And we

1 need to go upstream and create similar types of mandates
2 with respect to lithium. And you know, one of the things
3 that we have to our advantage right now is the leadership
4 of Assembly Member Garcia and his recent bill, which is a
5 be 1397, which is a bill that would have a content
6 requirement for any State vehicle that is electric or
7 hybrid or has lithium-ion storage, that is purchased by
8 the State of California. 35% of that content come from
9 California. And that would be by 2035.

10 So that's a good start on one book end of what
11 we could do to inspire and create and de risk the
12 economics that need to occur here so that folks like
13 Jonathan, and Rod, and others, not only are willing doing
14 best, but there is something that a light at the end of
15 the tunnel that will help de risk that investment knowing
16 that there is a minimum mandate. There's a floor of
17 performance that will occur. The Everything is that
18 California, because of prop 13, we're known for the great
19 amounts of debt that we're able to provide to Wall
20 Street. And I think it would be important that, as we
21 move forward, although this is about lithium-ion and
22 Lithium Valley, Imperial, and all the great leadership
23 that's there, but don't underestimate that this is a
24 global effect. That the impact that we could have to
25 provide more sustainable and clean mined lithium on -- in

1 the plant -- on the planet, is really unparalleled. A
2 lot of what Jonathan was describing, with respect to the
3 environmental impact, is really just a fraction of that
4 impact because in many cases, those ponds that are drying
5 out lithium are at the top of watersheds. And when
6 there's a storm or a typhoon and it goes through those
7 mountains. Huge portions of watersheds are destroyed and
8 contaminated as a result. And this is a very sustainable
9 approach to it. This is why, you know I certainly
10 wouldn't be here if it weren't.

11 So you know, there's a considerable amount of
12 affect, not just benefit to the local area, but the
13 benefit to the people of California and the United States
14 and helping to generate long-term sustainable development
15 of lithium that could be used to fuel this whole
16 revolution that the -- the State of California has
17 initiated. But again it's going -- a lot of it is going
18 to be due to the type of leadership that we have from
19 folks like Assemblymember Garcia with this current bill,
20 which I hope we would consider getting behind. And then
21 too, maybe working with the State Treasurer's Office and
22 using some of their bond authority to help provide the
23 leverage that would be needed to expand the programs that
24 Rod, and Jonathan, and others who want to come into the
25 basin, will be able to rely on to de risk the private

1 equity and other sources of capital that come in the long
2 term. And that's going to be job creation, it will be
3 Union jobs and it will help to spill over in a lot of
4 vocational areas for the young people to have something
5 to look forward to, with respect to more living wage,
6 high skilled jobs. Thank you.

7 COMMISSIONER DOUGLAS: Yeah. Thank you. And
8 I'm -- I'm taking down in my notes here, and Elisabeth,
9 and Staff, as well, you know. So there's an important
10 conversation we can have about, you know, what does it
11 take. What are the incentives, or requirements, or other
12 mechanisms that could get this sustainable industry to
13 scale, you know, to help, you know. And what's needed
14 and we'll be looking at some of the developers, you know.
15 We'll be looking at our representative from Ford. We'll
16 be looking at others to just kind of help us think about
17 what does it -- what does it take to you know, right now,
18 this is a potential industry, you know. We think we have
19 the technology, but there is still market development
20 that needs to be done, absolutely. And then I also
21 heard, you know, clean jobs, job training. You know,
22 what do we need to do to be prepared for some of the
23 opportunities that could come out of this. What
24 opportunities could come out of this, you know. If I --
25 if I didn't capture that well enough Tom, let us know, or

1 jump in.

2 COMMISSIONER SOTO: No, you got it.

3 COMMISSIONER DOUGLAS: Okay, great. Thank you.

4 COMMISSIONER DOLEGA: Yeah, so this Roderic
5 from Ford. I think, just one thing to maybe keep in mind
6 is the ecosystem that's required to make sure that this
7 is a product that can be viable and viably used within
8 North America, right. So you know if we're just kind of
9 developing a lithium resource in a vacuum. You know, the
10 current supply lines would indicate that, you know, this
11 lithium would have to be exported out to Asia to come
12 back in as cathode material to then be used in cells. So
13 you know, making sure that the supply chain is integrated
14 and makes sense in an efficient manner in North America
15 is going to be a priority. So you know, to Rod's point
16 about enterprise zones are being able to localize,
17 additional opportunities in the area, namely cathode
18 manufacturing would probably be a viable thing to look at
19 right, that would be key.

20 There's issues, obviously. Shipping hydroxide
21 around, there's lots of benefits about potentially co-
22 locating those types of activities, so it would just
23 expand the opportunities and just something that should
24 be considered.

25 COMMISSIONER DOUGLAS: Yeah. And so help me

1 with this. But that's kind of getting to as well, you
2 know, the efforts to build a national supply chain, you
3 know. More localized North American supply chain, for
4 you know, basically, the components that would go into an
5 electric vehicle. Either the battery, the cathodes, kind
6 of all of that, and that's a -- that's an effort that
7 well beyond California, of course. Okay. Super. Thank
8 you. Other Commissioners who'd like to speak right now.

9 CHAIR HOCHSCHILD: I see Rod and Jonathan both
10 of the hands up. I don't see anybody else.

11 COMMISSIONER DOUGLAS: Thank you, David. Go
12 ahead, Rod, why don't we start with you.

13 COMMISSIONER COLWELL: Yeah, I'd just like to
14 add to Roderic's comments from Ford. You know the
15 enterprise, getting back to my comments about enterprise
16 zone. This has been well considered over the past couple
17 of years, to a point where the conversations we're having
18 with certain minerals that are available, or a limited,
19 have limited supply in Australia, sorry in the -- in the
20 US, from Australia, like nickel, cobalt, and outreach in
21 contacts. We're obviously talking to the Australian
22 Government or GoBiz, which you're talking to the
23 California government and looking at bringing all of
24 these minerals in and that's really the cream. And we're
25 obviously going to -- we'll mine lithium, we'll mine

1 manganese here. But you know nickel, cobalt and others,
2 this is when you think about the logistics and location
3 of railroad, access to ports, Port of LA, across the
4 Pacific, to know and generally, environmentally friendly
5 styles of mining, really connects all Canada. So as
6 Roderic's probably alluding to that, it's not just
7 lithium that goes into a cathode. It has a mix recipe of
8 other minerals that do go into it. Obviously, we can
9 supply two or three of those. But our efforts, I know
10 just from a personal note, has certainly been looking at
11 covering, we do have those contacts now to be able to
12 bring in, you know, open up a net import style business
13 to get this enterprise zone up and running.

14 COMMISSIONER DOUGLAS: Super. Thank you.

15 Jonathan.

16 COMMISSIONER WEISGALL: Very quick points. To
17 summarize Roderic's points. You know extraction or
18 recovery of lithium, followed by exporting it to you
19 know, Vietnam, Korea, Japan, other countries that make
20 batteries is not going to accomplish very much. So
21 that's something we have to look at. So point number
22 two, Tom you ticked off a whole lot of ideas, as did Rod,
23 on enterprise zones and subsidies and I'll just add one
24 more, which I really want to pursue. What got the wind
25 industry -- what got the wind industry going? What got

1 the solar industry going? Federal production tax credit,
2 investment tax credit. This is ripe for a federal PTC,
3 ITC. So one more thing to put on the table, and it's
4 just one of, I think any number of federal incentives,
5 but that would be huge.

6 COMMISSIONER DOUGLAS: Absolutely. Absolutely.
7 Thank you.

8 All right. I'm looking for more hands up if
9 anyone would like to.

10 CHAIR HOCHSCHILD: Silvia Paz has her hand up.

11 COMMISSIONER DOUGLAS: Silvia, go for it.

12 COMMISSIONER PAZ: Yes, thank you. I highly
13 appreciate all the great ideas and the excitement that I
14 that I hear from Jonathan, Rod, and Tom. It's like
15 they're ready, let's do this and I, that's great. And I
16 agree 100% that we're not going to be able to achieve our
17 goals if at the end of the day we have to export the
18 lithium somewhere, you know, for it to be made usable for
19 us here in the States. So along with those comments, I'm
20 curious as to whether there's been any type of analysis
21 just to think local first. What is it that the local
22 region can support, in terms of the that supply chain in
23 their related industries with lithium even before we
24 start thinking about other place in the state or other
25 place if it's going to be in the nation.

1 So I look forward to having those conversations
2 as we're talking about enterprise zones and developing
3 the supply chain as to what can we do here locally first,
4 to ensure that those benefits are staying in our
5 community and benefiting our communities.

6 COMMISSIONER DOUGLAS: Excellent. Thank you.
7 So, Ryan, you sent a couple -- oh sorry, go ahead.

8 COMMISSIONER KELLEY: So I have an answer or
9 partial answer to Silvia's question. Silvia we've been
10 working on that for a while, with the Community College
11 on an associate degree that focused on its -- there's a
12 program that was at San Jose State and I think it Mission
13 College up in the South Bay and it was for the petroleum
14 industry. And we brought it down to IVC in anticipation
15 of lithium and geothermal development here. So we've had
16 those conversations, we talked to IVRP. We also have
17 SETIS and with a lot of engineering graduates out of
18 Mexicali. There's still a deficit, but I think that
19 we've already started to make the movement in that
20 direction to be ready for it. It kind of stalled.

21 And then the two, thank you Karen. The two
22 items I brought up is in Nevada they're doing some
23 surface mining and in Canada for lithium. They're -- you
24 know Rod and I have talked about this that, you know the
25 demand is so high that they are looking for these

1 resources across the world and where it's easiest to be
2 able to bring that to market they're going to go. So a
3 concerted effort of how we can do this environmentally
4 friendly but bring it to market and make it sustainable.
5 We certainly don't want to take something out of here and
6 have it refined offshore or send it across the United
7 States. We -- and we started that, I think it was
8 Commissioner Douglas had mentioned about Imperial County.
9 So we've been this piece of Appalachia in California and
10 the greater United States for a long time without having
11 a focus of redeveloping this corner. And so, you
12 probably heard this before, I've said it a few times,
13 when it's bad in California it's worse in Imperial
14 County. When it's good in California it's bad in
15 Imperial County. We have the highest unemployment across
16 the country almost annually. You know, Fresno might beat
17 us a couple of times out of the year.

18 But this really needs to be an idea that goes
19 just. It would be great to see new geothermal
20 development and lithium recovery, Jonathan, but where are
21 those ancillary businesses that are going to come and
22 refine that mineral, create new industry that will
23 continue to develop and bring in new minds to help refine
24 that, make it more efficient, and more profitable and the
25 jobs. So that we don't see the kids leaving from our

1 community that can give back.

2 And then, this other item is California and
3 we've made this presentation to Commissioner Aceves and
4 the other PUC Commissioners, California stands to make
5 money off of the development of geothermal on public
6 lands. There's a -- there's a portion split on public
7 lands for the royalties of those minerals and so it's a
8 win for California. And I believe that split is 25% so
9 you see a large development and another thousand
10 megawatts, and then also lithium, and magnesium, and
11 zinc. There's a significant amount of money to be able
12 to do more development of the lands to make them able for
13 new sites and also restoration. So I just want to share
14 those ideas but, Silvia yes, we don't have the capacity
15 at the moment, but we've already started talking about
16 it.

17 COMMISSIONER PAZ: Ryan. And to that point,
18 just to clarify, I believe you might be talking about the
19 capacity in terms of the workforce. And my other point
20 is maybe it's not just the workforce that I'm interested
21 in, although that's important, but especially to the
22 second to your last point about the ancillary businesses,
23 it's like do we have the infrastructure that's going to
24 support it? And I mean my familiarity with the rural
25 communities is that oftentimes we just don't have the

1 infrastructure to sustain new development, which may be
2 very, very to sustain or will make it hard even to
3 sustain some of these potential supportive businesses.
4 And that's really also another one of my interests, that
5 I think we should be, as we're thinking about getting
6 ready and leveraging potential of lithium extraction or
7 recovery, that also looks -- that also means, for me,
8 looking at our built environment and making sure that we
9 have the existing infrastructure that's going to be
10 necessary.

11 COMMISSIONER KELLEY: So Silvia, quickly, I
12 would say we don't. And I'll let Rod elaborate on some
13 of those.

14 COMMISSIONER DOUGLAS: You muted yourself.

15 COMMISSIONER KELLY: Oh. Currently we don't
16 have the infrastructure to support that type of
17 development, but I'll let Rod talk more about the -- some
18 of the limitations of what we have for infrastructure.

19 COMMISSIONER PAZ: Yeah. And before that, I
20 mean I think that's important though, because again, as
21 we're talking about capturing and leveraging some of
22 these investments and opportunities, we cannot ignore the
23 fact that there's some deficiencies and start thinking
24 about how we're going to be making up for those.

25 COMMISSIONER COLWELL: Thank you, Ryan, Silvia.

1 The goal, I could comment on, is the -- our current
2 learnings and I think you know, really, I think the auto
3 industry's changed its tune, you know, as late as
4 November [indiscernible]. The demand sets. And
5 basically what's changed with the current, you know, the
6 concurrency with the new federal administration is that
7 big order we're looking at their direct supply contractor
8 to control their supply chain. They recognized the
9 sustainability credentials of Imperial Valley or direct
10 lithium extraction and this subject about an enterprise
11 zone is a very, you know we're going back into the same
12 points, but you're right, the infrastructure is part of
13 this, you know as mentioned before, in this sort of
14 enterprise zone. But in our case, you know the recent
15 learnings one of the big auto are looking to localize a
16 cathode producer here. You know right next door and in
17 simple terms, I guess the reason is, you know there's
18 many reasons, but shipping.

