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CALIFORNIA ENERGY COMMISSION  
LITHIUM VALLEY COMMISSION

In the matter of,	)	
	)	
Lithium Valley	)	Docket No. 20-LITHIUM-01
Commission Meeting	)	

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IN PERSON AND REMOTE VIA ZOOM VIRTUAL MEETING

**Primary Location:**

Imperial Valley College - Auditorium  
380 East Aten Road  
Imperial, CA 92251

THURSDAY, NOVEMBER 17, 2022

1:00 P.M.

Reported By:  
Elise Hicks

## APPEARANCES

Lithium Valley Commissioners

Steve Castaneda  
Roderic Dolega  
James Hanks  
Ryan Kelley  
Luis Olmedo  
Silvia Paz  
Alice Reynolds  
Frank Ruiz  
Jonathan Weisgall

CEC Staff

Deana Carrillo  
Erica Loza  
Silvia Palma-Rojas  
Deborah Dyer

Presenters

Lisa Ballin, Lead Facilitator -- Consensus and  
Collaboration Program, College of Continuing  
Education, Sacramento State

Public Comment

Nikola Lakic  
Mariela Loera, LCJA  
Courtney Coyle, Attorney for Carmen Lucas  
Carmen Lucas, Kwaaymii Laguna  
Christopher Allen, Southwest Mountain States Regional  
Council of Carpenters  
Nilda Ruiz, Alianza Coachella Valley  
Jose Flores, Comite Civico  
John Hernandez  
Fernanda Vega, Comite Civico  
Anonymous  
Hector Meza, IVFW 569

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

1  
2 November 17, 2022

1:10 P.M.

3 CHAIR PAZ: Good afternoon, and welcome to our  
4 meeting. We have dedicated this meeting as the last  
5 meeting to discuss the report in order for us to meet  
6 the December 1<sup>st</sup> deadline that we established. So, I am  
7 excited to be here, and I'm looking forward to a  
8 productive meeting.

9 We are meeting in-person in Imperial Valley  
10 College, and remotely through Zoom as authorized under  
11 Assembly Bill 189. We are providing interpretation  
12 services in Spanish for attendees at the physical  
13 location and for those participating through Zoom on  
14 computers or tablets. The Zoom interpretation function  
15 does not work for attendees who are only joining by  
16 phone.

17 I will hand it over to Erica Loza now from the  
18 Energy Commission, who will speak in Spanish to inform  
19 our Spanish-speaking audience on how to use the service.

20 MS. LOZA: Buenas tardes. Me llamo Erica  
21 Loza. Daré instrucciones a aquellos de ustedes que  
22 quieran escuchar la reunión en español. Hay un  
23 intérprete disponible a través de la plataforma Zoom.  
24 Para unirse al canal en español, haga clic en el ícono  
25 de globo pequeño en la parte inferior de su aplicación

1 Zoom. Seleccione el canal donde dice S-p-a-n-i-s-h.  
2 Luego haga clic en la frase siguiente donde dice "Mute  
3 Original Audio" para silenciar el audio original. Si  
4 tiene preguntas o si gusta hacer algún comentario, por  
5 favor de oprimir el icono de la mano alzada y abierta o  
6 envíenos un mensaje en español a través de la función de  
7 preguntas y respuestas para ayudarlo.

8 Next slide, please.

9 If you are joining us today via a smart phone  
10 or tablet you may need to find the three dots or the  
11 more button to navigate to the interpretation options.  
12 All attendees should select a channel, either English or  
13 Spanish. The interpreter will assist and translate the  
14 public comment into English for the benefit of the  
15 attendees in the English channel.

16 So, back to you, chair Paz.

17 CHAIR PAZ: Thank you. I was about to type in  
18 the chat, I believe I see James Hanks as an attendee.  
19 So if he can please be promoted as a panelist? Thank  
20 you.

21 COMMISSIONER HANKS: Yes, I'm here now.

22 CHAIR PAZ: Thank you. Welcome. To ensure  
23 that all members of the public have access to the  
24 meeting under the Bagley-Keene Open Meeting Act, we ask  
25 that all Lithium Valley Commissioners select and remain

1 on the English Channel for the entirety of the meeting,  
2 and preferably with your cameras on.

3 I will hand it back to Erica so she can review  
4 general instructions.

5 MS. LOZA: Okay. This is a hybrid meeting  
6 being conducted in the auditorium of the Imperial Valley  
7 College and via teleconference. We would like to thank  
8 Imperial Valley College for hosting today's public  
9 meeting. This meeting is being recorded as well as  
10 transcribed by a court reporter. The transcript will be  
11 posted to the docket in about two to three weeks after  
12 the meeting. The recording of the meeting will be  
13 available on the Lithium Valley Commission webpage. The  
14 Spanish interpretation will not be recorded or  
15 transcribed.

16 Members of the public connected to this  
17 meeting via teleconference will be muted during the  
18 presentations and discussion on the draft report. But,  
19 there will be an opportunity for public comment before  
20 the Commissioners take action on the report.

21 For public commenters, we will ask you to  
22 state and spell your name and state your affiliation, if  
23 any, when speaking. However, state law permits you to  
24 remain anonymous if you choose, so providing your name  
25 and affiliation is voluntary. There is a Q&A window in

1 the Zoom application in which you can use to type your  
2 questions and comments and staff will relay these  
3 comments as appropriate.

4 For any comments made in Spanish, the  
5 interpreter will render these comments into English for  
6 the non-Spanish-speaking participants to ensure those  
7 comments are included in the record and transcript. The  
8 presentation materials from this meeting will be  
9 available through the docket in English and Spanish  
10 version after the meeting. Please note that the Spanish  
11 version may post a few days after the English version.

12 Next slide, please.

13 So, public comments can be submitted at any  
14 time through the e-commenting system accessed through  
15 the Lithium Valley Commission webpage. For more  
16 information on the Lithium Valley Commission, you can  
17 access the website as shown here. You can also review  
18 the materials submitted to the docket at the link  
19 provided below the website address, which can be found  
20 on this webpage as well.

21 Back to you Chair Paz

22 CHAIR PAZ: Thank you. Next slide.

23 So, we're now moving to roll call. So, Erica,  
24 can you please do the roll call for us?

25 MS. LOZA: Yes.



1 Commissioner Castaneda?

2 Commissioner Colwell?

3 Commissioner Dolega?

4 COMMISSIONER DOLEGA: Sorry, here.

5 MS. LOZA: Thank you. Commissioner Flores?

6 Commissioner Hanks?

7 COMMISSIONER HANKS: Here.

8 MS. LOZA: Vice Chair Kelley?

9 VICE CHAIR KELLEY: Here.

10 MS. LOZA: Commissioner Lopez?

11 Commissioner Olmedo?

12 COMMISSIONER OLMEDO: Present, here.

13 MS. LOZA: Thank you. Chair Paz?

14 CHAIR PAZ: Here.

15 MS. LOZA: Commissioner Reynolds?

16 Commissioner Ruiz?

17 Commissioner Scott?

18 Commissioner Soto?

19 Commissioner Weisgall?

20 COMMISSIONER WEISGALL: Present.

21 MS. LOZA: I believe Commissioner Castaneda is  
22 present, if you could say you're present, please?

23 COMMISSIONER CASTANEDA: Present.

24 MS. LOZA: Thank you.

25 And if the camera can be turned on for the in-

1 person? I can't see -- I can't see Imperial Valley  
2 College, the auditorium.

3 MS. CARRILLO: We're working on that request.

4 MS. LOZA: Thank you. Okay, so we have seven  
5 present.

6 CHAIR PAZ: Thank you. We do not have a  
7 quorum right now. However, we will continue with the  
8 first portion of the agenda. And before we get to the  
9 discussion of the report and items that we are going to  
10 be having to vote on, we'll reassess and see if we have  
11 quorum at that time.

12 So, next slide, please.

13 So, this is the agenda for today's meeting.  
14 At today's meeting, we will be finalizing the  
15 Commission's report to the legislature. First, CEC  
16 staff will provide a summary of the public participation  
17 process and public comments received on the initial  
18 draft period. We will spend the majority of our time  
19 today finishing our discussion on the revised  
20 recommendations and the modifications to the body of the  
21 report. These were circulated yesterday, TN 247492 and  
22 TN 247491.

23 In response to our conversation on October  
24 31<sup>st</sup>, and to support our focused efforts today, staff  
25 further revised and condensed the recommendations and

1 provided them in two tables. Table A is a listing of 14  
2 recommendations that we have previously discussed and  
3 were identified at our October 31<sup>st</sup> meeting as having  
4 broad support. It's my understanding that we had broad  
5 support for these recommendations with the modifications  
6 we requested and the body of the report at the last  
7 meeting. After our discussion and public comment, I  
8 recommend that we entertain a motion approving this  
9 table and the body of the report with any specific  
10 modifications.

11 Table B is a listing of six recommendations  
12 which were identified on October 31<sup>st</sup> as needing  
13 additional discussion due to different views and  
14 opinions among Commissioners. Before a Commission vote,  
15 we will review these recommendations one by one, and  
16 we'll need to be focused with our time. And after our  
17 discussion, we'll determine what form to bring these  
18 recommendations for consideration in a vote.

19 We will then open for public comment before  
20 any motions are considered, and we'll move to vote after  
21 public comment. By that time, based on the  
22 Commissioner's discussions at the last meeting and  
23 today's, the public should be aware of those issues with  
24 the draft report that may remain unsolved. So, we will  
25 invite the public to provide comment on any of those

1 unresolved issues. So that, when motions are ultimately  
2 made and Commissioners vote, we will have the benefit of  
3 the public comments in making our final decisions.

4 We may also need a motion delegating authority  
5 to me to oversee any additional modifications to the  
6 final draft of the report that we agree on today prior  
7 to its submittal to the legislature on December 1<sup>st</sup>.

8 If there are any concerns with this approach?  
9 Or, if there are no concerns with this approach, I will  
10 introduce now Deana Carrillo from the Energy Commission  
11 to provide an overview of the public comments received  
12 on the initial draft of the report.

13 MS. CARRILLO: Thank you, Chair Paz. Next  
14 slide, please. I'm sorry, next slide, please.

15 Good afternoon. My name is Deana Carrillo,  
16 and I'm the Director of the Renewable Energy Division at  
17 the Energy Commission, and supporting the work of the  
18 Blue-Ribbon Commission on Lithium Extraction in  
19 California.

20 As the Commissioners have concurrently  
21 reviewed the public comments on the docket, staff also  
22 reviewed them to identify key issues raised and made  
23 recommendations in the documents provided on how to  
24 incorporate the feedback received. Staff also developed  
25 a matrix identifying the various written comments and

1 issues raised, and identifying where they are discussed  
2 in the report. That comment matrix has been docketed  
3 and a link can be placed in the chat for both the  
4 Commissioners' and the public's review

5 Next slide, please.

6 Before providing an overview of the public  
7 comments, I just want to take a look back at the work  
8 that you've been doing to get to today. The initial  
9 draft was published on September 21<sup>st</sup>, after, you know,  
10 approximately twenty meetings over the last two years.  
11 The Spanish translation was issued shortly thereafter,  
12 which started a 30-day public comment period.

13 The Commission had two public meetings to  
14 discuss the draft report, and public comments were taken  
15 during both meetings. During the September 29<sup>th</sup> meeting,  
16 Commissioners provided feedback on that initial draft  
17 report. And to collect oral comment on the draft  
18 report, CEC staff hosted and facilitated community and  
19 tribal workshops in three communities near the Salton  
20 Sea during the evenings of the week of October 17<sup>th</sup>, and  
21 hosted an online webinar the following week.

22 The public comment period ended on the initial  
23 draft on Friday, October 28<sup>th</sup>. The second draft report  
24 was published on the 28<sup>th</sup>, which included the  
25 Commissioners' input on that initial draft. At the

1 October 31<sup>st</sup> meeting, we centered on Commissioners'  
2 deliberation on that second draft, the report and  
3 consolidated recommendations. Additional revisions to  
4 that second draft report, and proposed consolidated  
5 recommendations considering those comments, and the  
6 public comments were provided in redline and docketed  
7 yesterday. A little map at how we go to today.

8           Next slide.

9           The Commission received over 290 comments on  
10 the initial draft report. A diverse group of  
11 stakeholders submitted comments, including residents and  
12 the general public, industry, community-based  
13 organizations, tribes and tribal members, labor unions  
14 and trade councils, and other governmental entities.

