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**Comite Civico del Valle Comments on the Blue Ribbon Commission
Draft Report**

Additional submitted attachment is included below.



COMITE CIVICO DEL VALLE, INC.

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Oct. 25, 2022

TO: LITHIUM VALLEY COMMISSION

RE: COMMENTS ON DRAFT REPORT ON LITHIUM

As an environmental justice advocacy organization, we, Comite Civico del Valle, Inc., have had the opportunity to take a deep dive into the Blue Ribbon Commission's Draft Report, and what we can say is that the draft is admirable in its attempt to ensure that the residents of Imperial County are taken care of, but if we are being honest, there are numerous areas that give us pause, the least of which are the inconsistencies in language and content we find throughout the document.

Our most serious concern — the single issue that sounds the alarm bells above all others for our organization — is the troubling definition for the "Salton Sea Region," which we feel threatens to dilute the just distribution of economic benefit and mitigation funding to the fenceline communities impacted by the emerging lithium industry.

In several areas we see this egregious language: **"It includes all of Imperial County and most of Riverside County, extending from the Palm Springs area to Coachella"** (page 4, line 2); **"much of Riverside County Palm Springs to Arizona border"** (page 26, line 8); **"again much of Riverside County from Palm Spring to the Arizona border"** (page 30, line 29); and **"Salton Sea Region being much of Riverside, from Palm Springs through the Arizona border"** (page 74, line 23).

That extraction at Lithium Valley will impact the Salton Sea Region is true; of this we have no quarrel. That the *region* would go beyond Eastern Coachella Valley at best is simply false and cannot be substantiated under any modern historical geographical usage that we have found. Neither Palm Springs, Blythe, Palo Verde, — and by that geographic rationale — nor Borrego Springs in San Diego County could ever be seen as being in logical proximity to the Salton Sea.

We would ask — nay, demand — that "Salton Sea Region" be immediately redefined at every point in the report to not extend beyond Eastern Coachella Valley, if that. To this point, we stand firm and intractable.



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To a lesser extent, but no less important, we have other examples of erroneous language that while minor does change the meaning and the spirit of the social and environmental justice aims being undertaken. For example, twice we see the city of Imperial referenced in a grouping of fenceline/shoreline communities impacted by the industry, yet the cities of Westmorland and Salton City are omitted (Executive Summary page 4, line 13; Chapter 1, Page 8, line 14).

In both cases, these are cities of meager means, whose residents overwhelmingly live in poverty in comparison to the more affluent city of Imperial, which is miscategorized; Imperial is largely a single-family housing development-driven city.

On Key Recommendations Table 1, Page 8, line 14, the report reads, “**identify Lithium Valley.**” We believe it is of the utmost importance to not simply imply that Lithium Valley *is* the Imperial Valley but to explicitly define and spell that out within the report in order to ensure equitable access to funding for the underserved and underrepresented peoples of the Imperial Valley, that is, the fenceline communities of Lithium Valley.

In the same section, the report states, “**some of the lithium funding should be allocated to Salton Sea.**” CCV recommends that the report also states that the state of California and the agricultural sector of Imperial County contribute mitigation dollars to the restoration of the Salton Sea. Lithium revenue should not be the state’s nor the ag community’s excuse for absolving themselves of their responsibility for the Sea. There has been a historical responsibility to address decades of damage and inaction.

Key Recommendations Table 1, Page 9, line 5 where the report says “**IID to identify water needs,**” CCV believes it is important that the Imperial Irrigation District identify and issue hydrology reports on the Colorado River in terms of predicted short and long term cuts by Bureau of Reclamation.

Key Recommendation Table 1, Page 12, line 14 states, “**Identify Lithium Valley investment zone,**” and Page 12, line 19 states, “**support repairs/improvements to infrastructure.**” In both of these instances, CCV thinks it is a moral imperative to include references in writing that include the fenceline communities along the southern end of the Salton Sea, the underserved and underrepresented towns and cities who will be directly impacted by the lithium extraction process. And not just the extraction process itself, but the high-traffic, heavy toll on the infrastructure that will occur in communities that will be natural ingress and egress points between urban centers and these remote sites.



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In Chapter 1, Page 4, line 27, under Introduction and Background, the reports states, **“(Known Geothermal Resource Area) subsurface reservoir half mile underground,”** and on Chapter 2, Page 22, line 1, under Lithium Demand, Supply ..., it states, **“reservoir at a depth of up to 1.2 miles,”** there seems to be both inconsistency and a lack of clarity. We seek both. If there is a range, then let the final report reflect that.

In Chapter 1, Page 6, line 10 the statement is made, **“to improve the state's ability to store renewable energy.”** CCV would like to know what that means. Is the state planning to get into the battery storage business? We were under the impression these were private companies producing power on the open market. Where does the state and energy storage factor in? We believe that statement needs clarification and expansion, for the purposes of transparency.