19 So if you think about lithium hydroxide, it's a
20 soluble ultrapure, you know, form of water with its sub-
21 dissolve salts. To transport that you've got to drive
22 down to a salt crystal, put it on a truck, put it on a
23 train, and put her on a ship, send it to China right.
24 Then they've got a very hydrated it. So there's a whole
25 supply chain goes with that. So I think, pretty quickly,

1 big auto have recognized this. All of this supply chain
2 where cathode and infrastructure is nearly self-
3 sufficient in that in that case, meaning that I cathode
4 manufacturing would co located right beside one of
5 Berkshires plants or when a CTS plants, put a pipe
6 through the wall, be self-sufficient in its electricity,
7 they have their sustainability credentials at big auto.
8 US big auto and European auto are looking for.

9 And so infrastructure's nearly a
10 self-sufficient, in the sense of this whole new sector.
11 You know that had not been considered. Now maybe other
12 forms of infrastructure, roads and industrial areas
13 etcetera, Ryan's touching on. But at the end of the day,
14 that CTR has 600 acres of industrial land, with a rail
15 siding. You know, we have thought about things for basic
16 infrastructure, but again I'll keep circling back, I
17 think. I might, maybe mention it too many times, but the
18 enterprise zone area is really going to sort of
19 encapsulate some of the loose ends.

20 But holistically speaking, I think this can
21 happen very, very quickly. I think a cathode producer
22 could happen quickly, the contracts, lithium contracts
23 can happen very quickly. So it's not a case of, you
24 know, that's just simple supply and demand. We're in a
25 very, very unique position. So I think the, you know

1 again, the new federal administration are aligning with
2 all the hard work that Chair Hochschild and his team has
3 done over the last few years. It's just been quite
4 amazing but, it's all coming together overnight. It's
5 all happening right now, so I hope that sort of gives
6 some clarity into this whole new -- this new sector and
7 an opportunity.

8 COMMISSIONER DOUGLAS: Great. I do not see
9 anyone else with a hand raised. It's been a great
10 discussion so far, and obviously this is a Commission
11 that has a lot to do and as Ryan was saying, it's, you
12 know, this is a region that has a lot of real needs and
13 it's cool to have this opportunity for a sustainable
14 clean energy industry that could bring so many benefits
15 and that's part of the benefit of this Commission is the
16 chance to talk it through at the very beginning stages
17 and kind of understand both how to make it happen, but
18 how to make it happen in a way that is you know, in line
19 with the values of the community and equitable and brings
20 people up, which is something that we all want to achieve
21 so.

22 CHAIR HOCHSCHILD: Karen, Luis has his hand up.

23 COMMISSIONER DOUGLAS: Oh, thank you. Luis,
24 Please.

25 COMMISSIONER OLMEDO: Thank you. I just wanted

1 to make a brief comment and we do recognize. I hope that
2 we recognize that every facility, every innovation, it's
3 going to have its own set of situations. Even as it sits
4 right now, let's say we're talking about geothermal and
5 how geothermal gets into the lithium processing,
6 extraction processing, to market. They're not all the
7 same. You can have geothermal A, and geothermal B next
8 to each other, and they're completely different. So I
9 think that at some point we do need to dive in and say,
10 are we talking about when you standardize some kind of
11 process, or do we need to customize some kind of process
12 because geothermal A with lithium might produce X amount
13 of good and bad. Mitigatable, perhaps same, as you know,
14 B. It's a lot more complicated the experts certainly are
15 in the room. But from what I see and gather, I think at
16 some point it's going to have to get into a deep dive and
17 try to understand because it's not the same, you know.
18 It's not like four wheels on you know, on a car and
19 they're all the same, every one of them is different and
20 they're going to be operating differently. And so that's
21 my comment.

22 COMMISSIONER DOUGLAS: All right. Thank you,
23 and we will work on that deep dive.

24 Elisabeth, where are we on the agenda? Are we
25 to the point where we need to move to the next item.

1 MS. DE JONG: Yes, we can do that. We'll do a
2 quick public comment, and then move on to the next
3 presentation.

4 COMMISSIONER DOUGLAS: All right. Thank you.

5 MS. DE JONG: All right. So before we move on
6 to that next presentation let's see if we have any public
7 comments pertaining to this first presentation and
8 discussion. Ariel, would you help to facilitate, please.

9 MS. LEE: Sure. If you're joining us by Zoom
10 on your computer, please use the raise hand feature. If
11 you've called in, please dial star nine to raise your
12 hand, and star six to unmute your phone line. If you're
13 unable to make your comment orally, you may type your
14 comment into the Q and A box, and we will read it aloud.
15 Oral comments will be limited to three minutes per
16 speaker. If you've typed in your comment, that limit
17 will be applied during the reading of your comment by
18 Energy Commission Staff.

19 First we'll go through the hands raised in the
20 Zoom application, then on the phones.

21 We have one attendee with their hand raised
22 right now. That's Rebecca Zaragoza. Please unmute
23 yourself when you're ready Rebecca.

24 MS. ZARAGOZA: Hi. Can you hear me?

25 MS. LEE: Yes, we can hear you.

1 MS. DE JONG: Yeah. Yeah.

2 MS. ZARAGOZA: Hi everyone. My name is Rebecca
3 Zaragoza. I'm a regional policy manager with Leadership
4 Council for Justice and Accountability in the Eastern
5 Coachella Valley. And first I wanted to thank you all
6 for making this meeting public and keeping us updated on
7 the development of this Commission. In partnership with
8 other local and statewide organizations working on the
9 Salton Sea, we've been working very closely with
10 Community residents across the region to ensure they are
11 actively engaged and included in all aspects of Salton
12 Sea issues, including, you know, lithium extraction and
13 geothermal activity.

14 One thing that this Commission should really
15 prioritize is community outreach and engagement. We know
16 that residents would like to see this Commission and
17 other relevant parties, including Assembly Member
18 Garcia's Office, conduct community meetings, or
19 workshops, or other venues to share in-depth and
20 transparent information on lithium extraction and
21 geothermal activity.

22 These specific meetings should discuss the
23 benefits and impacts of these developments near the
24 Salton Sea and its surrounding communities, as well as
25 updates on the purpose and outcomes expected to come out

1 of this Commission. I think we should have a really good
2 understanding of what resident's concerns and priorities
3 are before trying to move forward with any kind of
4 development so that, you know, those comments can inform
5 the decisions that this Commission will be making
6 throughout the year.

7 And as part of leadership Council you know,
8 we're happy to support in any way and work with you to
9 coordinate those types of community meetings and
10 workshops. And in addition, I think it would be great to
11 see more outreach done prior to -- prior to these
12 meetings to inform residents that, you know, this
13 Commission has started to meet now and will continue to
14 meet regularly this year. And, you know obviously,
15 considering the communities that the Salton Sea is next
16 to providing interpretation in Spanish or other
17 logistics, that can make these meetings a little bit more
18 accessible to community restaurants would be really great
19 to see. Thank you.

20 COMMISSIONER DOUGLAS: Yeah. Thank you.

21 MS. LEE: Okay. I don't see any more hands
22 raised at this time and no additional Q and A questions.

23 MS. DE JONG: So this next presentation will
24 give you a bit of background on the CEC's involvement and
25 more details on the Lithium Valley opportunity.

1 Now it's time to set the scene. The push for
2 lithium extraction within California is growing because
3 compared to China, the United States and other Western
4 nations are significantly behind in developing a domestic
5 supply chain. As shown in this figure from Benchmark
6 Minerals, China leads the world in every stage of the
7 lithium-ion battery supply chain for its energy future.

8 Recent changes supporting this effort include
9 the President of the United States signed two executive
10 orders. The first in 2017, identifying 35 critical
11 minerals. Lithium being one of those minerals. And the
12 second, in 2020 declaring a national emergency in
13 response to US reliance on other countries for sourcing
14 those critical minerals. And with the intention of
15 securing domestic supply of critical minerals to
16 safeguard against disruption of the supply chain in the
17 US.

18 The Governor of California also issued an
19 executive order to reach 100% zero emission passenger
20 vehicle by 2035. This effectively phases out the sale of
21 gas-powered vehicles and reduces reliance on fossil fuels
22 in the state. Mirroring policies like those in Europe.
23 And also in September, Governor Newsom signed AB 1657
24 directing the CEC to convene this -- this Lithium Valley
25 Commission. These efforts, in addition to many renewable

1 energy goals and greenhouse gas reduction requirements
2 being implemented around the world, are driving the
3 increased demand for lithium.

4 It is expected that the majority of lithium
5 demand growth will come from the EV market but that all
6 markets will be targeted, including battery storage.
7 Globally, about 325,000 tons of lithium was produced in
8 2019. That number is expected to climb to about 1
9 million tons of lithium by 2025.

10 Brine supply comes primarily from hard rock mining
11 and evaporation ponds sourced from Australia, Chile,
12 Argentina, and China. With prospects for claim mining
13 and, of course, geothermal brine, under the Lithium
14 Valley Vision, developers in the Salton Sea would
15 coproduce lithium from geothermal brine.

16 It's important to recognize the potential to
17 support geothermal development, but also realize the
18 potential to fully develop the battery supply chain. As
19 mentioned before, in recent years we have seen the demand
20 for lithium increasing, largely as a result of policies
21 and lifestyle changes that increased reliance on electric
22 vehicles and lithium-ion batteries, as well as renewable
23 energy benefiting the geothermal communities.

24 In recent years, the CEC has facilitated events
25 to discuss lithium recovery from geothermal brine and

1 breaking down barriers to lithium developments. In
2 November 2018, we -- we hosted a Roundtable discussion in
3 Sacramento that identify barriers to lithium
4 developments. We followed this with a meeting in El
5 Centro in May 2019. Set further detailed those
6 identified barriers and solutions to overcome those
7 barriers.

8 And just last year, in February 2020, just
9 before we all started working from home, we cohosted the
10 symposium with GoBiz to introduce California's Lithium
11 Valley Vision. The establishment of the world class
12 renewable industry. This this symposium was held at
13 Stanford to coincide with the Stanford geothermal
14 workshop.

15 In recent years, the CEC has funded projects
16 related to lithium recovery via the Geothermal Grant and
17 Loan Program and the Electric Program Investment Charge.
18 The Geothermal Grant Loan Program provided funding for a
19 now completed project with Energy Source Minerals, at the
20 John L. Featherstone Geothermal Power Plant in the Salton
21 Sea. And the Electric Program Investment Charge or EPIC,
22 recently provided grant funds for ongoing projects with
23 Materials Research, Health Kitchen Geothermal, and
24 Berkshire Hathaway energy.

25 So we will now be opening again for

1 discussions. Questions and discussion among the
2 Commissioners, facilitated by the CEC's Commissioner
3 Douglas. And again, followed by public comment. I'm
4 handing it over to you, Commissioner Douglas.

5 COMMISSIONER DOUGLAS: All right. Thank you.
6 We just had a robust discussion. Let's see if this
7 presentation triggers anything more or if we move on.

8 CHAIR HOCHSCHILD: Jonathan.

9 COMMISSIONER DOUGLAS: Jonathan please.
10 Please, go ahead.

11 COMMISSIONER WEISGALL: That last caller, I
12 didn't -- I think it was Rebecca Zaragoza, if I'm not
13 mistaken. She made a really important point. Sorry, I
14 muted myself, which is the need for ongoing Community
15 involvement and outreach.

16 COMMISSIONER DOUGLAS: Yes.

17 COMMISSIONER WEISGALL: That's our goal as
18 well, moving forward. You know, we have every intention,
19 you know, look, this is a local project, we want to hire
20 locally. We've been in the area for 35 years. We've got
21 a local workforce, but one of my takeaways in the last
22 two and a half hours has been a resounding call for local
23 engagement. So I applaud her comment and certainly, on
24 behalf of our company, a pledge to hold regular meetings
25 with local stakeholders. That's very important to them.

1 COMMISSIONER DOUGLAS: Yeah. Thanks for
2 bringing us back to that comment, Jonathan. I was sort
3 of moving ahead bureaucratically because you know, we had
4 an agenda and, but you're right that it was a really
5 important comment and the Lithium Valley Commission
6 itself is public for a reason and the fact that we have
7 this Commission. However, it doesn't prevent us from
8 doing additional outreach, either the companies
9 themselves, or the groups that are involved in the
10 Commission, or the Energy Commission facilitating
11 outreach meetings, or the county doing that and so, you
12 know, I think, maybe we'll just add as a topic, you know,
13 the community engagement side of this and you know what's
14 the best way to engage with the Community in addition to
15 having these meetings be public, which is, as the
16 commenter mentioned a good thing, but not, you know it's
17 a starting point, not the ending point. I think. So
18 yeah, thanks for taking us back to that Jonathan.