15           Of these, approximately 258 of the written  
16 comments were received supporting lithium recovery in  
17 Imperial County. The CEC's docket unit redacted some of  
18 the personal identifying information, so we don't know  
19 the residency of many of these comments. But of those  
20 that we do know, 36 percent of those were from residents  
21 in Imperial County, four percent from Riverside, and two  
22 percent from San Diego.

23           Next slide, please.

24           This slide shows a partial overview or  
25 sampling of the types of entities that submitted written

1 comments. Comments were received from governmental  
2 entities, which included suggestions from strengthening  
3 certain topics, improving accuracy and clarity of the  
4 report, to recommendations for advanced mitigation and  
5 joint efforts with the US EPA Region 9.

6 Tribal governments also submitted letters,  
7 which included comments ranging from requests to extend  
8 the public comment period, expressing opposition to  
9 lithium extraction and development, and the need to  
10 improve tribal consultation processes and to support an  
11 inclusive economic development in the region that is  
12 culturally respectful.

13 Industry representatives made comments that  
14 addressed the need for infrastructure investments, such  
15 as broadband and roads, and opposition to the existing  
16 lithium tax structure as it may burden or dampen  
17 development, to requests to increase efficiencies in  
18 state processes and permitting due to reduce  
19 uncertainty.

20 And comments from the community, and  
21 environmental organizations, and labor organizations  
22 also provided other diverse recommendations prioritizing  
23 investment in the local community closest to the  
24 projects and protecting public health.

25 As I mentioned, approximately 260 comments

1 were from individuals supporting the development of  
2 lithium recovery in Imperial County. This is not an  
3 exhaustive summary. Rather, I provide these examples to  
4 illustrate the breadth of the comments that were  
5 received.

6           Next slide, please.

7           This slide also provides some of the key  
8 themes and topics of those comments. I've covered a few  
9 of those before, but to reinforce. Some of the comments  
10 were to fund technical assistance to tribes, include  
11 tribes in business opportunities, and ensure the  
12 protection of tribal, environmental, and cultural  
13 resources. The majority of those comments were in  
14 support.

15           A few comments about creating a framework for  
16 the region to recover and process lithium in a safe and  
17 expeditious fashion. And to support project labor  
18 agreements, state certification apprenticeships, and  
19 high-road job and career approaches with family-  
20 supporting wage and benefit standards, worker  
21 protection. And, to provide an accessible additional  
22 information on potential environment and public health  
23 impacts, and the mitigation measures imposed on specific  
24 projects.

25           Next slide, please.



1           As I mentioned earlier, four community and  
2 tribal workshops were held to solicit oral feedback from  
3 residents in a more accessible format. These were also  
4 small-group discussions led by a third-party  
5 facilitator. The workshops featured interpretation in  
6 Spanish and Purepecha, translated fact sheets and the  
7 draft report, an overview of the purpose of the  
8 Commission and the draft report. We provided workshop  
9 workbooks to focus the discussion on those report  
10 recommendations. These were held in the evenings from  
11 6:00 to 8:00 P.M., and we were able to provide some  
12 snacks. So, a little over -- we had about sixty  
13 attendees across those three workshops and that webinar.

14           Next slide, please.

15           Some of the key themes raised in those oral  
16 comments were concern of the unknown, and excitement  
17 about the potential opportunity related to jobs and  
18 investment in the area. Requests for more information  
19 made available in accessible formats. Specific to the  
20 lithium recovery projects, the economic benefits and the  
21 environmental benefits. Concern about the cumulative  
22 public health and environmental impacts, and that they  
23 need to be identified and mitigated in advance. And an  
24 interest in the fence line communities near the projects  
25 being prioritized in both investment and mitigation of

1 potential environmental impacts. With others strongly  
2 believing that the investment and public health and  
3 mitigation that is necessary across the broader region  
4 as well. We also received a few requests to define  
5 Lithium Valley, much like the conversations we've had  
6 here, with a physical boundary to ensure that the  
7 communities close to the DLE projects directly benefit.

8           Next slide, please.

9           In reviewing the public comments, staff worked  
10 to assess whether issues raised had already been  
11 incorporated or discussed in the report, made additional  
12 modifications where it was determined to be most  
13 relevant, and declined to make modifications related to  
14 issues that were being actively discussed by the  
15 Commission or were not relevant to the scope of the  
16 report. That provides an overview of the public  
17 comments we've received as well as the process. So, I  
18 will turn it back to you, Chair Paz, and I'm here to  
19 answer any questions.

20           CHAIR PAZ: Are there any questions from the  
21 Commissioners? I don't see any hands. And -- okay.  
22 And no questions from Commissioner Castaneda in Imperial  
23 Valley College either? Okay. Thank you.

24           I would like to reassess to see if we have  
25 quorum. Erica, can you support us with that?

1 MS. LOZA: Yeah. Commissioner Castaneda?

2 I can't hear you, but I see you.

3 COMMISSIONER CASTANEDA: Here.

4 MS. LOZA: Thank you. Commissioner Colwell?

5 Commissioner Dolega?

6 COMMISSIONER DOLEGA: Here.

7 MS. LOZA: Thank you. Commissioner Flores?

8 Commissioner Hanks?

9 COMMISSIONER HANKS: Here.

10 MS. LOZA: Vice Chair Kelley?

11 VICE CHAIR KELLEY: Here.

12 MS. LOZA: Commissioner Lopez?

13 COMMISSIONER WEISGALL: Give me just a second,

14 I --

15 Commissioner Lopez is not here.

16 Commissioner Olmedo?

17 COMMISSIONER OLMEDO: Here.

18 MS. LOZA: Thank you. Chair Paz?

19 CHAIR PAZ: Here.

20 MS. LOZA: Commissioner Reynolds?

21 Commissioner Ruiz?

22 Commissioner Scott?

23 Commissioner Soto?

24 Commissioner Weisgall?

25 COMMISSIONER WEISGALL: Yeah, here. Mmm hmm,

1 yeah.

2 MS. LOZA: Okay, seven are present.

3 CHAIR PAZ: We still do not have --

4 COMMISSIONER OLMEDO: I just wanted to point  
5 out, somebody's off mute. I just wanted to make sure  
6 that -- so, I don't know who that was. But just for  
7 precaution.

8 CHAIR PAZ: Thank you. We still do not have  
9 quorum. So, Deana, what do you recommend?

10 MS. CARRILLO: My recommendation would be for  
11 the Commissioners to have the discussion. While that  
12 may not provide us the ability to vote today, I also  
13 believe that Commissioner Colwell, he got stuck in  
14 travel. And a few other Commissioners had some  
15 unanticipated events pop up today and they may be able  
16 to join us.

17 CHAIR PAZ: Okay. In the event that they do  
18 join us in the middle of the discussion, will they still  
19 be able to vote?

20 MS. CARRILLO: I'm gonna defer to my -- to our  
21 legal counsel that are on the phone. Renee or Deborah,  
22 did you hear Chair Paz's question?

23 And while they work on unmuting this, I would  
24 like to suspect that given the robust discussion that  
25 the Commissioners have had to date and the public

1 process, that they have been informed to-date. But I'm  
2 gonna hold off and wait for legal counsel to opine.

3 MS. DYER: This is Deborah Dyer. As -- I  
4 think as long as the Commissioners are present during  
5 the motion and the discussion on the motion, they would  
6 be able to vote on that motion.

7 CHAIR PAZ: Okay, thank you for that.

8 MS. CARRILLO: So, so Chair Paz, just to  
9 manage that a little bit -- we could have the  
10 discussion, open the public comment, come back for the  
11 motions and a vote.

12 CHAIR PAZ: Sounds Good. Okay. Well, next  
13 slide please. Thank you.

14 So, then we will get into the focus of today's  
15 meeting. I asked the Energy Commission to support our  
16 discussion to provide context for how they have  
17 approached balancing our varied perspectives in specific  
18 recommendations. And once again, Lisa Ballin with  
19 Sacramento State Consensus and Collaboration Program is  
20 here to provide neutral third-party facilitation of our  
21 discussion.

22 Before we get started, I would like to lay a  
23 foundation for our approach. Based on Commissioner  
24 comments provided at prior meetings, the CEC staff has  
25 made revisions to the draft report and recommendations.

1 These were published yesterday as the third draft  
2 report. There are two documents that will be the focus  
3 of our discussion. One is the body of the report. The  
4 report sections that provide background and findings TN  
5 247491, with red lining that indicates changes made  
6 since September and October drafts.

7           And number two, further condensed and revised  
8 recommendations, TN 247492, Changes made to the  
9 recommendation since October 31st meeting are also  
10 redlined. These recommendations are provided in two  
11 tables. Table A, as mentioned prior, is a listing of 14  
12 recommendations that were identified as having broad  
13 support at our earlier meetings, and a few of them were  
14 suggested to be consolidated with other recommendations.  
15 They have also been further refined based on our  
16 discussion at the October meeting. Table B is a listing  
17 of six recommendations that were identified as needing  
18 additional discussion before Commissioner vote.

19           So, the approach for Commission discussion of  
20 the report at today's meeting is to first, before we  
21 take a formal vote on any or all of the report, we will  
22 informally assess the support of the body of the report  
23 and the recommendations in Table A. Lisa will be  
24 supporting us in all of this.

25           Second, we will review and discuss the six

1 recommendations in Table B, which are each of the  
2 recommendations that required continuing discussion  
3 after the October 31st meeting. Together with any of  
4 the recommendations in table A, which we may identify  
5 today as still needing discussion, and we will consider  
6 these recommendations one by one. The CEC staff will  
7 assist by providing background on the recommendations  
8 and Lisa will facilitate the discussion.

9           And while we're working toward broad support,  
10 the report and the recommendations will be approved by a  
11 majority vote. I asked that Commissioners find a way to  
12 support the report in its entirety and consider having  
13 their differences in perspective or opposition to  
14 specific recommendations noted in the report.

15           At the conclusion of these discussions, the  
16 Commission will hear public comment. Again the purpose  
17 of this public comment session is to solicit any final  
18 comments from the public on any of the final set of  
19 recommendations, specifically on any of the unresolved  
20 issues, or how those issues should be reflected in the  
21 report so that when motions are ultimately made, the  
22 Commissioners vote on the content of their final report,  
23 they will have the benefit of the public's comment in  
24 making a final decision.

25           Then separate motions will be developed on

1 one, approval of the body of the report and Table A, and  
2 direction to staff to submit it to the legislature,  
3 perhaps with certain further revisions that are  
4 essential. And number two, for each of the remaining  
5 recommendations, those in Table B, direction to staff to  
6 also include them in the report, perhaps with further  
7 revisions or a discussion of different perspectives  
8 added to the body of the report. And three, authorize  
9 the CEC staff under my direction as Chair to make  
10 subsequent editorial corrections to the final draft.  
11 For example, if internal inconsistencies are found which  
12 are consistent with the votes of the Commission today.

13           So, after a single public comment period on  
14 the final recommendations and the body of the report,  
15 one or more votes will be held to approve the final  
16 content. With this approach, we intend to enable the  
17 approval of the final form of the report. We will need  
18 to manage your time, and may need to move from topics  
19 that we cannot reach consensus on so that all  
20 recommendations can be considered.

21           I will now hand it over to Lisa for the  
22 remaining of the discussion. Lisa?

23           MS. BALLIN: Thank you, Chair Paz, for laying  
24 that foundation for our discussion approach. Before we  
25 begin, I'd like to introduce my colleague Julia



1 Csneransky, who's going to help us track and note the  
2 discussion items and comments.

3 I would also like to review a few process  
4 instructions. During the course of today's discussion,  
5 we may need to take a number of informal straw polls to  
6 get a sense of your support for, or concern, about  
7 various elements of the report. These straw polls are  
8 not votes, but rather just a strategy to identify points  
9 of agreement and those that still require further  
10 discussion. So, to efficiently accomplish these straw  
11 polls, I'd like to use the simple show of hands, your  
12 actual hand, whether you're in the room or on Zoom. So  
13 I do request that all Commissioners participating via  
14 Zoom be present with their video on, at least when we're  
15 taking the straw poll, so we can see whose hands are  
16 raised.

17 We may also use the virtual hand raised -- are  
18 you able to hear me? Because --

19 COMMISSIONER WEISGALL: Yes, hear you fine.

20 MS. BALLIN: Think we're having an issue in  
21 the room, I believe. Yeah, it's echoing a little.

22 Okay, I'll give instructions as we get to each  
23 item about raising the hands and et cetera. Just want  
24 to make sure we can see Commissioners on screen when  
25 we're using the actual hands.