In Chapter 1, Page 6, line 27 states, **“distribute no less than 30% to communities.”** That 30 percent needs to be clearly defined. Left open-ended and on soft footing, we run the risk of failing the historically underrepresented communities that we now have the chance — the obligation — to help bring out of generational poverty and darkness. We believe that it is within these kinds of phrases, where specificity is lacking in the language, that people can avoid being held accountable. Is this also a recommendation to the County of Imperial on the distribution of tax revenue, as they are the financial administrator for those extraction tax dollars?

In Chapter 2, Page 17, line 13, under Lithium Demand, Supply ..., the report states, **“grouping (direct lithium extraction) types into: adsorption, ion exchange, solvent extraction.”** CCV believes the information provided there is threadbare. We would like to see some comparisons made between the different processes in terms of water consumption, materials used, chemicals used, etc., perhaps in some informational graphic form.

In Chapter 3, Page 28, line 6, under Community and Tribal Priorities, the report states, **“particulate matter in the dust can contain toxic elements.”** As a matter of record, we'd like the final report to reflect the agricultural sector's role in contributing to the toxic



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elements deposited in the Salton Sea seabed and the exposed playa through decades of runoff using commercial pesticides, herbicides, and fertilizers.

In Chapter 3, Page 29, line 12, in the same section, the report states, **“historic, systemic & disproportionate environmental harms.”** CCV believes that statement does not go far enough to explain the structural, procedural, distributional and generational inequities faced by the disenfranchised populations of Imperial County’s poorest communities, especially those who will be living in the shadow of the lithium extraction facilities. To borrow from any of the aforementioned writing would be to do them more complete justice.

In Chapter 3, Page 31, line 3, under Community and Tribal Priorities, **“encourage Imperial County to include Riverside County in mandated health impact assessment.”**

CCV has no qualms with Riverside County being included in a health assessment involving Imperial County, but our concern is ensuring that the \$5 million allocated to pay for Imperial’s assessment does not go toward paying for Riverside’s participation. Riverside County needs to cover its own tab and not take from the county of historical have-not’s. That is an important distinction, and it needs to be spelled out. We feel if it is not something that is leant clarity, Imperial County will end up footing the bill.

In Chapter 4, Page 37, line 10, under AB 1657, **“projected 4 million zero emission vehicles in 2021,”** we are assuming that is a typo.

In Chapter 4, Page 46, line 14, in the same section under **“aesthetics,”** we’re looking for clarity whether it’s the building or the greenspace. On Sept. 22, 2022, CCV staff members toured the Hudson Ranch II geothermal plant, where EnergySource is developing its lithium extraction facility, and we specifically asked the question about the “aesthetics” of the site, whether greenspaces would be built out at the facility. We were unequivocally told no, that they were there to extract lithium, nothing more. CCV is looking for some clarity on what would be contained in the report vs. what would be required of the companies drawing from the resources. We believe having some requirement to contribute to the aesthetics of the environment is a small ask.

In Chapter 4, Page 52, line 29, also in AB 1657, in **“traffic,”** there is discussion about the 24/7 traffic that will likely occur in and around the extraction facilities. CCV would like to see some sort of percentage tied to a company tracking the transformation of its fleet from fossil fuel-powered to electric vehicles, with attainable goals over time, that is, **“xx% in the first xx years,”** etc. We see that as being doubly important, not just from the



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standpoint of this being the move toward a greener future, but because the fence line communities will be impacted by the upsurge in truck traffic through their small cities, and with that, the potential for pollution.

Aside from what is contained in the draft report, Comite Civico del Valle does feel there are two glaring omissions that will prove essential moving forward — one involves seismic activity and the second, waste disposal from the lithium extraction process.

No where in the report could our staff members find anything regarding seismic activity, which we found odd considering the Salton Sea area is located within what is referred to as the “Ring of Fire.” The region is notorious among geologists and seismologists as a point where three seismically active faults converge.

It is CCV’s position that this should be documented, and that some sort of ongoing study and/or seismic activity monitoring program should be part of the report to assess regional infrastructure deficiencies, among other potential problems.

In terms of waste, we also don’t believe everything is fully understood concerning what waste streams will be created from the extraction process. We believe there needs to be a requirement that solid and/or liquid waste be stored and disposed of properly. To not address it at all is to leave too much open to chance.

We believe we have thoroughly covered the document itself, page by page and line by line. We’ve seen the inconsistencies and we’ve found the language we haven’t agreed with. We’ve also addressed what we believe to be significant omissions. Hopefully, we are not the only organization taking the time for a thoughtful analysis of the draft.

That said, we do want to thank the Lithium Valley Commission and the state of California for an engaging, meaningful process to involve many stakeholders in the process of developing the draft report and in attempting, for the first time that we can remember, to make social and environmental justice a priority.

Christian Torres
Special Projects Manager
On behalf of Comite Civico del Valle