19 MS. DE JONG: We have hands raised by Luis and
20 Silvia.

21 All right. Let's go with Luis and then Silvia.

22 COMMISSIONER OLMEDO: Just want to follow up on
23 the comment of Commissioner Jonathan Weisgall. That's an
24 important comment. It's important to and thank you for
25 recognizing that that comment that Ms. Zaragoza had

1 presented. Additionally, I want to support that
2 is -- that needs to be the reoccurring message and theme
3 for this Commission. You have to understand the history
4 of this region. It has been under invested, under
5 informed, underserved. Having, you know, being raised in
6 this region, I understand firsthand the inequity that has
7 been created, where you have the majority of the
8 population, which by the way, majority, whether we want
9 to characterize it as people of color, majority as
10 Latinos, majority disadvantaged population, it doesn't
11 matter how we want to describe it or characterize it.
12 Ultimately, the resources, this is a region where the
13 resources have very, very similar to what for a while had
14 become, you know, the 1% right. And industry has to play
15 a very important role because it's -- we know that in
16 most cases, you're always going to have a few bad actors
17 right. But in most cases, industry wants to be
18 sustainable. Industry wants to succeed industry wants to
19 be a good neighbor. You know, we hear this reoccurring
20 message. However, you have sort of this smaller group of
21 more affluent, sort of controlling the politics,
22 controlling a large part of that success, so at the end
23 of the day those negotiations between industry and
24 community don't occur, right. And industry sometimes is,
25 you know, maybe in Wall Street. I don't know, maybe you

1 know, somewhere else across this country in headquarters,
2 and so you don't get to see that.

3 But this is I think is going to be an important
4 venue to begin to have those conversation. I say begin
5 because I don't -- I don't believe they've happened. I
6 don't believe at any point in history of this region or
7 the Imperial Valley, where geothermal is concentrated,
8 that there has been a conversation and negotiation with
9 the population that has been described to you. And in
10 checking off those expectations from the community as was
11 presented by Ms. Zaragoza. Thank you.

12 COMMISSIONER DOUGLAS: Thank you. Silvia.

13 COMMISSIONER PAZ: Yes. Again, thank you,
14 Jonathan for creating this pause, and Karen for
15 recognizing the importance that Ms. Zaragoza mentioned.
16 And I, in so many ways, feel also responsible to ensure,
17 with the different hats that I wear that my community and
18 the partners that we've been working with for years,
19 including Rebecca, and Luis, and Frank are here, part of
20 the Commission who've been working on Salton Sea
21 together. I feel a responsibility, also to at least make
22 them aware and make some of these spaces more accessible
23 to them.

24 And I mean this, my appointment happened very
25 quickly. Governor Newsom's Office notified me just

1 yesterday of the appointment and I'm very glad that I'm
2 here and thankful to him for his appointment in
3 selecting, but I also want to -- Jonathan if we can
4 partner, and anyone else in the Commission, to make sure
5 that we're doing more community engagement, I'm here to
6 support.

7 COMMISSIONER DOUGLAS: Yeah. Thank you,
8 Silvia. I saw, Commissioner Guzman Aceves, must have the
9 same reaction to the appointments happen quickly comment,
10 that I did, which was to laugh. Yes, they do, and
11 congratulations on your appointment and we're delighted
12 that the Governor put you on this Commission with us. So
13 or put you on this Commission and I said with us, but I
14 am not on it. I am facilitating today.

15 Other comments, right now, from Commissioners.

16 MS. DE JONG: There are no hands raised.

17 COMMISSIONER DOUGLAS: All right. Great. So
18 Elisabeth, did you say we're going to public comment.

19 MS. DE JONG: Yeah.

20 COMMISSIONER DOUGLAS: Go ahead.

21 MS. DE JONG: So before we go to a
22 quick -- before we go to a quick break, let's check and
23 see if we have public comments on that presentation and
24 discussion.

25 MS. LEE: If you're just joining us today by

1 Zoom on computer, please use the raise hand feature. If
2 you've called in, please dial star nine to raise your
3 hand and star six to unmute your phone line. If you're
4 unable to make your public comment orally, you may type
5 your comment into the Q and A box, and we will read it
6 aloud. Oral comments will be limited to three minutes
7 per speaker. If you have typed in your comment, that
8 limit will be applied during the reading of your comment
9 by CEC staff. CEC staff.

10 First, we'll go through the hands raised in the
11 Zoom application, then on the phones. We have one hand
12 raised right now and that's Patrick Dobson.

13 Go ahead and unmute yourself Patrick.

14 MR. DOBSON: Okay. Thanks. I'm Patrick Dobson
15 from the Geothermal Systems Program Lead at Lawrence
16 Berkeley National Lab. I was part of one of the studies
17 that Alex Prisjatschew from DOE mentioned earlier for
18 looking at some of the DOE's funded studies on lithium
19 recovery from geothermal brines. I just wanted to bring
20 to the group's attention, if they aren't aware already of
21 some of the work that UC Riverside's been doing.

22 There's a preprint of a study that they've just
23 issued, or a draft issue, called Crisis at the Salton Sea
24 Research Gaps and Opportunities. And it has a really
25 comprehensive view of a variety of different topics

1 associated with environmental health, public impacts, and
2 also looking at air quality, ecology, environmental
3 issues, hydrology, water issues, and also looking at
4 lithium.

5 So I would suggest that if the group hasn't
6 looked at this report to take a look at that and to get
7 that team of folks at the UC Riverside integrated into
8 this effort thanks.

9 COMMISSIONER DOUGLAS: Thank you. Anyone else?

10 MS. LEE: I don't see -- don't see any more
11 hands raised, not by phone or by computer, and there are
12 no additional Q&A questions else? We don't see any more
13 hands raise. Not by phone or by computer and there are
14 no additional Q and A questions.

15 COMMISSIONER DOUGLAS: All right. Did you say
16 we have a break on our agenda next?

17 MS. DE JONG: We do. Let's go ahead and take a
18 quick five-minute break time and will resume at 3:45.

19 COMMISSIONER DOUGLAS: Thank you.

20 (Off the record at 3:40 p.m.)

21 (On the record at 3:45 p.m.)

22 MS. DE JONG: All right. It's 3:45, so
23 hopefully folks are able to come back from break and join
24 us again. All right, well welcome back everyone. Now we
25 are going to hear from Deborah Dyer from the CEC's Office

1 of the Chief's Counsel on the Bagley-Keene Open Meeting
2 Public Records Act. Deborah, I believe you're on mute.
3 I can't hear you yet. It may help to tell you, next to
4 the sound options on Zoom, you can have them call you on
5 your cell phone and that we will be able to hear you.
6 Thanks for your patience, everyone. We'll get a couple
7 minutes extra break. We're just getting some technical
8 issues taken care of.

9 MS. DYER: Hi. This is Deborah. Can you hear
10 me?

11 MS. DE JONG: Yes, we can. Thanks.

12 MS. DYER: Okay. Awesome. Sorry about that.
13 It shows that I am unmuted on my end but I'm glad we got
14 that figured out. Okay so, good afternoon, everyone. My
15 name is Deborah Dyer and I'm with the CEC's Office the
16 Chief Counsels. And I know that some of you have served
17 on state bodies before, or any other types of state
18 bodies, and but perhaps some of you have not been
19 involved in state agency proceedings. And I'm here this
20 afternoon, to give you an overview of some of the
21 requirements that apply to state bodies to ensure that
22 the public has access to the work that the Lithium Valley
23 Commission is doing on the public's behalf.

24 So there's a constitutional provision often
25 called the Sunshine Amendment which states, the public

1 has a constitutional right of access to information
2 concerning the conduct the people's business, and that
3 includes public meetings and public records. Now I'll
4 say ahead of time for people who haven't been on public
5 boards before, that these laws can seem burdensome and
6 overwhelming and maybe even to those who have been on
7 public boards before, but we want to assure you that the
8 CEC staff is going to be here throughout your tenure on
9 the Lithium Valley Commission to help you navigate these
10 legal requirements.

11 So today I'm going to highlight two key areas.
12 Information about holding meetings, open to the public,
13 and information related -- relating to your
14 communications in your duties as Commissioners. And if
15 you recall, when CEC called for applications to serve on
16 this Commission, they also issued a document outlining
17 the Commission's roles and responsibilities. That
18 document had a brief section on the Bagley-Keene Open
19 Meeting Act, which includes some responsibilities and
20 constraints on public on state bodies. So I'm going to
21 give you an overview of the Bagley-Keene Open Meeting Act
22 and then after that I will touch briefly on the Public
23 Records Act, which gives us guidance on making our
24 records available to the public. Okay, next slide
25 please.

1 So first, let's look at the law that governs
2 the public's meetings, the Bagley-Keene Open Meeting Act.
3 It's often referred to as BK or BKOMA and the purpose is
4 to ensure that public agencies conduct the business of
5 government in public. And it's based on the premise the
6 people's business should be conducted openly and subject
7 to participation. There's a parallel statute for local
8 jurisdictions called the Brown Act, so if you're familiar
9 with the Brown Act, the Bagley-Keene Open Meeting Act
10 requirements are similar to that. Next slide please.

11 There are three main concepts in Bagley-Keene
12 that we're going to go over today. And the first is who
13 and what the Bagley-Keene applies to, meeting notice and
14 agendas and public participation provisions. Next slide
15 please.

16 Okay So what does Bagley-Keene Act apply to?
17 Bagley-Keene applies to a meeting of any state body. On
18 this slide is Bagley-Keene's definition of a state body,
19 and I can save you the trouble of digesting it and just
20 let you know that the Lithium Valley Commission is a
21 state body and Bagley-Keene does apply to this
22 Commission. Next slide please.

23 So what is a meeting? Meeting is the
24 congregation of a majority of members, whether virtually,
25 or physically to hear, discuss, deliberate upon, or take

1 action upon a topic related to its jurisdiction. And a
2 meeting can take place in person or remotely, such as
3 we're doing today via Zoom or via telephone conference
4 call. So since Bagley-Keene applies to the Lithium
5 Valley Commission you see that this meeting, pardon me --
6 you'll see that this meeting is open to anyone who wants
7 to attend it. And that Elisabeth and the rest of her
8 team has gone to great lengths to make sure that it is
9 accessible to everyone. Hopefully, by the end of my talk
10 you'll be able to look at some of the aspects of today's
11 meeting and see how it was that we complied with
12 Bagley-Keene.

13 So getting back to what a meeting is. It's the
14 congregation of a majority. What is a majority? A
15 majority of members is known as a quorum and it is one
16 member more than half the body. So for the Lithium
17 Valley Commission, eight members make a quorum. So keep
18 this in mind when we go forward talking about
19 communications okay. One, so the definition, I'm sorry,
20 can you go to the next slide please. Got ahead of
21 myself.

22 So the Bagley-Keene may also apply to meetings
23 of subcommittees or subgroups and at some point, the
24 Lithium Valley Commission may consider creating
25 subcommittees and it is important for you to know that

1 Bagley-Keene may apply to those subcommittees. How and
2 when that applies to subgroups can be a little tricky to
3 determine, however, if the Commission decides to create
4 subcommittees or subgroup, the CEC staff will work
5 closely with you to make sure that those groups meet the
6 Bagley-Keene requirements and to guide you through that
7 process. Next slide please.

8 So I need to explain what the Lithium Valley
9 Commission's jurisdiction is because it will help you
10 determine what kinds of communications need to be held in
11 an open meeting. Essentially, the Lithium Valley
12 Commission's jurisdiction is the subject area that the
13 Commission was created to give advice and input to the
14 legislature on. So it's the topics in the implementing
15 statute that follow the words the Blue-Ribbon Commission
16 shall review, investigate, and analyze the following
17 issues related to lithium extraction in use in
18 California, and then it goes on to list those eight
19 areas. So those areas are the Lithium Valley Commissions
20 jurisdiction. Okay. Next slide please.

21 So now I'm going to go back just a little bit
22 and talk about, go back to the question of what is a
23 meeting. So we all have an idea of what a meeting looks
24 like, where like today, everyone gets together in a big
25 room to talk about the Commission's business or on Zoom.

1 But the Bagley-Keene doesn't only apply to meetings like
2 the one that we're in today. There's also something
3 called a serial meeting. And it's -- it's very important
4 for you to know what that is. A serial meeting refers to
5 a series of communications involving the majority of the
6 members and discussing the state bodies business in a way
7 that amounts to deliberative process or, in some way
8 trying to develop a collective conscience. So these
9 serial meetings can take place in public, such as face to
10 face, or through email, or through an intermediary. And
11 an intermediary can be someone like a CEC Commissioner,
12 or a staff member, or your office support staff. Okay.
13 Next slide please.

14 So the difference between what we think of as,
15 you know, a meeting where people get together in a room
16 and a serial meeting is very important. Congregational
17 meetings like this, with proper notice, are okay under
18 Bagley-Keene. Serial meetings are never okay. So let's
19 take a look at a couple of examples of serial meetings.
20 Next slide please.

21 So here's one example of a serial meeting. And
22 it's a communication chain. This type of communication
23 happens when person A, talks to person B, and then person
24 B, talks to person C. And it's important to remember the
25 prohibition against serial meetings only applies to a

1 majority of the Members discussing the state's body. So
2 my example here is three, but your majority is eight So
3 if you had a communication chain of eight Members talking
4 about the bodies business, it would be a serial meeting
5 and in violation of the open meeting requirements. Next
6 slide please.