1           Okay, so next slide, please.

2           We're gonna review the report revisions in  
3 three steps. The first step is to review the  
4 recommendations in Table A to confirm if there is  
5 consensus on these recommendations, or if there are any  
6 recommendations on this table that the Commissioners  
7 would like to discuss further.

8           The second step is to review the body of the  
9 report. Similarly, we'll identify if there are any  
10 revisions that Commissioners would like to discuss. The  
11 third step is to review each of the recommendations on  
12 Table B, plus any of the elements identified in the  
13 first two steps as requiring further discussion.

14           So with that, let's get started. I'd like to  
15 give Commissioners a few minutes to read through the 14  
16 recommendations in Table A and perhaps we can get those  
17 on the screen as well. Oh, the Table A recommendations.  
18 I believe there's a slide at the end of the  
19 presentation.

20           Oh, not one by one. Okay. I apologize. I  
21 thought there was a pow-- a slide with all of the Table  
22 A recommendations. Okay, so I'm just gonna give  
23 Commissioners a few minutes to read through. I think  
24 everybody has their own copy.

25           (Pause)

1           Perhaps when you're finished reviewing and  
2 ready to begin discussing, you could raise your virtual  
3 hand on Zoom, or Steve you could flip your tent card. I  
4 just want to make sure everybody has time to consider  
5 these before we begin discussing.

6           (Pause)

7           MS. CARRILLO: I just want to repeat that  
8 instruction because we're all remote. If you are done  
9 refamiliarizing yourself with the recommendations in  
10 Table 14, could you please raise your hand with the Zoom  
11 function. And if you're ready to have a discussion.

12           (PAUSE)

13           MS. BALLIN: Okay, we'll just give a few more  
14 moments for Commissioner Olmedo and Castaneda. And  
15 Commissioner Ruiz, apologies.

16           (Pause)

17           MS. BALLIN: Yes, so okay. Commissioner  
18 Castaneda, are you ready to discuss? Okay. So,  
19 Commissioner Ruiz, are you ready to discuss Table A?

20           And Commissioner Olmedo?

21           COMMISSIONER CASTANEDA: Yes, I am.

22           MS. BALLIN: Okay, super. So, let's get  
23 started. Are there any recommendations in Table A that  
24 you feel we need further discussion on today? These  
25 were the recommendations that, based on previous

1 conversations, we believe there should be broad support  
2 for. But we're just doing a check in on that before we  
3 go into a more deeper dive of Table B.

4           So, if you -- if there are some  
5 recommendations you want to bring up for further  
6 discussions, let's have everybody put their virtual  
7 hands down for now from before, just to clear the plate  
8 there. So now we can start over.

9           If there are any recommendations on Table A  
10 you'd like to discuss, please raise your virtual hand;  
11 and Commissioner Castaneda in the room, you can put your  
12 tent card on the side if you'd like to do that. Okay.  
13 I'll give it a moment or two, but right now it looks  
14 like we do have consensus that Table A recommendations -  
15 - we've got full support.

16           CHAIR PAZ: Lisa, while you're still  
17 shuffling the room, I want to note that we do have  
18 quorum, so. Frank Ruiz, thank you for jumping back  
19 online. Thank you.

20           MS. BALLIN: Okay. Commissioner Hanks? Thank  
21 you, Chair Paz. Commissioner Hanks, were there any  
22 recommendations on Table A?

23           COMMISSIONER HANKS: No, I just want to ask,  
24 could you show Table A as we talk about it.

25           MS. BALLIN: Could you say that again? Can we

1 show Table A? I'm sorry.

2 COMMISSIONER HANKS: Yeah. While we discuss  
3 it, could you show each proposal at the time we're  
4 discussing? Right now my screen is showing 22 and 23.

5 MS. CARRILLO: Commissioner Hanks, the  
6 proposal at the time, because all of the recommendations  
7 from Table A won't fit on one slide. And so --

8 COMMISSIONER HANKS: Yeah, it's showing now.

9 MS. CARRILLO: Yup.

10 COMMISSIONER HANKS: Recommendation one.

11 MS. CARRILLO: We moved that. We were able to  
12 move that. All of the recommendations won't show on one  
13 table. So, the question in front of the Commissioners -  
14 - the table was distributed, we have a link in the  
15 docket. Are there any -- in the chat and in the docket.  
16 Are there any recommendations which staff believes from  
17 the last conversation there was broad support for. So,  
18 the question in front of the Commissioners is, can this  
19 be moved as something of a consent package of support?  
20 Or, are there recommendations within this table that  
21 you would like to pull out for discussion?

22 As Chair Paz mentioned, in order to manage our  
23 time, we weren't going to review each recommendation one  
24 by one because of your past robust discussions. And so  
25 the question would be, are there any of these

1 recommendations in front of you in Table A that you'd  
2 like to pull out for a discussion and shouldn't be  
3 considered a consent item?

4 MS. BALLIN: Thank you Deana. Commissioner  
5 Hanks, do you need another moment?

6 COMMISSIONER HANKS: No, I'm - I'm trying to  
7 find my email that you sent that had the whole list. I  
8 went over that and now I can't find it.

9 CHAIR PAZ: Deana, can somebody send it to him  
10 so it's at the top of his inbox?

11 MS. CARRILLO: Definitely, we're doing that  
12 now.

13 CHAIR PAZ: Thank you.

14 MS. BALLIN: We'll give that another moment.

15 MS. CARRILLO: Commissioner Hanks, will be  
16 seeing that coming over from Silvia Palma-Rojas in your  
17 email.

18 COMMISSIONER HANKS: Okay.

19 (PAUSE)

20 MS. BALLIN: Commissioner Hanks, just let us  
21 know when you've had a chance to finish reviewing Table  
22 A.

23 (PAUSE)

24 COMMISSIONER HANKS: Okay.

25 MS. BALLIN: Thanks. So, are there any

1 recommendations? You're good with all the  
2 recommendations in Table A?

3 COMMISSIONER HANKS: No. Okay.

4 MS. BALLIN: Are there any recommendations in  
5 Table A you would like to discuss further today?

6 (Pause)

7 MS. CARRILLO: Commissioner, Hanks, are there  
8 any recomm--

9 COMMISSIONER HANKS: No. No, go ahead. No  
10 recommendation.

11 MS. CARRILLO: Okay.

12 MS. BALLIN: So, Commissioner Kelley, do you  
13 have a question?

14 You're on mute.

15 VICE CHAIR KELLEY: Without reservation, I  
16 propose that we move Table A for action after reviewing  
17 the other recommendation Table B.

18 MS. BALLIN: So, if I'm hearing you correctly,  
19 I'm not sure if that's -- if we're making formal motions  
20 at this point. But the idea is that right now, it seems  
21 like there are no substantial concerns about the  
22 recommendations in Table A, just preliminarily, but you  
23 want to perhaps revisit it later?

24 VICE CHAIR KELLEY: Correct.

25 MS. BALLIN: Okay. I'm fine with that. I

1 think we've got our initial sense of where we're at.  
2 Right now, we have no recommendations from Table A to  
3 further discuss, but we could certainly ask that again  
4 later. Things change. Thank you so much.

5           So, let's move to the discussion of the body  
6 of the report. There were a few additional changes made  
7 between the last version, and we're looking to focus on  
8 those and just get a sense about whether or not the  
9 Commissioners want to discuss any of those changes  
10 today.

11           So again, we'll give Commissioners a few  
12 minutes to review that document.

13           MS. CARRILLO: And for additional  
14 clarification, the red line of the report, there is a  
15 simple underlined strikeout of the modifications between  
16 the initial draft and the October revision. The  
17 revisions between October and November are shown in  
18 double strikeout in red, and additions are blue and  
19 double underlined.

20           In that report, you will see some additions on  
21 tribal perspectives, and noting to the docket, and new  
22 definition of the Salton Sea region which makes it more  
23 narrow to Eastern Coachella Valley, as well as  
24 documentation of the industries concerned with the  
25 current tax structure on lithium, as well as a few other



1 grammatical and accuracy items. That is just a broad  
2 summary of some of the changes in the most recent draft.

3 MS. BALLIN: So similarly, when you're  
4 finished reviewing the body of the report, you can raise  
5 your virtual hand. And Commissioner Castaneda in the  
6 room, you can turn your tent card on the side when  
7 you're ready to consider the body of the report

8 COMMISSIONER WEISGALL: And my virtual hand is  
9 up when folks are ready.

10 COMMISSIONER OLMEDO: My apologies. I was --  
11 I had to step away. But we still don't have a quorum is  
12 that correct? So we are in discussion?

13 MS. CARRILLO: We do have a quorum.

14 COMMISSIONER OLMEDO: Okay.

15 MS. BALLIN: We still are having a discussion.  
16 Right now we're looking at the revisions made to the  
17 body of the report. And we're giving Commissioners a  
18 few minutes to review it. When you're finished  
19 reviewing it, if you could raise your virtual hands so  
20 we know that we can then take a straw poll on whether or  
21 not there any items in the body that warrant further  
22 discussion today. So right now I'll just wait until all  
23 hands are up to show that you've had enough time to  
24 review the changes.

25 COMMISSIONER OLMEDO: Yeah, I raised my hand,

1 but it's not because I have plenty of time.

2 MS. BALLIN: You're raising it because you  
3 have a question?

4 COMMISSIONER OLMEDO: Yes.

5 MS. BALLIN: Sure. Go ahead.

6 COMMISSIONER OLMEDO: Okay. So, in the last  
7 meeting that we had we discussed number five, and number  
8 five remains the same.

9 MS. BALLIN: Oh. Okay, I'm sorry. I thought  
10 it was a question about the process. Let's hold up.

11 COMMISSIONER OLMEDO: Okay.

12 MS. BALLIN: You have a question --

13 COMMISSIONER OLMEDO: Okay, alright.

14 MS. BALLIN: -- on one of these --

15 COMMISSIONER OLMEDO: My fault, I slipped away  
16 and so I'm playing catch up here.

17 MS. BALLIN: No worries. We're getting some  
18 friendly sound in the background here.

19 MS. CARRILLO: I think what I'm hearing,  
20 Commissioner Olmedo, is that you'd like to talk about  
21 number five in Table A.

22 COMMISSIONER OLMEDO: That is correct, it  
23 should not be in consensus.

24 MS. CARRILLO: Okay.

25 COMMISSIONER OLMEDO: So that's where we we're

1 at, at this point.

2 MS. CARRILLO: And just to note that number  
3 five in table A has actually changed in the track  
4 changes, so I want to make sure that you have the right  
5 document in front of you.

6 COMMISSIONER OLMEDO: Yeah, I'm clicking the  
7 links, so I'm playing catch up here.

8 MS. CARRILLO: Okay, that's fair.

9 COMMISSIONER OLMEDO: Okay.

10 MS. CARRILLO: So, number five was changed.

11 COMMISSIONER OLMEDO: It has.

12 MS. CARRILLO: Yup.

13 COMMISSIONER OLMEDO: I see what it says. So,  
14 it says modified. So, that's what I need to be reading.  
15 Right?

16 MS. CARRILLO: Correct. That -- the table --  
17 so, the table -- we've got topics, and then there is the  
18 recommendations that you reviewed at the last meeting.  
19 And then that far column on the right is what you were  
20 considering today.

21 MS. BALLIN: It's also up on the screen for  
22 reference.

23 MS. CARRILLO: The recommendation was modified  
24 from considering indexing the volume-based extraction  
25 tax. As you mentioned at the last meeting that was

1 already being considered. And so this was a  
2 recommendation provided by one of our Commissioners,  
3 Commissioner Colwell, I believe, to expedite that study  
4 to remove uncertainty for the industry.

5 COMMISSIONER OLMEDO: Oh. Are we going to be  
6 discussing this?

7 MS. BALLIN: So first, we want to find out if  
8 Commissioners have interest in further discussing any of  
9 the recommendations given your review of the  
10 modification. So yes, now that you've reviewed that  
11 modification, are you still interested in further  
12 discussing that today?

13 COMMISSIONER OLMEDO: Yes. And number five.

14 MS. BALLIN: Okay. Thank you.

15 Have all Commissioners sufficiently reviewed  
16 the body of the report? And if so -- I think we're  
17 waiting for Commissioner Ruiz. If you can raise your  
18 virtual hand if you've finished reviewing the body of  
19 the report, specifically the changes that were made  
20 since the last draft.

21 COMMISSIONER RUIZ: Yeah, I'm good.

22 MS. BALLIN: Okay. I think we've -- I think  
23 Commissioner Castaneda indicated that -- you were good  
24 with review? Okay. He's good on reviewing the body of  
25 the report. Okay.