7 So here's another example of a serial meeting,
8 and this is where one person serves as a hub of
9 communication. And in this slide the example is person A
10 talks to several other -- several other members. So
11 maybe Member A talks to B, and then A talks C, and then A
12 talks to D. If the communication is between a majority
13 of Bagley-Keene Act the state body but is instead an
14 intermediary such as CEC Commissioners or CEC staff. And
15 I'm only using them as an example because the folks at
16 CEC are well aware of serial meetings and will be helping
17 you as a Commission try to prevent those. Next slide
18 please.

19 So there's one way that email can factor into
20 serial meetings and can cause Bagley-Keene violations
21 accidentally. So regarding emails to group members,
22 there are two things that you can do to help avoid
23 Bagley-Keene violations. And the first is to be very
24 careful sending out a group email to the majority of
25 members, because it would be very easy for someone to

1 accidentally slip and begin talking about Lithium Valley
2 Commission business. So, okay, so. Then secondly, we
3 want to be very careful about hitting reply to a reply
4 all to a Lithium Valley Commission email. If an email is
5 sent to the entire Lithium Valley Commission and a
6 Commissioner hits reply all and then the conversation
7 starts to go into topics related to the body's
8 jurisdiction. Then that communication would be out of
9 compliance with Bagley-Keene so one of the ways that CEC
10 staff tries to avoid issues with email is that an email
11 sent out to the group will likely have all of the
12 commissioners listed as blind copied so that prevents any
13 one person from hitting reply all and accidentally
14 starting a conversation that should be held in public.
15 Next slide please.

16 So I don't want to give you the impression that
17 you can't have conversations with your co-Commissioners.
18 You can. And I'll give you some examples. Bagley-Keene
19 calls out specific examples that are exempt from
20 Bagley-Keene requirements. So one is purely social or
21 ceremonial situations. So say the entire Commission goes
22 out to lunch, or is at a wedding, or if, for some reason
23 you're in the grocery store and you see seven of your
24 co-Commissioners in the dairy aisle, as long as you don't
25 talk about Lithium Valley Commission subject matter,

1 you're okay. So purely social conversations. What kind
2 of yogurt do you like, how's your daughter doing. That
3 kind of thing. They are not covered by Bagley-Keene.

4 The second kind of exception is if the members,
5 the majority of the members go to a conference or
6 retreat. As long as some members don't discuss Lithium
7 Valley Commission business, okay.

8 The third type of exemption is if the majority
9 of the embers show up at another meeting, another bodies'
10 meeting, like an Energy Commission meeting. Again, as
11 long as you don't discuss Lithium Valley Commission
12 business you're okay.

13 And then there's sort of this, you know broader
14 topic that is exempt, and that is conversations that
15 don't relate to the Lithium Valley Commission's
16 jurisdiction at all. So, such as conversations related
17 to scheduling future meetings, an email that goes out
18 that says, are we all available for a meeting on June 13
19 is likely okay because it's not discussing the bodies'
20 jurisdiction, the subject matter that should be talked
21 about in public. So if you foresee any of these
22 situations happening, if you know that the whole all of
23 our Commission Members here will be at a conference, let
24 us know, and we can go over some ways that can help you
25 to avoid a Bagley-Keene violation. Next slide please.

1 Okay, so I know it seems complex. The easiest
2 way to avoid violating Bagley-Keene is not to talk shop
3 outside any noticed meeting if there are eight or more
4 Commissioners present. Okay, so when you are with a
5 group of eight or more of your fellow Commissioners, try
6 to be mindful of what is being talked about. If you're
7 out to lunch with a group of Commissioners and someone
8 starts talking about a topic that the Commission should
9 be discussing at a Commission meeting and in public, stop
10 the discussion and remind the group to stay away from
11 subjects that could be considered Lithium Valley
12 Commission jurisdiction.

13 Okay, so that was a lot of information, but
14 that's my last slide related to what Bagley-Keene applies
15 to, and so I want to ask the Commissioners if there any
16 questions regarding what constitutes a meeting, and we
17 can ask questions at the end of the presentation or at
18 some point in the future. We are always available to
19 help you work through these kinds of items okay.

20 MS. DE JONG: We have on hand raised.

21 MS. DYER: Yes. Please.

22 COMMISSIONER WEISGALL: Deborah thanks. Very
23 good presentation. Continuing your parade of horrors,
24 out of curiosity, what is the -- how do you remedy a
25 Bagley-Keene violation and, secondly, what are the

1 penalties for a Bagley-Keene.

2 MS. DYER: Okay, those are good questions.
3 Remediating a violation can be something like docketing the
4 contents of the conversation that you might have had with
5 your fellow Commissioners. So if you send an email to
6 your fellow Commissioners, containing a bunch of
7 information about lithium, then what we could do after
8 the fact, is docket that email conversation, so that the
9 public would have access to your conversation and know
10 what the Commissioners were talking about.

11 There are penalties for violating the
12 Bagley-Keene. They can range from having the decisions
13 of the group overturned. I don't think that would be
14 applicable here. And if a member knowingly violates
15 Bagley-Keene, there can be some personal ramifications.
16 Again, it -- that has to do with intent, and I think, as
17 long as Commission members are careful and mindful about
18 what they're talking about, then we're probably going to
19 be okay.

20 COMMISSIONER WEISGALL: So one more example,
21 then. I send an email to Elisabeth and it says Elisabeth
22 here are links to 14 articles, please distribute them to
23 the Commission. She does that, does that then get, is
24 that docketed?

25 MS. DYER: That information would be docketed

1 because we want the public to know what you as
2 Commissioners are basing your actions, and decisions, and
3 determinations upon. What you're basing your
4 recommendations on. So that would be docketed.

5 COMMISSIONER WEISGALL: Got it. Thank you.

6 MS. DYER: Yeah. Okay, any other questions
7 about what constitutes a meeting.

8 MS. DE JONG: No hands raised right now.

9 MS. DYER: Okay. Yes. Please go ahead.

10 MS. DE JONG: I'm sorry, no hands raised.

11 MS. DYER: No hands, no hands. Okay. All
12 right, so then let's go to the next slide please.

13 So the next main area of Bagley-Keene is notice
14 an agenda requirements. And I'll just say that the
15 largest thing that you as Commissioners are going to have
16 to worry about are -- is meetings and open meetings.
17 Notice and agenda, these are things we need to make you
18 aware of because you will likely be involved in creating
19 an agenda to put out for these meetings. So you all
20 probably noticed that the CEC sent out a public notice
21 containing information about this meeting, and it
22 included an agenda of the topics the Commission might
23 discover -- consider. So this is important because it
24 informs the public A. that a meeting will be held and B.
25 it lets them know when, how, and why they might want to

1 attend. So Bagley-Keene gives us guidance on how to make
2 sure we can get that information to the public, okay. So
3 some of the requirements of a notice an agenda is that it
4 must go out 10 days before the scheduled meeting, and it
5 has to list and describe all the items that will be
6 considered at the meeting.

7 Another aspect that is particularly important
8 to you as Lithium Valley Commission members is that once
9 in the meeting, Commission members are limited to
10 discussing and taking action only on those items that are
11 on the agenda. So conversely, the Commission cannot
12 discuss or take action on any item that is not on the
13 agenda. So if during the course of a Lithium Valley
14 Commission meeting discussion drifts into a topic that is
15 not on the agenda, the best course of action would be to
16 stop the discussion, identify that it is outside the
17 scope of the day's agenda, and suggested that it be put
18 forward to a future meeting. So this also applies if a
19 member of the public raises a subject that is, in public
20 comment, that is outside the scope of the agenda. The
21 Commission cannot act on that matter. The Commission
22 cannot vote on that matter, okay. So there are
23 exceptions to this 10-day notice requirement, but those
24 are not likely to apply to the Lithium Valley Commission.
25 Okay, next slide please.

1 So this is another important item for you as
2 Commissioners. And that is with some exceptions, which
3 we'll get to when we talk, we'll talk about when we get
4 to the Public Records Act, is that the public is entitled
5 to have access to the records of this body. So when
6 materials are provided to a majority of the body, either
7 before or during the meeting, it must also be made
8 available to the public. So, for instance, the documents
9 that we have given you regarding Bagley-Keene are all
10 docketed and available to the public on the CEC website.
11 And if a public request those materials after the
12 meeting, CEC would, with some exceptions, be required to
13 provide those. Okay, next slide please.

14 Okay, one last slide about agendas. Okay. The
15 agenda must have a brief discussion of the -- of the
16 items that body will be discussing or taking action on
17 and there should be sufficient detail in that agenda so
18 that the public can decide whether to attend the meeting.
19 Okay, next slide please.

20 So now we get to the third aspect of Bagley-
21 Keene that we need to talk about today and that's public
22 participation. So the Act mandates that, with a few
23 exceptions, all meetings of a state body shall be open
24 and public, and that all persons shall be permitted to
25 attend any meeting of the state body. So I wanted to

1 share with you some of the ways that Bagley-Keene ensures
2 access of the public, in particular some points that you
3 may need to know, in the future, for running Lithium
4 Valley Commission meetings. So there cannot be any
5 improper conditions imposed upon people's right to attend
6 a meeting. An improper condition could be requiring an
7 attendee to sign in a sign-in sheet. The meeting can
8 have a voluntary sign-in sheet, but the body cannot
9 require a person to sign that sign-in sheet as a
10 condition to attend the meeting, okay.

11 The public is entitled to record and broadcast
12 meeting, both audio and visual, unless it causes a
13 persistent disruption to the meeting. And, as I
14 mentioned before, the public is entitled to documents
15 related to the meeting.

16 And probably the most important point on this
17 topic for you as Commissioners is that the public must be
18 given the opportunity to comment on each agenda item and
19 they must be allowed to do so before a vote is taken. So
20 that's why Elisabeth has been opening the floor for
21 public comment for each item on the agenda. We'll help
22 you remember this during meetings to remind you to invite
23 public comment, as you go through the meeting. And
24 remember that it is important that the comment must be
25 allowed before you vote on an item. The reason for this

1 is that if the public isn't allowed to comment until
2 after the vote is taken, the value of that public
3 participation is diminished. We -- you are allowed to
4 set reasonable time limits for comments. At CEC business
5 meetings and here, we are setting three minutes as the
6 time limit for comment. Next slide please.

7 So meetings in the time of Covid. With the
8 onset of the pandemic, certain Bagley-Keene requirements
9 related to public access to the actual physical meeting
10 sites has been suspended. So first off, a physical
11 location is not currently required. Prior to Covid there
12 needed to be an actual physical meeting site, even if
13 part of the meeting was held remotely.

14 Secondly, prior to Covid, the public was
15 allowed to access each physical location from which a
16 member of the body was planning to call in remotely and
17 that location should be identified in the agenda. So we
18 don't know what the requirements will be after Covid
19 restrictions are lifted, but we will keep you updated on
20 any changes that may apply to the Lithium Valley
21 Commission.

22 One other thing related to virtual meetings is
23 that it's important to remember that during remote
24 meetings, the vote must be called by -- must be counted
25 by roll call, and not just by show of hands, for obvious

1 reasons. But what that means is the Chair, or whoever is
2 taking the vote, must call out each member by name and
3 then that name, that member follows up with their vote,
4 verbally. Okay, next slide please.

5 Okay, so to recap. Here are some of the most
6 important things to remember about what we have just
7 discussed. So meetings must be conducted in public, with
8 a 10-day notice and agenda. The agenda must contain all
9 of the items of business, and the public must be
10 permitted to participate. Also, be mindful of serial
11 meetings. Remember that the prohibition is against
12 communicating, discussing, deliberating, taking action
13 with a majority of the members, okay, and that
14 prohibition applies to direct communication, as well as
15 communications through intermediaries. So don't talk
16 shop with a majority of members outside an open and
17 noticed meeting. Don't send group emails to a majority
18 of the Commissioners or reply all to emails to a majority
19 of the -- of the Commission. Don't allow discussions in
20 meetings to veer outside noticed meeting agenda items,
21 and don't engage in serial meetings.

22 So if you've noticed that I put serial meetings
23 on here twice. And that's because they can be tricky,
24 and we want you just to be aware of the prohibitions
25 against them. Okay, so I know this is a lot of

1 information. We're asking you to please keep in mind the
2 requirements of Bagley-Keene when you are discussing
3 Lithium Valley Commission business because awareness and
4 intention, will help you to stay compliant. Next slide
5 please.

6 And we have -- we have resources for you. And
7 up on this screen are some of the resources for
8 information related to Bagley-Keene and they are all in
9 the electronic binder that we sent to you, and which we
10 docketed. So the first is a guide written by the
11 Attorney General's office. And it is the version, the
12 2018 version which is important to note because there was
13 a 2004 version, and it didn't include all of the serial
14 meeting information.

15 Okay, attached to the handy guide is the Act
16 itself and we've included this because the law says that
17 we have to give you a copy of the Act. We've also
18 included a one-page summary of the Open Meetings Act for
19 quick reference. And also of great importance is that
20 CEC staff is going to be a huge help for you in this
21 area. And if you have questions, please ask Staff.

22 And even if something comes up in hindsight,
23 where you think a BK line might have been crossed, please
24 let us know because, like we said earlier, there are
25 things that we may be able to do to mitigate or remedy

1 that situation. Okay. So that's the end of the slides
2 on Bagley-Keene. So do any of the Commissioners have
3 questions about the application of Bagley-Keene.

4 MS. DE JONG: Jonathon Weisgall has a hand
5 raised.

6 MS. DYER: Yes, Jonathan, please.

7 COMMISSIONER WEISGALL: Deborah three
8 hypotheticals. Hypothetical number one. The Chair wants
9 to set a meeting for June the 13th, but as interested in
10 what the other Commissioners want to talk about. How do
11 you how do you send an email. How do you communicate
12 with a Commission with a Commissioner and say what do you
13 want to talk about on June 13 without violating
14 Bagley-Keene.

15 MS. DYER: Well, what will likely happen is
16 that Elisabeth will be tasked with helping to set up the
17 agenda and the members can tell the Chair here's what I
18 would like to see on the agenda, and then the Chair works
19 with Elisabeth to put that on the agenda. So, as long as
20 you know, the member doesn't send the email out to
21 everyone and say, I want to talk about X and here's why,
22 you know, here's why I want to talk about X then, you're
23 probably okay.

24 COMMISSIONER WEISGALL: Okay. Scenario number
25 two. I want to hold a town hall meeting, apropos, some

1 of the comments we heard earlier and invite members of
2 the public. And I also would like the Commissioners to
3 attend a town hall meeting to hear what my company's
4 doing on lithium. I'm guessing that I can invite up to
5 six, I would be the seventh, but I could not invite the
6 entire Commission to a town hall meeting, even if there
7 are 50 other members of the public there because you
8 know, without notice. Is that a correct statement.

9 MS. DYER: You know, that is something that we
10 would probably want to talk about in more detail, knowing
11 the situation of the meeting. And we can talk about ways
12 to set up a meeting that would not violate Bagley-Keene.

13 COMMISSIONER WEISGALL: Okay.

14 MS. DYER: So sorry to punt that off to the to
15 the future, but we can -- we can work on specific items
16 as they come up.

17 COMMISSIONER WEISGALL: Thank you.

18 MS. DYER: Yeah.

19 MS. DE JONG: There are no other hands raised
20 right now.

21 MS. DYER: Okay. All right. So now
22 let's -- we'll have a very quick talk about the
23 California Public Records Act because the California
24 Public Records Act is going to be very important for you
25 in your work as Lithium Valley Commissioners, okay. So

1 the Public Records Act, it's also called the PRA for
2 short, is based on the premise that much like the
3 Bagley-Keene, that the people have the right to access
4 information concerning the conduct of the people's
5 business. So while the Bagley-Keene allows the sun to
6 shine into the meetings of the state, the PRA allows the
7 sun to shine in on the records of the state. And to that
8 end, the PRA provides that government records shall be
9 disclosed to the public, upon request, unless there is a
10 specific reason not to disclose them. And the PRA was
11 modeled after the Federal Freedom of Information Act, so
12 if you're aware of the Freedom of Information Act
13 there -- it is there are a lot of similarities. Next
14 slide please.

15 So any member of the public can request access
16 to government records, and all government records are
17 potentially subject to disclosure unless, like I said,
18 they fall into an authorized exception. So under the PRA
19 the term public record is defined very broadly. And it
20 includes all forms of recorded information, whether it's
21 written memos, computer files, audio file, visual file,
22 text messages, any kind of written, recorded, or any kind
23 of recorded information.

24 So what does this mean for you as members of
25 the Lithium Valley Commission. So as a government body

1 your communications, as they relate to the Lithium Valley
2 Commission are public records and therefore, potentially
3 subject to a Public Records Act Request. So insofar as
4 you conduct the public's business using your private
5 email or personal devices even, those communications may
6 be subject to disclosure under the PRA. So it's just
7 something to be aware of if, and it seems likely that you
8 are using your private email to conduct Lithium Valley
9 Commission business. Just know that the public might
10 have access to those records. Okay. Next slide please.

11 So I mentioned, there were exemptions to
12 disclosure, but those exemptions are construed narrowly
13 and in favor of the public's right to access. And those
14 exemptions are generally, they fall into two categories.
15 And the first one is an individual's right to privacy,
16 maybe like medical records, personnel records, something
17 like that or records.

18 Secondly, records related to the government's
19 need to perform its assigned functions in a reasonably
20 effective manner. That often refers to the government's
21 need to maintain the confidentiality of investigative
22 records, or records related to pending litigation, that
23 kind of thing. So it's really important to keep the PRA
24 in mind and to communicate, as if you expect the record
25 to be disclosed. So to put it bluntly, don't put

1 anything in writing in a manner or tone that you, or the
2 State of California, would be embarrassed to see on the
3 front of the LA Times, okay. So just to keep that in
4 mind, we don't want you to withhold your communications,
5 but just keep in mind the tone and the substance, okay.

6 So a request doesn't need to be in writing to
7 be a Public Records Act Request. If someone sends you a
8 request for documents, please let the staff know and we
9 will handle it. We have a process for handling requests,
10 and we look at the records to determine whether or not
11 they should be withheld or disclosed, and we do not
12 expect you as Commissioners to provide documents in
13 response to a Public Records Act Request. Okay, next
14 slide please.

15 Okay, so that was a lot of information in a
16 short period of time as well. Does anyone have questions
17 regarding the Public Records Act.

18 MS. DE JONG: And if I could just clarify
19 Commission questions in public.

20 MS. DYER: Yes, please. Commissioner
21 questions.

22 MS. DE JONG: We have a hand raised by Manfred
23 Scott.

24 MS. DYER: Okay. Yes, please.

25 COMMISSIONER SCOTT: Yes. As a Chairperson,

1 I'm read under the Tribal Council and a lot of times I
2 have to give them information as to what's going on with,
3 you know, any projects or anything that's going on out
4 there, so because I'm right under the Council, the Tribal
5 Council, so would I be violating any of these if I give
6 them any kind, you know, paperwork, documents, or even
7 talk about the Lithium, you know, what's going on, you
8 know, with the project. Would I be in violation of that?

9 MS. DYER: No, not likely. Would not likely be
10 in violation. So the requirement is that if you were to
11 have conversations with the -- with someone else about
12 Commission business that that communication might be
13 disclosable to the public. So in that regard, I would
14 suggest that if you were going to communicate with
15 someone about Commission business to not include anything
16 confidential in that communication. You know, if you
17 wanted to communicate with your Tribal Council about
18 something confidential, do it in a separate email. Does
19 that make sense?

20 COMMISSIONER SCOTT: Yeah.

21 MS. DYER: Okay.

22 COMMISSIONER SCOTT: And then that's -- that
23 goes with the PRA as well?.

24 MS. DYER: Yeah. That's the PRA. The PRA
25 applies to the records, to the -- to the writings, and

1 the emails, and the text. The Bagley-Keene applies more
2 to the meetings.

3 COMMISSIONER SCOTT: Okay.

4 MS. DYER: And we are happy to talk about these
5 with you, you know, to whatever extent you would like to
6 talk about them.

7 COMMISSIONER SCOTT: So if I have any questions
8 or anything that I can always call Elisabeth.

9 MS. DYER: Absolutely. Yes. Yep.

10 COMMISSIONER DOUGLAS: Deborah, this is Karen.
11 Just to step in and make sure we answered the question.
12 If Manfred were to write a memo to the Tribal Council
13 about what's been happening with the Lithium Valley
14 Commission, would you view that as subject to PRA or not.

15 MS. DYER: Well there would be -- there may be
16 a -- there may be a privacy exception to a communication
17 with a Tribal Council, and I'd have to look into that ---

18 COMMISSIONER DOUGLAS: Okay.

19 MS. DYER: -- to see if Manfred's communication
20 with the Tribal Council about a LVC business would be
21 exempt or whether it would be disclosable. And I can do
22 that and come back to this issue with Mr. Scott.

23 COMMISSIONER DOUGLAS: I'm sure that would be
24 helpful.

25 MS. DYER: Okay. Good.

1 MS. DE JONG: It looks like Manfred has a
2 follow-up.

3 MS. DYER: Yes.

4 COMMISSIONER SCOTT: Yes. Okay, let's say I
5 did talk to Tribal Council and it had to do with the
6 project and whatnot and might be confidential. Now, what
7 if they go out and they tell somebody else or they
8 disclose of the information. So is that something that
9 they need to have that confidentiality, you know, written
10 up so that they don't have to go and disclose that to
11 somebody else.

12 MS. DYER: It gets -- it gets a little tricky.
13 If the Tribal Council were to forward your memo to a
14 member of the public, then it is possible that that memo
15 with them become public information. If the Tribal
16 Council were to write their own memo and say here's what
17 we heard from Manfred, that would not be subject to the
18 Public Records Act because the Tribal Council is not, as
19 far as I know, subject to the PRA. So it's only about
20 the state's records. Tribal records are not subject to a
21 Records Act Request.

22 COMMISSIONER SCOTT: Okay. Thank you.

23 MS. DYER: And I understand that there, you
24 know, there's nuances and everyone's situation is going
25 to be different, but we're absolutely happy to help you

1 with those questions.

2 MS. DE JONG: So there are no other questions
3 or hand raised right now within the Lithium Valley
4 Commission members.

5 MS. DYER: Okay. Thank you.

6 MS. DE JONG: All right. If it's appropriate,
7 really quick, we could open the line for if there are any
8 public comments on this item.

9 MS. DYER: Yeah. Sure.

10 MS. LEE: All right. If you're joining us by
11 Zoom today computer, please use the raise hand feature.
12 If you've called in by phone, please dial star nine to
13 raise your hand and star six to unmute your phone line.
14 If you're unable to make your public comment orally, you
15 may type your comment into the Q and A box, and we will
16 read it aloud. Comments will be limited to three minutes
17 per speaker.

18 We have right now, Noel Bakhtian. I apologize
19 for mispronouncing that. Please unmute yourself.

20 MS. BAKHTIAN: Can you hear me.

21 MS. DYER: Yes. We can hear.

22 MS DE JONG: Oh, it actually sounds like you're
23 breaking up.

24 MS. BAKHTIAN: I'd like to thank Chair
25 Hochschild and Commissioner Douglas for her leadership in

1 this --

2 MS. DE JONG: I'm sorry, Noel, it sounds like
3 we have a bad connection.

4 MS. BAKHTIAN: Can you hear me now?

5 MS. DE JONG: You keep breaking up, so maybe
6 you can type your comment into the Q and A box.

7 MS. DYER: Yes, if you can type your question
8 in, we can read it out for you.

9 MS. DE JONG: and we can come back too. We do
10 have public comment again. I believe Noel's raising their
11 hand again.

12 MS. LEE: Yes, let's try this again. Go ahead
13 and unmute yourself, Noel.

14 MR. BAKHTIAN: How's this.

15 MS. DE JONG: Much better.

16 MS. LEE: Sounds good.

17 MR. BAKHTIAN: Oh excellent. Should I start
18 from the very beginning?

19 MS. DE JONG: Please.

20 MR. BAKHTIAN: Okay. Sorry about that. Before
21 I introduce myself, I'd like to thank Chair Hochschild
22 and Commissioner Douglas for their leadership in this
23 critical area. I also want to thank Assembly Member
24 Garcia, for his vision for this Commission and beyond.
25 I'm Noel Bakhtian. It's spelled N-O-E-L. B-A-K-H-T-I-A-

1 N. I'm executive director for the new Energy Storage
2 Center at Lawrence Berkeley National Laboratory managed
3 by the University of California. Berkeley Lab is a US
4 Department of Energy Laboratory comprising a \$1 billion
5 budget and 1700 public researchers serving the public
6 good. And we're pleased to offer Berkeley Lab's
7 expertise to this Commission in whatever manner is most
8 helpful. At Berkeley Lab we have national experts and
9 established work on will thermal energy recovery from the
10 Salton Sea region, the geothermal reservoirs, recovery
11 and treatment, and lithium extraction technologies from
12 Salton Sea brines, and expertise and techno economic
13 assessments related to lithium.

14 Also, keeping the end in mind, Berkeley Lab has
15 extensive advanced battery work from material discovery,
16 to characterization, to testing and diagnostics, all the
17 way to recycling. In addition to integration of
18 renewables, into the transportation sector and the
19 electric grid, as well as expertise on innovative energy
20 related workforce development programs.

21 Just a few things to note, to date, Berkeley
22 Lab is supporting four of the projects that you heard
23 about today funded through the CEC and DOEs Advanced
24 Manufacturing Office. Berkeley Lab is also a founding
25 partner with New Energy Nexus of Cal Charge, which is a

1 battery and electro chemical energy storage membership
2 program comprised of industry research institutions and
3 other key stakeholders, which might be an interesting
4 match for this work as well.

5 But probably most importantly, we have brought
6 together researchers across the lab to support your
7 efforts through our LRRIC center which stands for the
8 Lithium Resource, Research and Innovation Center.
9 Something we're definitely keeping front of mind, is the
10 supply to finally use match up, knowing that each lithium
11 resource is different. And batteries made from Salton
12 Sea lithium will have a unique resource footprint that
13 must be understood from the perspective of downstream
14 stakeholders. For example, perspective battery cathode
15 manufacturers that we hope to recruit to the region as
16 well.