1           So, let's put all hands down. Clear that  
2 deck. Okay. Okay, great.

3           So now the question in front of the  
4 Commissioners are, are there any specific topics or  
5 items in the body of the report that you would like to  
6 further discuss today? And we're looking for kind of  
7 essential modifications, some critical items that you  
8 feel need to be further discussed before the report is  
9 finalized. So put your hand up if you do, and we'll  
10 start with Commissioner Kelley.

11           VICE CHAIR KELLEY: So, on page 16 line 15.

12           MS. BALLIN: Could you say that again? I had  
13 trouble hearing you.

14           VICE CHAIR KELLEY: Page 16, line 15.

15           MS. BALLIN: Thank you.

16           MS. CARRILLO: Yep.

17           MS. BALLIN: What is the topic there? Deana,  
18 can I just take a look and I'll just let people know  
19 what we're talking about.

20           MS. CARRILLO: The section that Commissioner  
21 Kelley is pointing to is a section related to the tax  
22 from lithium extraction and where that money will go,  
23 for extraction in Imperial County.

24           There is – there are no longer two fifteens.

25           (Off Mic)

1 MS. CARRILLO: Yeah. We're good listeners.  
2 Commissioner Kelley, we're there if you'd like to  
3 provide your comment.

4 VICE CHAIR KELLEY: So, my comment is, the  
5 section reads in blue the addition, "For many in the  
6 region the definition of Lithium Valley directly equates  
7 to Imperial Valley, or Imperial County." I don't know.  
8 It's certainly not our opinion, and it sounds like a  
9 half measure. The bulk of the paragraph is directly  
10 related to actions taken by Imperial County for the  
11 benefit of --

12 MS. BALLIN: Sorry to interrupt, but I'm  
13 having trouble -- I think some of us in the room are  
14 having trouble hearing you. And Commissioner Castaneda,  
15 we're on page 15, I think it's line 17.

16 MS. CARRILLO: Correction. It's page 16.

17 COMMISSIONER WEISGALL: It's page 16. It's  
18 not the tax discussion, its page 16, line 15 that's in  
19 blue. That's what he's talking about.

20 MS. BALLIN: Thank you so much. Thank you,  
21 yeah. I was in the wrong place too.

22 VICE CHAIR KELLEY: So, if you can hear me.

23 MS. BALLIN: There's an additional text there.

24 VICE CHAIR KELLEY: Can you hear me now?

25 MS. CARRILLO: Yes, it's better.

1 VICE CHAIR KELLEY: Okay.

2 MS. BALLIN: Just for those listening who  
3 might not have it in front of them, there's additional  
4 text that was added that says, "For many in the region,  
5 the definition of Lithium Valley directly equates to  
6 Imperial County, Imperial Valley or Imperial County."

7 CHAIR PAZ: I have a request. Can we please  
8 remove the share screen if we're not -- oh -- unless  
9 we're gonna go to the line item. It just -- it's  
10 helpful to be able to see everyone. Thank you.

11 MS. CARRILLO: We also have a request for all  
12 Commissioners to be on camera if possible. Okay,  
13 Commissioner Kelley, we are on page 16 line 15 with this  
14 comment, and this new addition.

15 VICE CHAIR KELLEY: Right. So, as I'm  
16 listening, the bulk of this paragraph from line five to  
17 16 relates to the creation of this Commission. But the  
18 actions of Imperial County, and specifically to the  
19 legislative and budget actions that took place. And so,  
20 this addition, for many in the region, I understand the  
21 rationale behind it, but I do not support that as being  
22 a definition. It is one and clear only to the  
23 definition. So that is my position. And I'm restating  
24 it. Lithium Valley is Imperial County.

25 MS. CARRILLO: Just to clarify because I'd

1 like to understand the why. I think I heard --

2 VICE CHAIR KELLEY: So, the why, Deana is  
3 that, as I've said for over a year, that Lithium Valley  
4 is Imperial County. And that by putting that, "That  
5 some people say," or maybe I'll say something that might  
6 irk some ears, but a Trumpism that, "Well, people are  
7 saying or talking," -- no. It is what it is, and that's  
8 what I'm saying.

9 CHAIR PAZ: I have a recommendation, maybe to  
10 address this line. Perhaps what this line should say is  
11 that as opposed to the state defining Lithium Valley as  
12 a concept, this Commission finds that Lithium Valley is  
13 Imperial County or Imperial or something to that effect,  
14 right? Because I think that's what we're contesting  
15 with. When we're talking about Lithium Valley, it's  
16 this idea that the state put together before we were  
17 brought on board. And I've heard the Energy Commission  
18 talk about Lithium Valley as a concept. What I continue  
19 hearing from this Commission is that it's not a concept,  
20 that Lithium Valley is a place, and that it's in  
21 Imperial County. So, that would be maybe a better way  
22 of capturing what I continue hearing at least from my  
23 Commissioners.

24 MS. BALLIN: Commissioner Olmedo, did you want  
25 to make a comment about this topic?



1           COMMISSIONER OLMEDO: Yeah, I -- in this case  
2 I do coincide with Commissioner Kelley. In just the way  
3 that it was socialized and understood from the very  
4 beginning. And the caveat that it is important to  
5 acknowledge and recognize that it will be critical to  
6 monitor and absorb and integrate any impacts that may  
7 result, or may be found, impacts or opportunities,  
8 through the entire development, infrastructure,  
9 transportation, which is expected to go beyond the  
10 boundaries of Lithium Valley. Now, I would need to  
11 think about some language that would cover that.

12           MS. CARRILLO: I'm hearing two potential  
13 options in moving forward and there's probably 10 more.  
14 One would be potentially a recommendation to the state  
15 to define it that way. Another could be a finding in  
16 the report of how this Commission finds it. Do either  
17 of those suggestions resonate with the Commissioners or  
18 just for discussion?

19           VICE CHAIR KELLEY: Deana, since I brought  
20 this up, let me elaborate. So, at first I would just  
21 ask you to strike the entire thing. And I did read the  
22 content of the report stating that the CEC had these  
23 conversations in 2018 and in 2020 about the concept and  
24 development in Lithium Valley. I'll also tell you that  
25 Imperial County has been advocating for Lithium Valley,

1 lithium extraction, since 2012. And so, those did not  
2 organically appear in the CEC conversations with  
3 industry or with other government entities. So, it is  
4 what it is. But for my purpose, if you're not going to  
5 make it just as stark as it is where it is, and it is  
6 the Known Geothermal Resource Area of the Salton Sea,  
7 then just strike it.

8 MS. BALLIN: Strike out the additional line  
9 that begins --

10 VICE CHAIR KELLEY: Strike out the blue.

11 MS. BALLIN: -- "Many in the region?" Okay.

12 VICE CHAIR KELLEY: Strike out the blue.

13 MS. BALLIN: And can I -- if it's as simple as  
14 that, that would be great. But if we need to have  
15 further discussion, if I can suggest that we come back  
16 to this after we review the recommendations, because I  
17 think that there are some recommendations related to  
18 regional boundaries --

19 VICE CHAIR KELLEY: That may --

20 MS. BALLIN: That may inform --

21 VICE CHAIR KELLEY: Sure. I'm sure there's  
22 others that want to weigh in on it. But I, you know,  
23 we've spent over a year talking about this back and  
24 forth. I don't think it's necessary. And then our  
25 position is, it's not going to change because of what

1 the Commission recommends or doesn't.

2 MS. BALLIN: So, could we give a quick sense  
3 of -- or would all the Commissioners be in agreement to  
4 strike that additional line that was added to the last  
5 version?

6 COMMISSIONER OLMEDO: But I do have a comment.  
7 And I think it goes back to the continuous interest of  
8 redefining what Lithium Valley is. We might as well go  
9 back and redefine what Silicon Valley is, or any one  
10 other name that is appropriated to. And I think because  
11 there's sort of this continued interest in redefining  
12 the boundaries and what they are, we keep falling back  
13 into the same place as though the role of this  
14 Commission is to define its boundaries, when it was my  
15 understanding that that was already defined when the  
16 entire bills or everything that came as a result of  
17 that. Or even the bringing of this Commission together  
18 wasn't necessary to define Lithium Valley, but was to  
19 pull together a report as to how do you get -- and I'm  
20 not saying it word by word, it's the way it is written.  
21 But how do you advance this? Is there a way? And how  
22 would you do that, you know to advance this industry?  
23 And it was understood at that time that Lithium Valley  
24 was already defined.

25 And so again, when I bring that concern, it's

1 not -- and it wouldn't be responsible as an  
2 environmental justice organization or even me being  
3 sitting in representation of disadvantaged community,  
4 that it is not intended to exclude anyone but rather to  
5 stick to the original vision and definition that was  
6 there. You know, because where does it stop? I mean,  
7 if we unravel this and try and redefine it, where does  
8 it stop? We can continue to expand and stretch the  
9 boundaries and not really have a area that has already  
10 been envisioned and defined. I mean, that's -- so I  
11 just wanted to just again, caveat that I am in agreement  
12 with supervisor Kelley. I would rather see in the very  
13 beginning, you know, about Lithium Valley, also known as  
14 Imperial Valley. But to put plenty of language to bring  
15 comfort that at least in my position, I'm not wishing  
16 any harm or exclusion of any community where they may be  
17 impacted or benefited from this industry.

18 MS. BALLIN: Commissioner Weisgall?

19 COMMISSIONER WEISGALL: I was gonna say am I  
20 on? Yeah, okay. I thought I was unmuted. I was just  
21 gonna say, the sentence doesn't really add anything.  
22 And if anything, it's a little confusing. I mean, who  
23 are the many? So, I think taking it out is the easiest  
24 way to go.

25 The rest of the paragraph has these factual

1 statements about you know, the June 2nd letter, and the  
2 value of the Lithium Valley Economic Opportunity  
3 Investment Plan. So, I think the easiest course of  
4 action here would be to take out the sentence, which to  
5 me, adds nothing. And frankly, it's a little confusing.  
6 So that's my view.

7 MS. CARRILLO: Okay. Are there any other  
8 items related to the report and the content and the  
9 language of the report that Commissioners would like to  
10 discuss?

11 COMMISSIONER WEISGALL: Oh, I have a couple  
12 more if I still have the floor, but they're -- can I  
13 just get them out on the table quickly?

14 MS. BALLIN: So just to wrap up --

15 COMMISSIONER WEISGALL: Yeah.

16 MS. BALLIN: --it sounds like we've got broad  
17 support for eliminating that sentence. We're not taking  
18 any formal vote. So, we'll go back to collecting  
19 various --if there are any other items in the body of  
20 the report that Commissioners want to discuss? And  
21 Commissioner Weisgall, we'll start with you.

22 COMMISSIONER WEISGALL: Okay, thank you. Go  
23 to page five, line four, if you would. No actually line  
24 three. "Existing infrastructure gaps include a lack of  
25 roads, or roads in need of maintenance, adequate

1 streetlights and sidewalks, public transportation and  
2 effective mobility options, and communication  
3 infrastructure." I would simply suggest adding bridge  
4 repairs. Perhaps lack of roads or roads and names of  
5 maintenance, maybe comma bridge repairs, comma, adequate  
6 streetlights and sidewalks.

7 I don't have the statistics handy, but I think  
8 Commissioner Kelley can help me out. I think 77 of the  
9 county's 125 bridges are wooden, and there are a number  
10 that are simply -- well, that are desperately in need of  
11 repair. So, I would just say bridge repairs as an  
12 addition. That's my suggestion. I have one more but  
13 let me stop there.

14 MS. BALLIN: Okay. Let's put the hands down  
15 and just hear from other Commissioners. Does anybody  
16 have any concern with making that edit there to add  
17 bridge repairs to the infrastructure gaps? So, it seems  
18 like everybody's okay with that. If you've got an issue  
19 -- yeah -- okay.

20 So, let's go to the next one.

21 COMMISSIONER WEISGALL: One more page -- 52,  
22 line, hold on, I'll find it. Page 52, I'm sorry, I  
23 should have noted the line number. Give me a second  
24 here.

25 MS. BALLIN: No worries. We're turning our

1 pages as you look for it.

2 COMMISSIONER WEISGALL: Hold on, I may have  
3 the wrong -- page 52. Give me one more second. Let me  
4 find it, let me let me come back. I'll find the  
5 reference I don't want to take more time.

6 MS. BALLIN: Okay.

7 COMMISSIONER WEISGALL: I'll find it quickly.

8 MS. BALLIN: In the meantime, do any other  
9 Commissioners have any items with the body of the report  
10 that you want to further discuss today? And  
11 Commissioner Olmedo, is your hand up from before?