17 My last point is just that, with the lens of
18 Assembly Bill 1657 on the required 2022 Commission
19 Report, Berkeley Lab possesses enormous expertise on many
20 of the topics that the bill requires the Commission to
21 speak to, including expanded geothermal recovery, methods
22 of overcoming technical and economic challenges,
23 currently, limiting lithium extraction from geothermal
24 brines, and see if environmental methods for lithium
25 extraction.

1 So just to close out, Berkeley Lab has a long
2 history of providing public mission research in support
3 of California's energy and environmental policies and
4 we're really excited to support a successful Lithium
5 Valley in support of our nation, state , and the region's
6 security, prosperity, and health, in an exciting lithium
7 rich future. As a mission driven DOE laboratory located
8 right here in California, we look forward to being a
9 trusted, unbiased source of information to the
10 Commission, to support your critical discussions,
11 frameworks, and decision making. Thank you so much.

12 MS. DE JONG: Thank you. We don't see any
13 other hands raised so we will move on to the next item on
14 the agenda.

15 MS. LEE: Elisabeth, I don't know if you wanted
16 to, we just got a couple in the Q and A box. If you
17 wanted to address those now or in this next section.

18 MS. DE JONG: This public comment period was
19 intended to be used for follow-up to the BKOMA Public
20 Records Act so let's do these questions that we received
21 in the next public comment period when we can get more
22 into the technical, okay.

23 MS. LEE: Okay.

24 MS. DE JONG: All right. Okay. So let's
25 transition into some discussion about operational and

1 administrative planning, giving the group a sense of what
2 to expect moving forward.

3 So first on our list here is the potential
4 selection of a Lithium Valley Commission Chair. The
5 statute requires the Lithium Valley Commission to have a
6 Chair. The Statute says the Chair of the Blue-Ribbon
7 Commission shall be selected by the members of the Blue-
8 Ribbon Commission. The statute does not define the
9 process for selecting the Chair or the duties of the
10 Chair.

11 Their first question is going to be timing to
12 select to Chair. The agenda for today's meeting includes
13 the ability to select the Chair today. As we discussed,
14 the full number of Commissioners have not been appointed
15 yet. There is one seat open. Therefore, you may want to
16 wait to see when the remaining number is appointed and
17 select the Chair at that time. But before you make any
18 decisions on this item, let's hear from Deborah Dyer on
19 what the Chair role can encompass.

20 MS. DYER: Okay. Thank you. Can you hear me,
21 Elisabeth?

22 MS. DE JONG: Yes.

23 MS. DYER: Okay. So, like said, the Statute
24 does not describe the duties of the Chair. However,
25 other parliamentary rules, usually describe the function

1 of the Chair to be general supervision and orderly
2 conduct of the body. So, for example, the Chair were
3 preside all meetings at the Lithium Valley Commission,
4 and including the conducting progress of the meetings,
5 maintaining order, calling for discussion, and public
6 comment, and putting items to a vote.

7 So any Member may nominate themselves or
8 another member to be Chair. The Lithium Valley
9 Commission can determine what they want the role of the
10 Chair to be. So if the Office of the Chair becomes
11 vacant, the members could select elect a new Chair. The
12 Commission may, at some future meeting, decide to elect a
13 Vice Chair and that Vice Chair might serve as interim
14 Chair in the event that the Office of Chair was vacant,
15 or the Chair was unavailable. And in the future you
16 could also assign other duties to the Vice Chair.

17 MS. DE JONG: So since the Vice Chair is not on the
18 agenda for today, it can be put on the agenda for the
19 next meeting and voted on, then, if the Commission
20 decides to elect a Vice Chair.

21 But with that, let's open the question of
22 whether to elect the Chair during this meeting for
23 discussion. And again in an effort to ensure everyone
24 has heard, please use the raise hand feature, if you wish
25 to speak, and I will call on your name.

1 And we have Marth Guzman Aceves.

2 COMMISSIONER GUZMAN ACEVES: Could somebody, I
3 don't know if Elisabeth, could you remind us who, which
4 seats are yet to be appointed.

5 MS. DE JONG: Yeah. There is one seat left to
6 be seated, and I'm sorry, I don't have it right in front
7 of me, but it's the Senate.

8 COMMISSIONER DOUGLAS: Yeah, it's the Senate
9 appointment. I also wanted to point out, or just make
10 note that I think Tom Soto had to leave the meeting. The
11 new Assembly member. So he's not here right now.

12 MS. DE JONG: Thank you for pointing that out.

13 So yeah, the Senate Committee on Rules position
14 has not been filled. And then there are two Commission
15 members who are not attending today, Arthur Lopez, and
16 then Tom Soto.

17 COMMISSIONER GUZMAN ACEVES: And could you
18 remind me, who Arthur is.

19 MS. DE JONG: Arthur Lopez is the Tribal
20 representatives for San Joaquin Valley, Commission.

21 COMMISSIONER GUZMAN ACEVES: Okay.

22 COMMISSIONER DOUGLAS: So there's no need to
23 act today. You could make a decision to act at the next
24 meeting. You could also do something in between. Maybe
25 have a brief discussion about who on this call is

1 potentially interested in being Chair, and still make,
2 you know, and just know that and then reconvene in your
3 next meeting and choose a Chair with, hopefully, all the
4 seats filled. So you have any number of options here.

5 MS. DE JONG: We do you have a hand raised.
6 Rod Colwell.

7 COMMISSIONER COLWELL: Yeah, fellow
8 Commissioners, I'd just like to just make a general
9 comment, whether we elect to you know point a President
10 today or not, but my thoughts I just wanted to share
11 them. I mean my thoughts of someone would be well
12 considered would be, you know, that's been in public
13 office for a long time, here locally, has great knowledge
14 of zoning perimeters, jobs, understanding of what's going
15 on in the industry of both lithium and power for many
16 years. And all of that sort of the points that have
17 joined the dots. My, not recommendation, suggestion,
18 would be Supervisor Ryan Kelly would be, if he was up for
19 that, would be I think a terrific well-balanced
20 candidate. So I just wanted to add that.

21 MS. DE JONG: Thank you.

22 Luis Olmedo with a hand raised as well.

23 COMMISSIONER OLMEDO: Correct. I surely, I
24 like to hear from other members, but I would also like to
25 go ahead and put forth a recommendation and, you know,

1 I'd also, after hearing others, I would like a turn to
2 come back and make a, put forth a proposal. I want
3 to -- I respect all our local leaders in Imperial, but I
4 do think that Silvia Paz certainly represents from many
5 fronts in her experience in her commitment to community.
6 I would like to recommend her as Chair, as she has served
7 in other capacities on Salton Sea issues very well. So
8 that would -- that would be my recommendation.

9 MS. DE JONG: Okay. Thank you. And we are
10 hearing --

11 COMMISSIONER OLMEDO: I want to come back and
12 make a motion after I hear others on that same item.

13 MS. DE JONG: Great. Thank you. yeah, we are
14 hearing SOME nominations. So I think then, first
15 question to ask here is, if there is a discussion about
16 accepting nominations and moving forward with an election
17 today or moving that to another meeting.

18 Scott, I see your hand raised. I'm sorry. I
19 think you're muted.

20

21 COMMISSIONER RUIZ: This is Frank Ruiz.

22 MS. DE JONG: One second. Let's see if Manfred
23 was able to speak.

24 COMMISSIONER RUIS: If it doesn't matter Scott,
25 I think some of the other Commissioners have left so to

1 me, I would feel that if we do the appointment at the
2 next meeting.

3 MS. DE JONG: Okay. Sorry. Was that Frank
4 Ruiz that we heard briefly there.

5 COMMISSIONER RUIZ: Yeah. I wanted to ask, you
6 know, what are the benefits of doing it right now, or
7 waiting for the next meeting. I would like to be
8 inclusive in making sure that the most of the
9 Commissioners are available. So that's why you know my
10 question is, you know, if we need to, will we gain any
11 benefit from doing it right now.

12 MS. DE JONG: And I see a hand raised. Luis
13 Olmedo.

14 COMMISSIONER OLMEDO: Not hearing others, I do
15 want to put forth a -- make motion that we make a
16 decision. But let me, let me preface it by saying I
17 think we're this today's discussion was very fruitful.
18 You know I really like seeing -- I wasn't sure what to
19 expect to be quite honest with all of you, I'm really
20 pleased to. You know I'm very honored to first, have
21 been selected as, you know, be part of this Commission,
22 and I really see a very promising result out of it just
23 from this interaction today. But I do want to be
24 respectful, and I do want to make the motion that that we
25 forward. But there's no guarantee. With premise that

1 that there is no guarantee that we will have an
2 appointment by our next meeting.

3 And I want to go ahead and put the motion forth
4 that we make a decision today. With, and I'm not sure if
5 I should make that into two different nominations. I'm
6 sorry, two different motions, you know. One is that we
7 perhaps do this today and then the second motion, or
8 perhaps part of the same motion the put forth the
9 nomination and still get Paz. So maybe I can get some
10 legal support as to how, what that motion would look
11 like.

12 MS. DYER: Yeah, this is Deborah. I think that
13 the first hurdle to cross would be the question of
14 whether the body wants to elect the Chair now or wait.
15 So the first, I would say the first motion would relate
16 to that. And then you can have additional discussion
17 about whether you want to hold the today or at the next
18 meeting. And then from there, we can move on.

19 COMMISSIONER OLMEDO: With the concern that we
20 would not, we're not certain if there would be a
21 nomination at that point -- an appointment at that point,
22 from the Senate, I would like to make the motion that we
23 take a vote today to select a Chair.

24 MS. DE JONG: Thank you.

25 COMMISSIONER RUIZ: I would like to second

1 here.

2 MS. DE JONG: And I'm sorry, can you say your
3 name. I didn't catch his name yours.

4 COMMISSIONER RUIZ: Yeah. It's Frank. It's
5 Frank again. I would like to second that.

6 MS. DE JONG: All right, thank you.

7 So hearing a second, now we would open for
8 discussion. I do see a hand raised by Martha Guzman.

9 COMMISSIONER GUZMAN ACEVES: Thank you. Yeah.
10 I was just going to give maybe a more practical
11 consideration for moving forward in that we are a very
12 big body, and it is very likely that at our next meeting
13 we'll have a couple people missing again. So I'm sure
14 many of you know what I'm referring to and dealing with a
15 group this big. And certainly, I think just a reality
16 check on that is I don't know that we're going to have
17 100% people here. So we have a pretty good amount here
18 and that's probably just -- we shouldn't use that as a
19 factor to wait, I guess. But I would be interested in
20 knowing if the two nominees are even interested for us to
21 entertain the motion.

22 MS. DE JONG: Thank you.

23 COMMISSIONER PAZ: Thank you. Martha this is
24 Silvia. So nice to see you. And Luis, thank you for the
25 nomination. If this body so chooses, I'd be more than

1 happy to serve in the capacity of Chair. And so yeah,
2 I'm at the at the will of the of this body, and I think,
3 whoever Chairs is probably going just do a good job in
4 keeping us all engaged and moving us along.

5 MS. DE JONG: All right. I will kind of turn
6 to legal for a confirmation on this, but it does sound
7 like we are ready to collect a vote on moving ahead with
8 the election today.

9 MS. DYER: Yes. Yes. Unless anyone else has a
10 discussion about whether to move forward with the vote to
11 elected Chair today. That would be the first item, okay.

12 MS. DE JONG: We do have a hand raised by Ryan
13 Kelley.

14 COMMISSIONER KELLEY: Yeah Elisabeth, I was
15 wondering if you're going to ask me if I was interested.
16 Now I -- you don't have to answer, Elisabeth. I would
17 just say that look I'm honored to be presented and if --
18 I would not deny the position and carry it forward to
19 hopefully, a positive conclusion, but I also would be a
20 happy participant to help Silvia if she were that, or any
21 other member. So I'll leave it at that.

22 MS. DE JONG: Great. Thank you. And thank you
23 for bringing that up. I'll try to clarify. So I think
24 what we're trying to do is get one thing taken care of at
25 a time. And it's great to hear that the two who we've

1 heard so far nominated would be willing to. So what
2 we'll do is we'll call a vote on moving ahead with the
3 election today and then we'll give folks a chance to do a
4 two-minute statement and make any additional nominations
5 before voting on to the Chair would be.

6 So are there anymore Lithium Valley
7 Commissioners who would like to provide comments on the
8 motion set forward to vote today?

9 I don't see any hands raised. So I'm sorry
10 Deborah, I'm going to look to you real quick for a nod.
11 Do we open for public comment quickly before we do this
12 vote?

13 MS. DYER: Yes.

14 MS. DE JONG: Okay. So we will go ahead and
15 open for public comments. And again, I'll just reminder
16 that this is specifically on the decision to move ahead
17 with a vote today to elect a Chair.

18 MS. LEE: If you're joining there little bit.

19 MS. DE JONG: Oh sorry. And there will be
20 another comment before electing the Chairs themselves.
21 So sorry. Go ahead, Ariel.

22 MS. LEE: And if you're joining us today by
23 Zoom on the computer, please use the raise hand feature.
24 If you've called in, please dial star nine to raise your
25 hand and star six to unmute your phone line. If you're

1 unable to make your public comment orally, you may type
2 in your comment into the Q and A box, and we'll read it
3 aloud. Comments will be limited to three minutes per
4 speaker.

5 MS. DE JONG: I don't see any comments in the
6 audience just yet. But let me go ahead and ask Ryan
7 Kelley to go ahead and make your comment.

8 COMMISSIONER KELLEY: Sorry, I thought I was --

9 MS. LEE: So we don't see any public comments.
10 The only questions we have will be addressed later.

11 MS. DE JONG: Okay, great. All right. So what
12 we're going to do then now, is going through a roll call
13 for your vote on whether or not to elect a Chair today.
14 And I'm going to just be keeping tabs with that so if.

15 All right, I'm going to go ahead and start Rod
16 Colwell.

17 MS. DYER: Elisabeth, this is Deborah. Let me,
18 I just want to clarify that the motion is to hold a vote
19 today. And so the question would be yes or no to hold a
20 vote today. Thank you.

21 MS. DE JONG: Yes. Thank you so much for
22 clarifying that. So yes, we're looking for yes or no
23 answer here. We're going to go through the list in
24 alphabetical order. If you can give us your vote. Rod
25 Colwell.

1 COMMISSIONER COLWELL: Yes.
2 MS. DE JONG: Thank you.
3 Roderic Dolega:
4 COMMISSIONER DOLEGA: Yes.
5 MS. DE JONG: Thank you.
6 Miranda Flores.
7 COMMISSIONER FLORES: Yes.
8 MS. DE JONG: Thank you.
9 Martha Guzman Aceves.
10 COMMISSIONER GUZMAN ACEVES: Yes.
11 MS. DE JONG: Thank you.
12 James C. Hanks.
13 COMMISSIONER HANKS: Yes.
14 MS. DE JONG: Thank you.
15 Ryan Kelley.
16 COMMISSIONER KELLEY: Yes.
17 MS. DE JONG: Thank you.
18 Luis Olmedo.
19 COMMISSIONER OLMEDO: Yes.
20 MS. DE JONG: Thank you.
21 Silvia Paz.
22 COMMISSIONER PAZ: Yes.
23 MS. DE JONG: Thank you.
24 Frank Ruiz.
25 COMMISSIONER RUIZ: Yes.

1 MS. DE JONG: Thank you.

2 Manfred Scott.

3 COMMISSIONER SCOTT: Yes.

4 MS. DE JONG: Thank you.

5 Jonathan Weisgall.

6 COMMISSIONER WEISGALL: Yes.

7 MS. DE JONG: All right. Thank you. So with
8 that, we have a majority vote yes. So we will proceed
9 with an election today. So let me get back to my notes.

10 So at this time, I would like to ask who is
11 interested in serving as Chair, or if there are
12 nominations for Chair. We have confirmed the two
13 nominations thus far, but we welcome other nominations as
14 well.

15 So I see a hand raised by Jonathan Weisgall.

16 COMMISSIONER WEISGALL: I was just saying I
17 have, I have a hard stop in four minutes. So I mean I
18 may not be here to vote. Just FYI. Go ahead, please.

19 MS. DE JONG: Okay, thank you.

20 COMMISSIONER OLMEDO: Yes, so let's read back
21 the motion to nominate Silvia Paz for Chair. I make a
22 motion for Silvia Paz. I'm not sure how -- I'd like to
23 nominate Silvia Paz as Chair. Does that seem about right?

24 MS. DYER: Yes.

25 COMMISSIONER GUZMAN ACEVES: I'll second that.

1 MS. DYER: I think the nominations have been
2 made for Silvia Paz. And I think the question would be,
3 is there anyone beyond the two already nominated,
4 Commissioners, who would like to serve as Chair? And if
5 not, is there any additional discussion regarding the
6 nomination?

7

8 COMMISSIONER HANKS: Yeah. I have a hand up.

9 MS. DE JONG: James Hanks.

10 COMMISSIONER HANKS: Yeah. I'd like to nominate
11 Ryan Kelley, as Chair.

12 MS. DE JONG: Okay. Thank you. So my
13 understanding is that to make the selection, we can have
14 the two candidates and we'll go through, again, a roll
15 call vote where you provide which of the candidates you
16 are voting for.

17 MS. DYER: So can I get clarification Elisabeth,
18 are there any other nominations other than Ryan Kelley and
19 Silvia Paz. And if not, then I would suggest, yes, going
20 ahead with a roll call vote.

21 MS. DE JONG: Thank you. I think James Hanks
22 hand is raised. Is that leftover? Do you have another
23 comment? Same thing? Did you have an additional
24 comment?

25 COMMISSIONER HANKS: No.

1 MS. DE JONG: Okay. All right. We don't see
2 any other hands raised then from the Lithium Valley
3 Commission members on this voting item. Do we turn to
4 the public? Okay.

5 So again, Ariel if you can help facilitate if
6 there are any comments from the public.

7 MS. LEE: Sure. If you're joining us by Zoom
8 today on computer, please use the raise hand feature. If
9 you've called in, please dial star nine to raise your
10 hand, and star six to unmute your phone line. If you're
11 unable to make your comment orally, you can type it into
12 the Q and A box, and we will read it aloud. All comments
13 will be limited to three minutes per speaker. If you've
14 typed in your comment, that limit will be applied during
15 the reading of your comment by Energy Commission Staff.

16 And we'll first go through hands raised in the
17 Zoom application, and then onto phones.

18 There are no attendees with raised hands at
19 this time.

20 MS. DE JONG: Thank you. So I'm looking for
21 you, Deborah, to see if there's anything additional that
22 we need to do before we do a roll call vote.

23 MS. DYER: I don't think so. No.

24 MS. DE JONG: Okay, great.

25 So we have two candidates, Ryan Kelley, and

1 Silvia Paz. We're going to do again, through
2 alphabetical roll call. I'll ask you for your vote and
3 for that we ask that you respond with either Ryan Kelley
4 or Silvia Paz as the person you are voting for.

5 We'll go ahead and start with Rob Colwell.

6 COMMISSIONER COLWELL: Ryan Kelley.

7 MS. DE JONG: Thank you.

8 Roderic Dolega.

9 COMMISSIONER DOLEGA: Can I defer as I do not
10 know both candidates well enough.

11 MS. DYER: Yes. You're welcome to abstain if
12 you want to do from your vote.

13 COMMISSIONER DOLEGA: Let me do that. Yes.

14 MS. DE JONG: Okay.

15 Miranda Flores.

16 COMMISSIONER FLORES: Silvia Paz.

17 MS. DE JONG: Martha Guzman Aceves.

18 COMMISSIONER GUZMAN ACEVES: Silvia Paz, but I
19 still love you Ryan.

20 MS. DE JONG: I'm Sorry, I think I might have
21 missed the last part of what you said. Was there a
22 question?

23 COMMISSIONER GUZMAN ACEVES: I was just given
24 some love to Ryan. He's had many Chair roles, so I voted
25 for Silvia. Thank you.

1 MS. DE JONG: All right. Thank you.

2 James Hanks.

3 COMMISSIONER HANKS: Ryan Kelley.

4 MS. DE JONG: Thank you.

5 Ryan Kelley.

6 COMMISSIONER KELLEY: Ryan Kelley, I guess. I

7 think it's kind of silly.

8 MS. DE JONG: Thank you.

9 Luis Olmedo.

10 COMMISSIONER OLMEDO: I have enormous respect
11 for Ryan and Supervisor Kelley, and he knows that, you
12 know a lot of good work together. So this doesn't speak
13 on the tremendous respect to have for him. But I do, for
14 this specific Commission, I will stick to my nomination.
15 Silvia Paz.

16 MS. DE JONG: Thank you.

17 Silvia.

18 COMMISSIONER PAZ: Silvia Paz.

19 MS. DE JONG: Thank you.

20 Frank Ruiz.

21 COMMISSIONER RUIZ: This is a really hard one.

22 I think they're both extremely qualified, but I think I'm
23 toing to go with Ryan Kelley.

24 MS. DE JONG: Thank you.

25 Manfred Scott.

1 COMMISSIONER SCOTT: Silvia Paz.

2 MS. DE JONG: Thank you. And I think we lost
3 John. Oh, I see I'm still on there. Jonathan Weisgall.

4 COMMISSIONER WEISGALL: Silvia Pas.

5 MS. DE JONG: Thank you.

6 Okay. Let me just do the math for a second.

7 All right. So we have six votes for Silvia Paz
8 and four votes for Ryan Kelley. I'm going to look to
9 legal to confirm that that is a majority vote -- are
10 considered a majority vote, and something that we can
11 move forward with.

12 MS. DYER: Yes, that would be a majority.

13 MS. DE JONG: Thank you. All right. So I'm
14 sorry so.

15 Silvia Paz, having the highest number of votes,
16 is elected for Chair.

17 COMMISSIONER COLWELL: Congrats. All right.

18 MS. DE JONG: So the next item for discussion
19 here is the frequency of meetings. In our experience,
20 groups similar to this will meet monthly or quarterly,
21 depending on whether they have subgroup that meet between
22 the meetings of the entire main body meeting. What we
23 are hoping to do today is at least determine a timeline
24 for the next meeting and consider the desired frequency
25 for the group as a whole.

1 Deborah, if you want to go ahead and provide
2 some input.

3 MS. DYER: Sure so there's nothing governing
4 the frequency of meetings. The roles and
5 responsibilities document advises for Lithium Valley
6 Commission to meet as often as needed to complete all
7 mandated activities. So it is up to the Commission to
8 determine how often you will meet, and if the Commission
9 decides, in the future, that it makes sense to either
10 increase or decrease the frequency of meetings of
11 meetings that is a possibility.

12 MS. DE JONG: Great. Thank you.

13 So hearing that, let's open for discussion with
14 the Commission members to determine when the next meeting
15 should be scheduled and if there is a preference of
16 frequency. Once the Commission determines the timeframe
17 for its next meeting CEC Staff will work with you to set
18 that specific dates for the next meeting. And again, in
19 an effort to make sure everyone is heard, please use the
20 raise hand feature.

21 Rod Colwell.

22 MS. DE JONG: You're muted.

23 COMMISSIONER COLWELL: I'm sorry. I would
24 suggest -- my thoughts are probably monthly. There's a
25 lot going on at the moment, at least initially, maybe

1 some sort of subcommittee in between.

2 MS. DE JONG: Thank you. Any other comments on
3 this subject for the frequency of meetings or if you want
4 to propose when the next meeting will be? Luis Olmeda.

5 I think you're muted.

6 COMMISSIONER OLMEDA: I agree with Rod's
7 recommendation.

8 MS. DE JONG: Great. Getting some feedback for
9 monthly, and we have a typed comment that's suggesting
10 the end of the month. And the monthly from Ryan Kelley.

11 Any additional comments?

12 Okay so it seems like we have just a general
13 consensus here that we will proceed with monthly so as
14 mentioned CEC staff will work with you to set that
15 specific meeting.

16 And oh I'm sorry, do we do we open for public
17 comment right now?

18 MS. DYER: The appropriate course of action
19 would be to open for public comment and then ask if
20 there's a motion, as to the time period for the next
21 meeting, and then take a vote on that.

22 MS. DE JONG: And if it's not an item that we
23 want to vote on today, but rather treat as a preference
24 for setting the next meeting. How do we want to proceed.

25 MS. DYER: I think it, I think the -- if the

1 body expresses a preference, it should be taken as a
2 vote.

3 MS. DE JONG: Okay. So we'll go ahead and open
4 for public comments on the topic of the frequency of
5 meetings and then we'll come back to the group for the
6 requesting a motion.

7 MS. DE JONG: I'm sorry Ariel, go ahead.

8 MS. LEE: If you're joining us by Zoom on
9 computer please use the raise hand feature. If you've
10 called in please dial star nine to raise your hand, and
11 star six to unmute your phone. If you're unable to make
12 your comment early, you may type your comment into the Q
13 and A box, and we'll read it aloud. Comments will be
14 limited to three minutes per speaker.

15 I do not see a raised hand in the attendees
16 list. Let me check the Q and A box.

17 We don't have any questions pertaining to the
18 frequency of the meetings, but there is a general
19 question about does this meeting run as long as it takes
20 to cover the agenda or is there a specified ending time.

21 MS. DE JONG: And so, just to go ahead and
22 answer that live. It will go as long as it takes to
23 cover the agenda for this meeting.

24 Okay, so we will go ahead and turn back then to
25 the Lithium Valley Commission Members if there is a

1 motion to determine frequency of meetings. Ryan Kelley.

2 COMMISSIONER KELLEY: I propose once a month,
3 preferably at the end of the month.

4 MS. DE JONG: Thank you. And do we have a
5 second for that. Rod Colwell.

6 COMMISSIONER COLWELL: Yeah, I second that.

7 MS. DE JONG: All right. So again, what we
8 will do is. I'm sorry. Again, what we will do is call
9 by alphabetical order for your vote on the -- on this
10 item. As explained it would be to proceed with meetings
11 being held monthly.

12 So Rod Colwell, and I'm sorry, your vote here
13 is just yes or no.

14 COMMISSIONER COLWELL: Yes.

15 MS. DEJONG: Robert Dolega.

16 COMMISSIONER DOLEGA: Yes.

17 MS. DE JONG: Miranda Flores.

18 COMMISSIONER FLORES: Yes.

19 MS. DE JONG: Marth Guzman Aceves.

20 COMMISSIONER GUZMAN ACEVES: Sorry, yes. And
21 just as a small note, I would, maybe we can clarify that
22 we can have an alternate. Just given that frequency that
23 probably sometimes I won't be able to be there. That can
24 be a separate conversation. But sorry. But yes.