12 COMMISSIONER OLMEDO: Yes, I did also want to  
13 bring up page 54, lines nine through 14. I'd like to  
14 have further discussion. But I'd also like to just  
15 offer the comment that, you know, both of these comments  
16 that I brought up in terms of the tax, and in much of  
17 what it's also saying between page nine and 14, has been  
18 addressed by SB 125. So, I don't know if these  
19 recommendations are recommending that. Which is -- it's  
20 -- one of the signals that I'm getting is they basically  
21 want to undo SB 125, and that would be detrimental. So  
22 I would say that we need to be very cautious as to what  
23 exactly we're asking.

24 MS. CARRILLO: So, is there --

25 MS. BALLIN: So -- okay. Go ahead, Deana.

1 MS. CARRILLO: Commissioner Olmedo, if I'm --  
2 if I am gleaning this appropriately, what I'm hearing is  
3 that a discussion of the concern about the tax and the  
4 report would be appropriate, but you're not -- you have  
5 reservations and would like to discuss the  
6 recommendation to potentially impact that bill.

7 COMMISSIONER OLMEDO: Well, it was because I  
8 think we need to speak in clear words. I mean, what  
9 it's really saying in these two items that I brought up.  
10 They speak exact -- directly to the bill. I mean, even  
11 though it's not naming it. So, if what we're saying is,  
12 we disagree with the bill, I think we need to be very  
13 cautious.

14 MS. CARRILLO: Yeah. The intent here is to  
15 attribute the perspectives that others have raised, that  
16 the industry has raised, to the Commission. So, it does  
17 refer to that bill because that is the perspectives that  
18 were raised in public comment and by the industry. But  
19 just to -- in our -- in your work of reviewing,  
20 investigating, and analyzing, you know, this would be  
21 something that you've observed, not necessarily a  
22 recommendation. So perhaps a documentation of the  
23 perspective would be appropriate, but not a dis-- maybe  
24 we need to talk about that recommendation.

25 COMMISSIONER OLMEDO: I think it is our due



1 diligence to commit this report in an informed manner.  
2 And having said that, I think the informed response to  
3 this is there's SB 125. And these asks that are being  
4 recommended here by one or more Commissioners are  
5 basically, in different words, saying we disagree with  
6 SB 125. So then maybe that's what needs to be written  
7 in there. Because it's -- basically that's what it's  
8 recommending.

9           We need to revisit this, this bill. And  
10 again, I think that would be to the detriment of a lot  
11 of the nor-- you know, negotiations and recommendations  
12 leading up to a bill that you know, so. I mean, it's --  
13 again, that's the way I read it. I certainly would like  
14 to hear other Commissioners, I don't agree with the  
15 language. But I mean, I'm only one member.

16           MS. BALLIN: Could you -- we'll go to the  
17 others. Could you just let us know how you would like  
18 to change that paragraph? And if you want a minute to  
19 think about that. That could be helpful to move us  
20 forward.

21           Commissioner Weisgall, was your hand up on  
22 this?

23           COMMISSIONER WEISGALL: Yeah. And -- I'm  
24 sorry. We're on page 54, right?

25           MS. BALLIN: Page 54, lines --

1 COMMISSIONER WEISGALL: Yeah.

2 MS. BALLIN: Lines --

3 COMMISSIONER WEISGALL: Yeah. No, that so  
4 ironic because that was that was what I couldn't find.  
5 And it's kind of related to Commissioner Olmedo's  
6 comment. I wanted to insert the word, "some," before  
7 industry representatives, because my company has not  
8 talked about this being a burden. Others have. So --  
9 but that doesn't really address Commissioner Olmedo's  
10 point directly. I do think -- I mean, one way to handle  
11 his problem is to say, some -- you know, some --  
12 alright, we've got to simply call out, I mean, that CTR  
13 and EnergySource have noted that the current tax  
14 structure -- that if they feel that way, that doesn't  
15 try to negate the tax bill. It just states their  
16 position. It does not state my company's position. We  
17 did not oppose the tax bill.

18 So, I can't -- let me try to think through how  
19 to address his point. But my point would simply be  
20 inserting the one word, "some," in line 10 so that it  
21 reads, "some industry representatives have noted that  
22 the current tax structure will burden this new  
23 industry." Blah, blah, blah, et cetera. Thank you.

24 MS. CARRILLO: Thank you. So, I'm hearing  
25 adding some specificity on who, as well as adding some

1 additional specificity of the concerns with that, would  
2 be a more balanced narrative for the body.

3 COMMISSIONER WEISGALL: And certainly, for  
4 Commissioning Olmedo's point. You know, to single out  
5 the other two companies makes clear that it's not the  
6 Commission that's criticizing it. It's two companies,  
7 one of which is --happens to be on the Commission. But  
8 it's not - it's not this body of 14 of us reading this  
9 report that feels that way. So that might be one way to  
10 handle it. But my one suggestion was just to have that  
11 word, "some." Thanks a lot.

12 MS. BALLIN: Thank you.

13 COMMISSIONER OLMEDO: I apologize for stepping  
14 out of turn. But I just want to just make a more direct  
15 recommendation. And thank you, Commissioner Weisgall.  
16 You know, as a member of the industry, appreciate your  
17 perspective. I'm gonna recommend that it gets nine  
18 through 14 just be strike down. Thank you.

19 MS. BALLIN: The entire paragraph you're  
20 saying? So, eliminate lines nine through 14? Did I  
21 hear that right?

22 COMMISSIONER OLMEDO: I just wanted to put up  
23 a concrete --

24 MS. BALLIN: Appreciate it. Yeah.

25 COMMISSIONER OLMEDO: -- comment the report

1 for this.

2 MS. BALLIN: Commissioner Kelley?

3 VICE CHAIR KELLEY: I would offer -- so, it is  
4 a position of industry outside of Jonathan's group. The  
5 blue edition is not reflective of what the actual law  
6 says. But the law would -- it did contemplate a  
7 analysis of the tax application. And I think that all  
8 of the dark underlined print does represent what will  
9 happen.

10 MS. BALLIN: So, is your recommendation then  
11 just to remove the blue line that was added in the last  
12 version? Maybe that's creating some misinterpretation.

13 VICE CHAIR KELLEY: In my view, that's --  
14 yeah. That is a perspective of a majority of those that  
15 are investing in the area right now. But the rest of it  
16 is factual.

17 MS. BALLIN: Describing the budget. Okay.

18 Deana, did you want to say something?

19 MS. CARRILLO: I was just gonna call on  
20 Commissioner Hanks. As we do this --

21 MS. BALLIN: Go for it. I was going --

22 MS. CARRILLO: -- collaboratively.

23 Commissioner Hanks. Did you have something to add to  
24 this issue?

25 COMMISSIONER HANKS: I don't know quite where

1 to -- how to word this, or where we go with it when the  
2 analysis is done on the text. But I brought it up as  
3 the Commissioner that I was concerned about the impacts  
4 that the tax, as written -- not opposed to a tax -- but  
5 as written, what impact that would have on the  
6 individuals or the agencies that actually own the  
7 mineral rights that we received for our fees. And if  
8 it's not properly assessed, it could limit the  
9 production. It could also lim-- have other impacts on  
10 the employees if it's not -- if it remains as written.  
11 As so that was my concern. And I don't think that was  
12 ever addressed other than my comments. I'll leave it at  
13 that

14 MS. CARRILLO: Commissioner Castaneda?

15 COMMISSIONER CASTANEDA: Thank you very much.  
16 And you know, I tend to agree with that. I think that  
17 the statement is really -- that's what is it is a  
18 statement. I think it would qualify the fact that not  
19 all industry representatives -- in fact, you know,  
20 Jonathan has indicated his company doesn't necessarily  
21 have a problem with the current tax structure.

22 But there are that do. And, you know, again,  
23 we don't know what the market will bear in the future.  
24 We don't know what the costs are in terms of developing  
25 this industry. And we don't know whether or not the tax

1 structure as it currently exists is going to have a  
2 detrimental effect on development here and investment.  
3 You know, I was watching a program the other day that  
4 Ford Motor Company has indicated that a move to all EV  
5 vehicles will eliminate 40 percent of their  
6 manufacturing personnel. That is significant.

7 We need, and I think we owe it to the people  
8 of Imperial County and the people in this region that  
9 may benefit from jobs and investment in this in this  
10 industry, to, you know, to give it a chance to flourish,  
11 to germinate, to basically expand.

12 And I think that it is important to look at  
13 various ways to index the taxes. To maybe, you know,  
14 attach them to market value, and just, you know, the  
15 economy in general. And I think that this statement is  
16 accurate. I think that there will be additional  
17 analysis of this tax and its impact to the industry.

18 So I'd like to keep it in. And I would merely  
19 say if -- and if what I'm hearing is accurate, that we  
20 qualify industry representatives, and we just merely say  
21 "there are industry, or a portion of the industry is  
22 concerned about this tax structure." So that would be  
23 mine. Thank you.

24 MS. BALLIN: Thank you. Let's hear from Chair  
25 Paz, and then we'll see if we can wrap this item so we

1 can move to the recommendations.

2 CHAIR PAZ: So as has been noted, that this is  
3 already a bill, right? And almost adding where people,  
4 industry, and others, fall in it and their perspectives,  
5 it's almost irrelevant at this point. The bill will do  
6 exactly what I heard Commissioner Castaneda ask for.  
7 They're going to do the study. They're going to  
8 recommend if they find, right, that indexing or whatnot  
9 is the best approach -- that's already going to happen.

10 So, I would agree with the recommendation that  
11 Commissioner Vice Chair Kelley made about striking out  
12 the blue. And I would also strike out the following  
13 sentence, "If the price declines, the current tax could  
14 create economic problems for lithium producers." I mean  
15 I think that's an inference. Maybe a very well based  
16 inference, but inference, nonetheless. And I mean, the  
17 study is going to be assessing that. So, I would just  
18 leave this paragraph with what the bill is.

19 And however, there is an associated  
20 recommendation with this, which is that the study takes  
21 place sooner rather than later. So maybe that's what we  
22 point out, right? That there that is an interest that  
23 that study is completed sooner than what the bill  
24 recommends. Thank you.

25 MS. BALLIN: So, it sounds like what I'm

1 hearing pretty consistently is that we should make sure  
2 this paragraph is really just a statement of the bill  
3 and what's happening, and eliminate any expression of  
4 different interests or options about the bill, and we'll  
5 pick this up when we get to recommendations. Does that  
6 capture --

7           COMMISSIONER WEISGALL: Yeah. Which would  
8 mean keeping in the first sentence and the last  
9 sentence. I think that -- I mean that takes into  
10 account Commissioner Olmedo's point. And I hear what  
11 you're saying, Steve. But I'm not sure it belongs in  
12 the report. So, I think just keeping it factual. The  
13 first sentence and the last sentence do the job pretty  
14 well.

15           MS. BALLIN: Okay, I think -- Commissioner  
16 Olmedo, any quick items before we -- so we can move on,  
17 just in the interest of time?

18           COMMISSIONER OLMEDO: May I comment on this?  
19 I just want to -- I just quickly -- I just want to say  
20 that I do agree with several of the Commissioners and  
21 their comments. I agree with Chair Paz. Just want to  
22 reiterate that SB 125 does address these questions  
23 already. We shouldn't be redundant.

24           And then I do want to say that the law states  
25 that the purpose of the report is to explore other tax



1 structures in the future after the study is completed.  
2 We can't make assumptions on behalf just a few  
3 developers. So that's it. And having said that, I  
4 really feel like this majority of this paragraph is  
5 inaccurate, and therefore either strike it or  
6 considerably change it.

7 MS. BALLIN: Thank you. Let's move on. Now,  
8 before we move on to the recommendations in Table B, any  
9 other items in the body of the report?

10 CHAIR PAZ: I see Roderic Dolega's hand up.  
11 He might have--

12 MS. BALLIN: Thank you, I'm not able to see  
13 him.

14 COMMISSIONER DOLEGA: Yeah, no problem. Yeah,  
15 I think this is so -- I guess I'm a little bit confused.  
16 Because I think a lot of the body of the report is --  
17 sorry. I'm on kid duty today. (Background noise). I'm  
18 at home and he's following me.

19 MS. BALLIN: Okay. We want all opinions.

20 (Laughter)

21 COMMISSIONER DOLEGA: I will -- I'll maybe  
22 I'll have to do a written report because he's not going  
23 to leave me alone right now. Sorry.

24 MS. BALLIN: Okay.

25 COMMISSIONER CASTANEDA: Was that a yes or a

1 no?

2 MS. BALLIN: I'll take that as support of full  
3 -- full support of the report.

4 (Laughter)

5 MS. BALLIN: Okay, so we'll come back to  
6 Commissioner--

7 COMMISSIONER DOLEGA: Sorry. I -- yeah. I  
8 think what I was trying to say is, I think the body of  
9 the report has a lot of industry experts like weighing  
10 in on what is happening in the industry. So I guess I  
11 don't see how excluding a reference to what taxes may or  
12 may not do to the production base for geothermal lithium  
13 in that area. Like I mean, I feel like that's relevant  
14 given, you know, different points within the rest of the  
15 body.

16 And I guess I kind of have sympathies to the  
17 point that's being made in here. Because, you know,  
18 globally, if you look at extractive taxes, they're  
19 usually -- like royalties are usually tied, you know,  
20 percent basis to an index, right? So, you'll pay a  
21 percent of, not a flat fee. So, I mean, these are  
22 fairly accurate statements here. So, I would kind of  
23 lean -- at least my opinion, right, would probably be to  
24 lean towards, you know, having this in there because I  
25 feel it's fairly accurate.

1 MS. BALLIN: Thank you. Yeah, I hear that it  
2 may be accurate with the word, "some," but then it's  
3 leaving out other perspectives. And so maybe it's  
4 better to just keep it as, you know, a statement of what  
5 the situation is, and we can pick this up when we get to  
6 the recommendation related to this tax

7 COMMISSIONER DOLEGA: Yeah. And the  
8 recommendation. I guess that you know, so a  
9 recommendation around the perspective of what the tax  
10 should or shouldn't be, or the methodology of the tax.  
11 You know, we're not making that it's just a timing, that  
12 that's within the -- you know, changing the timing of  
13 when we would want that to be done. Correct?

14 MS. BALLIN: Correct.

15 MS. CARRILLO: Okay, so we have a robust  
16 discussion of Table B that we still need to go to with  
17 the recommendations that you've identified that need  
18 more discussion. Before we move to Table B, are there  
19 any other comments on the body of the report that  
20 Commissioners would like to raise, so that we can  
21 fashion this into a motion for you to consider today?

22 Any other key comments on the body of the  
23 report? Okay.

24 MS. BALLIN: All right. Let's move to Table B  
25 then.

1 MS. CARRILLO: And Lisa, if I may, before we  
2 move to Table B, I heard Commissioner Olmedo wanting to  
3 raise recommendation on this very topic, recommendation  
4 five, which used to say that the legislature should  
5 consider indexing the volume-based extraction tax to  
6 market prices, and it did not have a lot of support in  
7 your last meeting.

8 It has now been modified to simply acknowledge  
9 the bill and to recommend that the study be completed  
10 earlier to address some uncertainty for the market. Do  
11 we need any additional discussion about this -- that  
12 modification? Or, are we comfortable with that  
13 recommendation? Commissioner Olmedo?

14 COMMISSIONER OLMEDO: Again, we're talking  
15 about a very specific bill. In order to gather the bill  
16 and all the accompanying language that came with it, it  
17 took a monumental effort. Any attempt to try to undo  
18 that could really destabilize the entire progress that  
19 has been made thus far.

20 I recommend that it be either just recognize  
21 as the bill itself and what it's asking for. The bill  
22 already establishes a timeline. Any attempt to try to  
23 undo that, I think that we are really presenting to the  
24 legislature and the governor's office a level of risk of  
25 something that took an enormous amount of negotiation

1 and numerous stakeholders that engaged in that process.

2 I recommend that we be very cautious,  
3 reference the bill, what it does, and the time that  
4 already is exist. Any attempt to try to undo that is  
5 going to crack open a bill that took an enormous,  
6 monumental effort. So, it's not something that I can  
7 support.

8 MS. CARRILLO: Okay.

9 COMMISSIONER OLMEDO: I would say strike it  
10 all together.

11 MS. CARRILLO: So, what I'm hearing that is  
12 that this recommendation comes off the consent table and  
13 moves to a vote table. The recommendations that aren't  
14 agreed to have broadly -- that don't have broad support  
15 will be voted on one by one. And then we'll need to get  
16 Commissioners' input on how to ensure that we have the  
17 differing opinions within the body of the report.  
18 Whether it being in the docket and in the minutes is  
19 enough, or if Commissioners want their positions called  
20 out and described and why within that body of the  
21 report.

22 So, we'll move this item off of that consent  
23 table. And then I'm gonna pass it back to Lisa to open  
24 up the discussion on Table B.

25 COMMISSIONER DOLEGA: Just -- I have a, just a

1 quick question, sorry. On point five, do we have a,  
2 like a roll call, or vote on how many Commissioners did  
3 not like the initial proposed language versus the new  
4 consideration?

5 MS. BALLIN: We didn't have a formal roll call  
6 or vote on this. This was discussed at the last  
7 meeting. And there was some comments on the  
8 recommendation as it was previously written, with the  
9 recommendation to change it as it's currently written.  
10 So, no formal vote has been taken. But I think later on  
11 today, we're going to consider this item as the -- as  
12 one of the recommendations that we need an individual  
13 motion and discussion and vote on.

14 COMMISSIONER DOLEGA: There was enough like, I  
15 guess maybe, I don't know if backlash is the right word,  
16 but enough opposition to the initial language, right,  
17 that that we wrote the -- that we chose to modify the  
18 language to the timing aspect versus the actual  
19 recommendation to move it to a percent of versus the  
20 flat tax rate. So the Commission is definitely opposed  
21 to making that recommendation to the legislature to go  
22 towards a more standard royalty based approach.

23 MS. BALLIN: Deana's going to weigh --

24 MS. CARRILLO: Yeah, I mean Commissioner  
25 Dolega, I think that's -- because there was no vote on

1 that item, it's a hard question to answer. There was  
2 robust discussion in which we sought to seek feedback  
3 from the Commissioners to get a broad consensus of  
4 support. There was not broad support on this item,  
5 which led to an alternative suggestion, which we're now  
6 trying to assess whether there's broad support.

7 COMMISSIONER DOLEGA: Okay, no. Just for --  
8 I'm just clarifying my understanding.

9 MS. CARRILLO: Yup.

10 MS. BALLIN: Okay.

11 MS. CARRILLO: And so the goal of today is to  
12 get broad support on the body of the text, and a certain  
13 number of recommendations. And then we will pull off of  
14 Table B, the recommendations that need additional  
15 discussion. The Commission has choices, as Chair Paz  
16 raised. You can approve none of them. You could  
17 approve them one by one with majority vote and determine  
18 and note any opposition or perspectives in the body of  
19 the text. You could choose to move forward on some of  
20 them. And so those are some of the options in front of  
21 you today.

22 The way we've structured today's meeting is  
23 for you to consider these one by one. We'll block them  
24 out with 10 minutes each for discussion to see if we can  
25 get to an area of broader support. And then we'll look

1 to vote on them, and look to you - a, you, we have other  
2 options. It is your Commission, but we will look to you  
3 for guidance as how you might want opposition or those  
4 different perspectives amongst the Commissioners  
5 identified in the report.

6 MS. BALLIN: Thank you, Deana. So, let's move  
7 to Table B. And as Deana mentioned, to keep us on  
8 target in terms of our timeframe, we're going to aim to  
9 discuss each of the recommendations on Table B within 10  
10 minutes, if possible. So, let's put up the first  
11 recommendation which is recommendation three.

12 And I just want to let people know that what  
13 we'll do for these is that each recommendation will be  
14 up on the screen, and then Deana will provide some  
15 initial background and context on the recommendation.  
16 And then we'll open up the discussion, we'll see if  
17 there's remaining concern about the recommendation. And  
18 we're intending to have a discussion that explores  
19 further revisions to address those concerns, and see if  
20 we can maximize support, or at least acceptance of the  
21 recommendation with -- potentially with revisions.

22 So, we encourage creativity to develop  
23 solutions that advance your interests, as well as the  
24 interest expressed by other Commissioners and an  
25 openness to make compromises. And if you have concerns



1 or oppose a recommendation, definitely want to hear why,  
2 and whether you would want your opinion noted in the  
3 report. As Deana was just mentioning, that might be an  
4 option to consider. So, with that, let's go to  
5 recommendation number three, and I'll turn it over to  
6 Deana to provide some background information.

7 MS. CARRILLO: Thanks, Lisa. Okay,  
8 recommendation number three combined a previous  
9 recommendation three and four, which did two things. It  
10 created a region in which the area could compete for  
11 federal and state funds. And, based on your  
12 conversation in September and the proposed language, it  
13 established a regional economic zone centered on public  
14 and private partnerships.

15 At the October meeting, the Commissioners  
16 raised discussion about the geography and the  
17 jurisdictional boundaries around that zone, and some of  
18 the goals of the zone. Not only to be purely an  
19 industrial, economic incentives zone, but including key  
20 concepts from the Community and Economic Resilience  
21 Fund, such as balanced representation from labor,  
22 business, community government, and other high-road  
23 economic goals, as well as environmental protection and  
24 other elements, so that the economic zone was not just  
25 focused on industry. What you have in front of you is

1 an expanded definition that includes those concepts from  
2 the CERF letter.

3 Next slide, please.

4 And then we have two options for  
5 consideration. And there's probably a third or a fourth  
6 for you to think about that might inspire you. Option  
7 one defines the elements of the zone which you discussed  
8 last month as being goals. So not only tax credits for  
9 corporate investments, but also for education,  
10 investment, and local workforce, community benefit  
11 agreements, project labor and maintenance agreements,  
12 apprenticeship opportunities, and ensuring tribal  
13 consultation. Those were all elements raised at last  
14 month's meeting.

15 Option number two, or it could be A and B,  
16 were the specific economic benefits that Commissioner  
17 Kelley had put in his proposal. They are very specific.  
18 So as the Commission thinks about how it might want to  
19 commit or make this recommendation, you might want to  
20 think about what work you can get done today with the  
21 time that you've established for yourselves for the  
22 report and some of the other issues we want to discuss,  
23 as well as what work you might want to leave to the  
24 legislature to consider in adding additional detail. So  
25 those are some of the questions that I would pose to

1 kind of kick off this discussion for recommendation  
2 three and its consolidation.

3 MS. BALLIN: Sorry, my mic wasn't on, thank  
4 you. Thank you, Deana. I was wondering if we could go  
5 back to the prior slide?

6 There's a lot in this recommendation. So what  
7 I'd like to propose to organize our discussion around  
8 this recommendation, is to take it piece by piece. And  
9 first, consider the question of whether you support the  
10 establishment of an economic development zone as laid  
11 out in the first two paragraphs, which is on the screen  
12 now?

13 And once we get through that we can talk about  
14 whether you want to add the text in option one, option  
15 two, or perhaps neither. So first, just want to get  
16 kind of the big concept. And then we'll talk about some  
17 of the specific -- more specifics.

18 So, if it's possible for Commissioners to be  
19 on screen, it would be really helpful to get some quick  
20 reactions with real hands so I'm not confused between  
21 virtual hands that are questions versus virtual hands  
22 that are showing support. Commissioner Dolega, your  
23 hand I think is still up from -- oh.

24 COMMISSIONER OLMEDO: Could we use thumbs up  
25 or thumbs down for support or non-support versus hands

1 up?

2 MS. BALLIN: Yeah. I don't know if you have  
3 that feature on your Zoom. Yeah, we don't have that  
4 feature, unfortunately. So, I guess the first just kind  
5 of straw poll is, maybe just raise your actual hand if  
6 you support the development of an economic zone as laid  
7 out in the first two paragraphs, just to get an initial  
8 sense of where Commissioners are. So we see Chair Paz,  
9 Commissioner Weisgall --

10 COMMISISONER DOLEGA: I would support, this is  
11 Roderic. I don't have video, unfortunately.

12 MS. BALLIN: -- Commissioner Dolega, it looks  
13 like we have pretty broad support, Commissioner  
14 Castaneda, who are including this. Okay, so that's a  
15 good first step. Are there any suggestions for any  
16 modifications to the actual text of how it's written up  
17 here? These first two -- just talking about the first  
18 two paragraphs.

19 COMMISSIONER OLMEDO: I do have --

20 MS. BALLIN: Commissioner Olmedo?

21 COMMISSIONER OLMEDO: Yeah, so I support the  
22 concept. I think that mentions programs like CERF, that  
23 already intend to do that. However, I think there's  
24 still some refining of the language that needs to  
25 happen. Because there are certain realities that we

1 know, and I think it is in our -- it would be our due  
2 diligence to present a more realistic document that  
3 accounts for what is really happening.