25 MS. DE JONG: James C. Hanks.

1 COMMISSIONER HANKS: Yes.

2 MS. DE JONG: Ryan Kelley.

3 COMMISSIONER GUZMAN ACEVES: Yes.

4 MS. DE JONG: Luis Olmedo.

5 COMMISSIONER OLMEDO:

6 MS. DE JONG: Silvia Paz.

7 COMMISSIONER PAZ:

8 MS. DE JONG: Frank Ruiz.

9 COMMISSIONER RUIZ.

10 MS. DE JONG: Manfred Scott.

11 COMMISSIONER SCOTT.

12 MS. DE JONG: And did we lose Jonathan

13 Weisgall. It looks like it. Okay. So the motions

14 passes with the majority of responses being yes, the

15 frequency of meetings will proceed as monthly.

16 COMMISSIONER DOUGLAS: Elisabeth, this is this

17 is Commissioner Douglas, I was just going to step in and

18 say, while you could finish the agenda the Commission if

19 it wants to consider tabling some topics for a future

20 meeting, given the time, you're very welcome to do that

21 so don't feel as though, you know, don't feel as though

22 you have to cover every item today. If you know need to,

23 if wish to leave some for the future.

24 MS. DE JONG: So we'll go ahead and proceed,

25 but please feel free to interject if you feel strongly

1 for that.

2 We'll go ahead and start talking about
3 subgroups. So we just want to raise the possibility of
4 subgroups. In our experience, groups similar to this
5 often you subgroups. This might be an opportunity to
6 create subgroups for topics like, for an example that
7 eight specific areas of research outlined AB 1657.
8 Although there's, you know, any number of cautions that
9 need to be here for subgroups. Before we ask for input,
10 let's ask Deborah to get some rules and restrictions for
11 subgroups.

12 MS. DYER: So, as we mentioned before, there
13 are rules and guidelines to follow regarding subgroups
14 and committees, depending upon the formality and the
15 purpose of the subgroup. If the committee -- if the
16 Commission decides to create subgroups or committees, we
17 can guide you from there through the process and provide
18 specific advice on how to comply with Bagley-Keene. You
19 may decide at this point to defer the question of
20 subgroups or move forward with the discussion of the
21 question of subgroups.

22 MS. DE JONG: So let's go ahead and open the
23 floor for discussion on this, and again we'll call on
24 you, by name, when you raise your hand.

25 I see a comment from Ryan Kelley to defer this

1 for a later meeting.

2 Are there any other comments or is that the
3 consensus. All right. I see another comment here from
4 Rod Colwell saying he agrees. We'll wait for a second to
5 see if there's any other comments.

6 Okay, I think it's safe to move ahead then with
7 the on the agenda. We can discuss subgroups at a later
8 meeting.

9 MS. LEE: So, sorry to interrupt. This is
10 Natalie. I just want to add to Commissioner Douglas's
11 comment that there is the opportunity to defer the
12 remaining if the -- given the time that the Commission
13 would like to discuss that perhaps we should give them
14 the, that opportunity right now.

15 MS. DE JONG: Yes, absolutely. I don't see any
16 hands raised. Are there any comments on whether to defer
17 the rest of the agenda for another meeting. Okay.

18 We'll go ahead and continue then. Oh sorry,
19 Silvia Paz. I see your hand there.

20 COMMISSIONER PAZ: Yes, I would be okay with
21 deferring the rest of the items. I don't know if people
22 are tired or -- we seemed to be more lively at the
23 beginning. And if that's the case, I also feel that
24 there's been some good recommendations on future topics
25 that were presented earlier. So maybe we could cover

1 that, like the proposed agenda topics for future meetings
2 if there's anything new, and leave the rest of them for
3 future, or the next meeting.

4 MS. LEE: And hello. This is Natalie. I
5 wanted to offer a comment that Elisabeth and I, as the
6 meeting has been progressing, have been -- have been
7 coordinating on the wide range of great suggestions,
8 opportunities for information, needs that have been
9 identified. And we did identify an opportunity, perhaps
10 to reconcile our notes and go through the transcripts to
11 try to identify all of the great suggestions and create
12 an opportunity to share those for you to review and add
13 to, if that seems like a viable alternative. Again, to
14 give you an opportunity to end the day here after this
15 long afternoon and still address them.

16 COMMISSIONER PAZ: Yeah. That would be okay,
17 Natalie. Thank you.

18 MS. DE JONG: We did get a written agreement by
19 Ryan Kelley agreeing to defer the rest of the agenda.

20 So we'll go ahead and put the rest of this
21 slide aside and I believe we would still want to open for
22 general public comment at this point in the agenda. Is
23 that correct?

24 MS. DYER: Yes.

25 MS. DE JONG: Okay, so we'll go ahead and move

1 into public comment. Ariel if you can help facilitate
2 and then I just want to mention that we did receive a few
3 written comments in the Q and A, and we'll be sure to
4 address those during this public comment.

5 MS. LEE: Sure. If you're joining us by Zoom
6 today on computer please use the raise hand feature. If
7 you're called in, please dial star nine to raise your
8 hand and star six to unmute your phone line. If you're
9 unable to make your public comment orally, you can type
10 your comment into the Q and A box and will read it aloud.
11 Comments will be limited to three minutes per speaker.

12 And we'll start by looking at raise hands of
13 the attendee list. I don't see any raised hands
14 currently. Would you like to move on to the Q and A
15 questions?

16 MS. DE JONG: Yeah. Yes, please. And if,
17 Stephen Harrison, if you're available to unmute yourself,
18 we can -- we can do that, but it seems like maybe we're
19 just going to read your comments so.

20 Okay, Ariel if you wouldn't mind just reading
21 it. Thank you.

22 MS. LEE: Sure 'll start with Stephen
23 Harrison's.

24 Good afternoon, my name is Dr. Steven Harrison.
25 I've enjoyed hearing from the members of the Commission

1 and would like to quickly myself and our company. I'm
2 here on behalf of Terra Lithium. We are a joint venture
3 between All American Lithium and Oxy Low Carbon Ventures.

4 As background on those two partners, All
5 American Lithium provides a technology platform for
6 extracting lithium from geothermal brine to produce
7 battery grade lithium hydroxide and lithium carbonate.
8 Our technology is partly based on intellectual property
9 developed by Simbol Materials that many of you know. For
10 information, I am the former chief technology Officer of
11 Simbol Materials, and I am on the staff of Terra Lithium.

12 The other partner, Oxy Low Carbon Ventures, is
13 a subsidiary of Occidental Petroleum. Oxy Low Carbon
14 Ventures focuses on executing large scale, carbon
15 capture, and renewable energy projects. And Oxy's sister
16 company, OxyChem, is one of the largest producers of
17 sodium hydroxide and potassium hydroxide in the world.

18 And that know how an experience is being
19 applied to the Terra Lithium technology to accelerate and
20 optimize its path to commercialization. We are excited
21 about the lithium development opportunities in California
22 and hope to contribute to that effort. I see the agenda
23 includes consideration of potential guest speakers and
24 presentations. If it would be helpful to the Commission,
25 we'd be happy to serve in that role for a future meeting.

1 I will follow up by submitting a written
2 comments with further background on our company and
3 technology. But in the meantime, Terra Lithium
4 appreciates the work the Commission is doing here, and we
5 look forward to participating Thank you. Steven Harrison.

6 MS. DE JONG: Thank you.

7 MS. LEE: And then moving on to our other
8 comment from BJ Dar from New Energy Nexus.

9 It is great that there are many stakeholders
10 and the Commission to represent so many interests and
11 areas of expertise. Is there a risk of slow progress to
12 align all stakeholders? What is the timing goal for
13 demonstrating local lithium for local cathode
14 manufacturing? How are we planning to fast track the
15 actions on the ground in 2021?

16 MS. DE JONG: If any of the Lithium Valley
17 Commissioner was like to respond to that.

18 All right. Well I do see that BJ is here, and
19 if you wanted to further clarify your question, we can
20 open your mic and allow you to speak. I gave you that
21 ability, so you'd be able to unmute.

22 MR. DHAR: No, I mean it does -- the question
23 is kind of because there's a lot of stakeholders, and we
24 have monthly meetings and we should be putting mortar on
25 the ground, soon. I just wanted to know what the

1 timeline for the Commission is for getting things rolling
2 in the Lithium Valley.

3 MS. DE JONG: Okay, thank you. Are there any
4 Commissioners that would like to respond?

5 COMMISSIONER PAZ: Yeah this is Silvia and very
6 briefly. I think we do have very specific mandate based
7 on the bill and the legislation, and I think there was a
8 request earlier for us to discuss in the next meeting a
9 potential timeline and scope of work. So my, while
10 that's probably not the answer you're looking for in
11 specific, I do think and look forward to this Commission
12 prioritizing and putting a realistic timeline that will
13 not only result in a report but will get things moving on
14 the ground.

15 MR. DHAR: Thank you.

16 MS. DE JONG: Thank you. And I do see one more
17 hand raise for public comment.

18 MS. LEE: Yes. We have Nikola Lakic. I've
19 allowed you to speak Nicola. You can go ahead and unmute
20 yourself.

21 MR. LAKIC: Hello, can you hear me.

22 MS. DE JONG: Yes. We Can.

23 MR. LAKIC: Oh. Hello. My question is, just
24 in case if I want to make public comment or if I want to
25 contact Commissioners, it would be it would be this

1 address provided, The Lithium Valley Commission. To whom
2 I should address let's say if I want to contact specific
3 Commissioner. Would that be against the Public Records
4 Act or Do I need to include everyone, I don't mind,
5 including everyone. I don't mean nothing secretly. But
6 if I want to make comment or do I need to include in the
7 CEC address, everyone, or I can comment someone or when I
8 can find addresses for this Lithium Valley Commission
9 address @CA.gov would be enough. Can you tell me if you
10 would somebody?

11 MS. DYER: Yes, you are welcome to contact one
12 member or two members. However, you would like to do
13 that just contacting one would not be a violation of any
14 of the laws that we talked about earlier.

15 MR. LAKIC: But if I want everyone to hear that
16 I don't want to secretly.

17 MS. DE JONG: You're welcome then to - oh
18 sorry.

19 MR. LAKIC: Well, I said, if I want to contact
20 everyone purposely not just to looks like secretly that
21 I'm talking to someone else. Would it be okay. I don't
22 mean to over, I don't mean to overcrowd.

23 MS. DYER: You can. You could send an email to
24 the Lithium Valley Commission email is that right
25 Elisabeth.

1 MS. DE JONG: Yes. And then -

2 MS. LEE: I think the best practice might be to
3 docket any information using our docketing system. Could
4 we provide -- I think we're going to be providing some
5 contact information here in the next couple of slides.

6 MR. LAKIC: Thank You.

7 MS. DE JONG: Yes. We would be happy to docket
8 or assist you in docketing any information that you'd
9 like to share with the Lithium Valley Commission. Thank
10 you very much.

11 MR. LAKIC: Thank you, very much.

12 MS. DE JONG: Any other public comments.

13 MS. LEE: No more raise hands and no more to
14 any questions.

15 MS. DE JONG: Okay, great. So let me just go
16 ahead and get us started on wrapping up. So thank you so
17 much for a great discussion. As we're wrapping up the
18 first meeting, I want to thank you all for your time and
19 for this engaging start. Throughout the conversation,
20 today you all identified a number of needs and
21 opportunities for this Commission.

22 Instead of trying to confirm everything we
23 heard today Staff will review our notes and the
24 transcript to be sure that we have captured the wide
25 range of ideas already discussed, and your thoughts on

1 the information needed to support the Commission
2 activities and information needs.

3 We have also had a number of people offer to
4 provide information to address some of the questions
5 asked and issues identified, which we want to be sure,
6 all parties have access.

7 To support your activities we will provide the
8 summary to the Commission members to support your future
9 planning and make the information available to the public
10 as well. At this time, I want to invite Commissioner
11 Douglas to provide some closing comments.

12 COMMISSIONER DOUGLAS: Well I'll be brief,
13 given the time. I'm really excited about this
14 Commission. I'm really pleased to see the energy and
15 time that all of you have put into the meeting today. I
16 know it was -- it can be a grueling day but it's, the
17 participation's been great, and I think, I'm just really
18 excited about what we'll be able to do together. So
19 thank you all.

20 We'll see you all again in a month or so, and
21 you know we'll be working to support this effort, the CEC
22 staff and the Commissioners are very committed to helping
23 support this effort. So yeah, I think that's all I need
24 to say right now, in the interest of getting everyone on
25 their evening. But thank you.

1 MS. DE JONG: All right. Well thank you. If
2 you want to make any closing comments then please go
3 ahead and raise your hand, but we'll move on to
4 the -- just letting you know. Sorry. There we go. All
5 right. I don't see any hands raised so we encourage you
6 to visit our website for the
7 @fortheLithiumValleyCommission and we will be putting
8 more and more information on it soon. And to sign up for
9 our email, listserv so thank you for your time today, and
10 please also free to contact us by email.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1

2

3

4

5

6

CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of April, 2021.



ELISE HICKS, IAPRT
CERT**2176

CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



MARTHA L. NELSON, CERT**367

April 20, 2021