4           For example, Economic Resilience Fund, which  
5 is sort of a new novel idea to bring in equity and  
6 economic development, economic decisions for a region.  
7 The boundaries are not defined in the way that is being  
8 presented here. So maybe some additional language needs  
9 to be put in there, so that we tell in a much better way  
10 to the reader to that -- what exactly it is that we're  
11 trying to message here. So it doesn't become convoluted  
12 and complicated, because while we're calling it an  
13 economic developments zone, there are existing  
14 definitions, and I think this intends to provide a new  
15 vision.

16           But again, I think that was one of the  
17 proposals brought forth but by Chair Paz, and I  
18 certainly don't want to butcher your vision. But more  
19 than anything, it's just probably hear more of it.  
20 Anything that I'm bringing up resonates with concerns  
21 that you might think about.

22           MS. BALLIN: So Chair Paz, did you want to  
23 weigh in on that?

24           CHAIR PAZ: Yes, I do. And I like the  
25 recommendations that I'm hearing from Commissioner

1 Olmedo. I will start with some that I am thinking about  
2 as I look at this language again. So, in the first  
3 paragraph, we should say, "Establish a federal state and  
4 locally recognized, you know, Southeast California  
5 Economic Zone," to make sure that we are talking about  
6 you know, all the jurisdictions, government levels, that  
7 we would like this zone to be recognized by.

8 The other thing that I would like to see -- if  
9 we go to the next slide, please.

10 MS. BALLIN: I think the bottom -- the last  
11 line is not showing on the screen because we have the  
12 Zoom. Is it the last line of the of the second  
13 paragraph that you were looking for?

14 CHAIR PAZ: I have it in front of me.

15 MS. BALLIN: Okay. Yes, so in the second  
16 paragraph, "incentives should be provided for direct  
17 lithium development, direct development incentives for  
18 benefit, childcare, research and development." Okay.  
19 So that is fine. And maybe based on Commissioner  
20 Olmedo's comments, that we add a line that "we urge, or  
21 that the state should recognize this region as a region  
22 competitive and eligible for the regional funding such  
23 as" -- and then we can list the ones that Commissioner  
24 Olmedo listed, right? Like such as CERF, such as the  
25 Regional Climate Collaborative, such as you know, they

1 have -- the state has moved into this regional funding  
2 approach. So, we would like that this economic zone  
3 then also gets recognized for other regional funding  
4 that is available.

5 The -- in regards to the options on both  
6 option number one and number two, I would like to see a  
7 reinstatement of two key items that didn't make it from  
8 the last line in the second paragraph. Such as --

9 MS. BALLIN: Chair Paz --

10 CHAIR PAZ: -- "childcare, research and  
11 development", I think. So, I would like those  
12 reinstated, and both in option one and option two. And  
13 then for option two, I have a concern just in how we're  
14 talking about education incentives.

15 I definitely want to see education incentives  
16 that go to the residents that live and will work in this  
17 industry right there, you know, locally. And my concern  
18 with the way that the language reads right now is that  
19 it will incentivize people from outside to relocate.  
20 And I just don't want to promote any gentrification in  
21 our communities. And those are my comments.

22 MS. BALLIN: Thank you. Can we go back to the  
23 prior slide? Just for the moment, I want to see if we  
24 can get some consensus around the first two paragraphs  
25 and potential changes before we further discuss option

1 one and two. Does anybody else have any other suggested  
2 changes to these first two paragraphs, in addition to  
3 what Chair Paz has just mentioned?

4 And does everybody support the changes that  
5 Chair Paz mentioned? She talks about adding a line --

6 COMMISSIONER OLMEDO: I do have some comments  
7 that -- on the pre-- on the other document that was  
8 shared --

9 MS. BALLIN: Could we -- if we could, I just  
10 want to --I want to just keep us first on these two  
11 paragraphs. And once we get these set, then we'll have  
12 a discussion about option one, or two, or changes to  
13 them. So, if it's okay, could we just stay with these  
14 first two paragraphs just for a moment? I just want to  
15 see if other Commissioners -- Chair Paz suggested some  
16 modifications, and I wanted to see if other  
17 Commissioners have any thoughts on those? Commissioner  
18 Kelley?

19 VICE CHAIR KELLEY: Right, so I understand  
20 Silvia's recommendation. But in reality, there will be  
21 some expertise and technicians that will be relocating  
22 to the area to build capacity. And they can be part of  
23 the on-job training and such. So, the education  
24 incentives based on employment in the sector, trying to  
25 foster some of that technical expertise, the subject



1 matter experts, to actually relocate and become part of  
2 our community.

3 I did hear the gentrification argument, but  
4 actually we would welcome some of that knowledge base to  
5 join and become part of our community, as it has in the  
6 past with geothermal where we've seen people from  
7 different states that have become part of our community  
8 for well over 30 years.

9 MS. BALLIN: Thank you. So, it sounds like  
10 Commissioners might be ready to go into options one and  
11 two. But what it sounds like to me is that there's  
12 support for these first two paragraphs of this  
13 recommendation, with Chair Paz's suggested modifications  
14 to add, "federal, state, and locally recognized," in  
15 that first sentence. And then adding a line to the  
16 second paragraph to recognize that the region would be  
17 eligible for certain funding such as CERF, et cetera,  
18 and then maybe have a more full listing than that. So,  
19 it sounds like we've got some broad support and  
20 consensus for that. So, let's get to the next slide  
21 about further specifications on this zone.

22 So, we're ready for the next slide now.

23 COMMISSIONER OLMEDO: Well, actually, I --

24 MS. BALLIN: Oh.

25 COMMISSIONER OLMEDO: -- I had recommendations

1 on this.

2 MS. BALLIN: Oh, you did? I apologize. Let's  
3 stay with these two paragraphs then. Commissioner  
4 Olmedo?

5 COMMISSIONER OLMEDO: Right. No, I mean, I  
6 don't think they're going to change necessarily the  
7 definition. But the reason I was referencing the other  
8 document, because I think there's a line there that can  
9 better represent the calling out of certain stakeholders  
10 that I think are critical, versus the summary that is  
11 here. That's -- look. I can get it off --

12 MS. BALLIN: So, the --

13 COMMISSIONER OLMEDO: It says, "Balance  
14 representation from labor, business, community,  
15 government." And the Resilience Fund has a very  
16 comprehensive list of -- the CERF has a very expansive  
17 list. So that could also be a good reference point,  
18 because it just says other stakeholders.

19 And one thing that I have found is that if  
20 you're not explicitly calling it out or referencing it,  
21 anybody can define or create its own parameters as to  
22 what that looks like, and who's invited, and who's not.  
23 So, I've learned to be very cautious as to when we speak  
24 about labor, how do they want to be referred to? We  
25 speak about tribes, how do they want to be referred to?

1 Because you know, we keep utilizing the word,  
2 "consultation." Is that enough? Maybe it's not enough.

3 So I think it's, again, our due diligence to  
4 check and making sure that if we're naming economic  
5 resilience, there's I don't know about 14 sectors,  
6 stakeholders, I forget how many there are. So we either  
7 reference it, we call it all out and utilize the  
8 inequity. Well, I want to make sure that those that  
9 more often get left out, get called out first to make  
10 sure that there is a seat at the table for them. And,  
11 to make sure that we do again, our due diligence to go  
12 to the stakeholders and say, "Does this fully represent  
13 you and your participation in this?" Right?

14 MS. BALLIN: Okay. So I'm hearing that you  
15 want, in the middle of the second paragraph, more  
16 specifics about stakeholders, a more full list, and  
17 maybe when we get to the motion, suggests a specific --  
18 some specific language that we could put in there for  
19 that would be really helpful.

20 COMMISSIONER OLMEDO: Yeah, and that we  
21 respectfully ask the stakeholders to let us know, does  
22 this fully represent you?

23 MS. BALLIN: Yeah.

24 COMMISSIONER OLMEDO: I don't want to make the  
25 mistake of saying you know, like it says in the previous

1 paragraph, you know it says labor and it's got a couple  
2 of words that follow it. It says you know, tribal  
3 consultation. I mean, I just think an environmental  
4 justice advocate myself or organization. I mean, it's  
5 not enough to just say, well, we checked in with you.  
6 Well --

7 MS. BALLIN: Okay.

8 COMMISSIONER OLMEDO: -- I mean, you know I've  
9 seen very -- that seems contrary to the larger  
10 engagement that -- and participation in these economic  
11 opportunities, resilience, right? So, that's the kind  
12 of stuff that I think it would be in our best interest  
13 to making sure that we check in, and we get the right  
14 language. Because we're talking about stakeholders,  
15 that because of a mistake we might make and not choosing  
16 the right words, we might exclude or we might --

17 MS. BALLIN: Thank you.

18 COMMISSIONER OLMEDO: -- be called out on  
19 that. Thank you. Yeah. I don't want to -- yeah, I  
20 want to go on.

21 MS. BALLIN: Thank you. Yeah. Today's the  
22 day that we are trying to find that language. So, we  
23 are looking for specific suggestions for the language.  
24 So perhaps later we can --

25 MS. CARRILLO: I would suggest, Commissioner

1 Olmedo, if you have some specific suggestions, that you  
2 write something up, and we could distribute it during  
3 this meeting for consideration. Alternatively, we could  
4 get very specific direction, and you could delegate  
5 Chair Paz to ensure that that -- one, we would have to  
6 develop a motion to define what that direction is that  
7 the Commission supports. And then we could delegate the  
8 oversight of that to Chair Paz.

9 MS. BALLIN: Okay, thank you, Deana. So,  
10 let's move to the second part of -- we're in the same  
11 recommendation, and we're going over our allotted time  
12 for this recommendation, but it's an important one. So,  
13 the question here is, want to get a sense -- there's two  
14 different approaches. The first option is a more  
15 generalized description of this zone. And the second  
16 gives a little more specifics.

17 So, the first question, I want to get a sense  
18 of how many Commissioners prefer option one or option  
19 two? And Commissioner Kelley, is that your raised hand  
20 that you prefer -- do you have a question or do you  
21 prefer option one?

22 VICE CHAIR KELLEY: No, I prefer option two.

23 MS. BALLIN: Okay. So if I could take the --  
24 oh sorry, go ahead.

25 VICE CHAIR KELLEY: So my comment is that this

1 is a recommendation for establishing an economic zone.  
2 And I know that there will be the opportunity for those  
3 that are on the call and those that are listening in to  
4 be able to follow forward with the development of this,  
5 as Imperial County will.

6           So then getting then into the -- and getting  
7 then to the who can have this, or that, or specifics? I  
8 don't know if that's going to be helpful, because there  
9 will be a lot of conversation. If this garners any  
10 attention of what really does finally get incorporated.  
11 So, I'd be more inclined to have something of a  
12 recommendation that we create this with some, some  
13 semblance of what we're trying to do.

14           MS. BALLIN: Yeah.

15           VICE CHAIR KELLEY: But not be restrictive of  
16 what the conversation is.

17           MS. BALLIN: That almost sounds like option  
18 one might serve that purpose. It's a generalized  
19 description of potential elements without getting into  
20 some of the specifics. So, there's three options -- to  
21 leave the recommendation as the first two paragraphs  
22 only, that's one option. There's another option, is to  
23 add option one or add option two. So, how many --

24           MS. CARRILLO: Can I --

25           MS. BALLIN: Oh --

1 MS. CARRILLO: Can I offer a --

2 MS. BALLIN: Please.

3 MS. CARRILLO: -- another option?

4 MS. BALLIN: We need more options.

5 MS. CARRILLO: But it might be -- we might be  
6 able to coalesce around it, or the Commission might be  
7 able to coalesce around it. The first paragraph, of  
8 just, "Establish a federal, state, and local  
9 recognized," you know, as Chair Paz suggested, you know,  
10 this regional -- that maybe the first paragraph is  
11 enough? Instead of those details. And those details  
12 can be worked out by the legislature and its  
13 consultation.

14 COMMISSIONER WEISGALL: Jonathan here. I have  
15 yet another suggestion. If our job is to make  
16 recommendations to the legislature, I think general  
17 recommendations, that's nice. But I kind of think  
18 specific recommendations make a good idea.

19 And my proposal would actually be to combine  
20 options one and two by leaving in option one and then  
21 simply saying, "Some specific examples might include the  
22 following." And then go on those four points, Special  
23 Economic Zone, and corporate tax relief, et cetera. So,  
24 you've got your general statement. That doesn't really  
25 give the legislature a whole lot of guidance. But to

1 include the four specific ideas as examples does give  
2 them a much better roadmap.

3           And my one minor point would be on that second  
4 bullet, just take out, "Reducing federal corporate tax."  
5 We can't really recommend that to the California  
6 legislature. So simply reduce "the state corporate  
7 tax." But I would, you know, I'd put it all in,  
8 starting with the general point in option one and then  
9 simply saying, here's some specific examples. So just  
10 to muck up the works even more. There you go.

11           MS. BALLIN: Thank you. Commissioner Dolega,  
12 and then Commissioner Castaneda.

13           COMMISSIONER DOLEGA: Yeah, I would just kind  
14 of second what Jonathan said. I kind of liked that idea  
15 as well. And, yeah. I would align with that.

16           MS. BALLIN: Thank you. Commissioner  
17 Castaneda?

18           COMMISSIONER CASTANEDA: Thank you. Yeah,  
19 Jonathan, I think captured my thoughts exactly. You  
20 know, we're here to provide specific recommendations,  
21 advice, so forth. And it's not that the legislature has  
22 to take it or follow it, but I think if we leave it very  
23 general, we may not end up with a product that will end  
24 up helping. And I think, being more specific, I wasn't  
25 there when this Commission was first thought of, but I



1 think that's what the folks that support this body are  
2 looking for, is specifics. Thank you.

3 MS. BALLIN: Thank you so much. I think we've  
4 had some good discussion and ideas we might move. We'll  
5 take Commissioner Ruiz's comment, and then we'll bring  
6 this back up when we're considering motions and the  
7 different options. So, Commissioner Ruiz?

8 COMMISSIONER RUIZ: Yeah, no, I don't have  
9 nothing to add other than just supporting the previous  
10 comments or combining them, combining option one and  
11 option two. I think, you know, that's, you know, a lot  
12 aligns, you know, with my thoughts as well.

13 MS. BALLIN: Thank you. Okay, so let's move  
14 to a recommendation number 12, which is the second one  
15 on Table B. And I'll turn to Deana to give us some  
16 context for that in a moment.

17 MS. CARRILLO: Great. Thank you, Lisa. Okay.  
18 So, recommendation 12 is regarding a centralized permit  
19 and regulatory tracking system. There were concerns  
20 raised at last month's meeting about creating additional  
21 bureaucracy around this recommendation. It established  
22 a regulatory permit and reporting system that is  
23 informative for lithium recovery and lithium related  
24 projects. It also requires that the DLE projects report  
25 details of their operations for their projects,

1 including wastewater and emissions, to be presented in  
2 an easily accessible format.

3           Staff didn't provide an alternative for  
4 consideration. We simply are raising the statutory  
5 language in the bill that established this Commission,  
6 which requires the Blue Ribbon Commission to review and  
7 investigate and analyze certain issues. One of them is  
8 "recommendations for the legislative or regulatory  
9 changes that may be needed to encourage lithium  
10 extraction from geothermal brines, including whether the  
11 development of a centralized tracking system for lithium  
12 project permitting by state and local regulatory  
13 agencies would assist with the development of the  
14 lithium industry."

15           So that is the statutory question in front of  
16 this Commission. And we've raised a few questions for  
17 your consideration. Would it be helpful? What's the  
18 answer to this question? And as -- to assess whether  
19 this is a recommendation that you'd like to move forward  
20 with?

21           MS. BALLIN: Thank you, Deana. Commissioner  
22 Ruiz, your hand is still up. I think that's from  
23 before.

24           COMMISSIONER RUIZ: Yeah, it is a legacy hand.

25           MS. BALLIN: Okay. Just wanted to make sure I

1 didn't get confused there. So, let's take each of the  
2 questions that Deana posed and conduct a few straw  
3 polls, see where the Commissioners' opinions are on this  
4 recommendation.

5 MS. CARRILLO: We may just move.

6 MS. BALLIN: Okay.

7 MS. CARRILLO: We might need to ask all three.

8 MS. BALLIN: Yeah. We'll start with a --  
9 yeah, we'll ask a few questions. Let's start with the  
10 first one about whether this system would be helpful.  
11 So how many of you believe that a centralized tracking  
12 system for permitting would assist with the development  
13 of the lithium industry? You can just show your actual  
14 hand, or if you prefer your virtual hands, was trying to  
15 leave the virtual hands for questions.

16 So, it looks like I'm not seeing any hands.  
17 So, none of the Commissioners here feel that the  
18 centralized tracking system would be helpful in terms of  
19 developing the lithium industry?

20 Commissioner Olmedo, you do feel it would be  
21 helpful to have that tracking system in terms of  
22 developing the industry? Okay.

23 And then let's put those hands down and then  
24 ask how many of you believe the centralized tracking  
25 system would be beneficial for the community and other

1 stakeholders?

2           COMMISSIONER OLMEDO: Just to clarify, the --  
3 I didn't realize you were splitting it in two. So, I  
4 would say I think it's both. So yeah, I'll raise my  
5 hand on both. I'm not -- I will have to say I'm not  
6 attempting to be an expert of the industry.

7           But coming at it from a balanced approach to  
8 development -- both the community's acceptance and the  
9 industry's responsibilities go hand in hand. So with  
10 that, I have to say to both. And I don't want to give  
11 the perception that I'm trying to give the -- my  
12 decision based on being an industry expert, so I hope  
13 that was understood.

14           MS. BALLIN: Thank you. Chair Paz?

15           CHAIR PAZ: Yes, I have some thoughts, because  
16 I don't feel that I can answer this the same way with  
17 expertise on what's helpful for the industry. But if I  
18 imagine such a tracking system being one where anybody  
19 can go -- whether you're a developer, right, and you've  
20 applied, and you can check very quickly where in the  
21 process my application is. That might be helpful, I  
22 would say, both for maybe the developers, and then also  
23 for community members to be able to say, well who's  
24 applying and what's the process or the status of you  
25 know, that application? And again, that's if -- that's

1 what this tracking system would be able to do.

2           The other -- my other thought is that, I don't  
3 know -- and, and this -- nothing here is suggesting  
4 maybe that such a tracking system would be at the hands  
5 of a new agency or an additional duty for an existing  
6 agency of the state. But that would not be helpful, in  
7 my opinion. Like I don't know how having the state do  
8 that would make it more accessible.

9           But perhaps if it's a county, you know, of  
10 Imperial -- and I know in the budget the county of  
11 Imperial did receive money for an ombudsman and you  
12 know, just so that they can have the capacity to better  
13 attend to these permitting questions and things related  
14 to industry. So, I would favor that whatever -- if  
15 there was such a centralized communication space and  
16 system, that it's in the hands of Imperial County and  
17 not a state agency.

18           MS. BALLIN: Thank you. Commissioner Hanks?

19           COMMISSIONER HANKS: Yeah, I think this  
20 recommendation just means more reporting, and I see no  
21 benefit. Matter of fact, I think the implementation of  
22 this would be a nightmare. You know, who has authority?  
23 Who pays the cost? Who's responsible for the  
24 infrastructure? I would recommend that we take this  
25 recommendation off the table.

1 MS. BALLIN: Commissioner Weisgall?

2 COMMISSIONER WEISGALL: Yeah, my first choice  
3 would be to delete it. I mean, there -- as far as  
4 permitting is concerned, I mean, certainly as an  
5 industry, we know exactly where to go for each of their  
6 permits, and what the status is. But that doesn't  
7 address the needs or interests of the public. So maybe  
8 a compromise here is to suggest to the legislature -- it  
9 can't really mandate this on Imperial County.

10 So, whether it's a state, whether it's the  
11 Energy Commission, or you know, asking the county -- but  
12 certainly to have a website, sort of have a state  
13 agency, or a county agency, establish a website that can  
14 provide direction where any member of the public can  
15 find the information needed on the permitting system, or  
16 any other reporting that industry is doing, might work.

17 But that -- I think imposing any additional  
18 burden on the industry here doesn't make much sense  
19 because the industry, we're already regulated, we're  
20 already reporting what we need to report. But simply to  
21 help out members of the public, to give them guidance,  
22 where to go to get information, might not be a bad idea.

23 So, trying to really cull out something here  
24 that that might be helpful, but the industry certainly  
25 doesn't need this. But I'm trying to recommend -- I'm

1 trying to recognize what members of the public might  
2 need or want.

3 MS. CARRILLO: Would a reasonable solution --  
4 what I think that I'm gleaning is that perhaps the  
5 answer to this statutory question is that it's important  
6 to the industry -- it's a restatement from a finding  
7 that the industry did not note a need for this however,  
8 the public is interested in. You know, instead of a  
9 recommendation, we incorporate it into -- a as a finding  
10 into the report that you -- that the industry has not  
11 expressed a need, but the public has expressed the need  
12 for additional information.

13 COMMISSIONER WEISGALL: Well, I have to say  
14 much like Commissioner Olmedo doesn't want to speak for  
15 the industry, I don't want to speak for community-based  
16 organizations. So, I mean, basically I'll limit my  
17 comments. And no, the industry doesn't need it. I  
18 think I can speak for the industry. And I'm just trying  
19 to reach across the aisle here to see what might be  
20 useful for stakeholders.

21 MS. BALLIN: Appreciate that. Commissioner  
22 Olmedo? And then Commissioner Hanks.

23 COMMISSIONER OLMEDO: Yeah. So, thank you,  
24 Commissioner Weisgall. And, you know, very, I have been  
25 very careful here not to come across as an expert of

1 this very specific industry. But coming from the  
2 business perspective, because I have been in business --  
3 private business, nonprofit business, so I have  
4 extensive experience.

5           And one of the worst things that we can do is  
6 have a scenarios that too often plague disadvantaged  
7 environmental justice communities, where the data is  
8 collected, the public is unaware, and then it gets to a  
9 point where government can no longer overlook critical  
10 issues and end up having to slap fines that are, I would  
11 say, sometimes define whether a business just closes.  
12 And we've seen that time, and time, and time again.

13           So, coming at it from a business in general  
14 perspective, good business, being proactive, in fact,  
15 that is the standard today. Right? What is it that  
16 we're looking at today with enormous amount of monitors,  
17 with trying to centralize a permitting process, trying  
18 to put together a P-- a Programmatic EIR, Specific Plan.

19           This is asking for nothing less, which is to  
20 have a healthy beginning and a healthy existence of a  
21 sustainable industry that works for community and works  
22 for industry. And I know that it's always seen as a  
23 burden, but in reality, we have to look at it from --  
24 these are early detection opportunities, because  
25 government is always more willing to step in, to be



1 proactive and help address issues early. Versus, you  
2 know, 10 years down the line costing 10's of millions of  
3 dollars, perhaps even more. So that's -- yeah, just  
4 wanted to explain that, why I support this.

5 MS. BALLIN: Thanks. Yeah, appreciate that.  
6 And I'm gonna see if I can move us along because it  
7 sounds like we have broad support for a tracking system.  
8 I want to get a quick sense how Commissioners feel about  
9 Deana's suggestion. Do you guys to see if you want to  
10 have this as a recommendation or just a finding? Is  
11 that -- Deana, did I get that correct? You're  
12 suggesting perhaps have a finding?

13 MS. CARRILLO: It was an alternative that I  
14 was trying to weave between some of the balanced  
15 perspectives.

16 MS. BALLIN: Yes.

17 MS. CARRILLO: That perhaps not a  
18 recommendation for the industry. Instead, this is a  
19 finding -- you know, in your work you found that the  
20 industry didn't need it, but the community does. What  
21 I'm hearing from Commissioner Olmedo is that the  
22 community is looking for a centralized place for  
23 information -- whether that be Imperial County or the  
24 state. You know, that could be an observation, not  
25 necessarily a recommendation for action for

1 consideration.

2 Commissioner Kelley?

3 VICE CHAIR KELLEY: Thank you. I think the --  
4 if I heard correctly, you're thinking that the majority  
5 of us are in support of recommendations 12? And I am  
6 not in that. And I don't believe from the motion of  
7 hands and movement that we are. So, I'd like to correct  
8 that if that's -- or be corrected if that's--

9 MS. BALLIN: Okay, so let's -- let's go back  
10 because I think we broke it up into two questions and I  
11 just want to reassess. Let's have people raise hands  
12 who support having recommendation 12. Is that what  
13 we're saying? I was hearing that there was.

14 MS. CARRILLO: I was hearing that the industry  
15 does not have this need --

16 MS. BALLIN: Right.

17 MS. CARRILLO: -- but the community has a  
18 need, not necessarily from our tracking system, but for  
19 a centralized piece of information. So, I think -- I am  
20 not hearing support for this recommendation. And to  
21 answer -- the question in the statute, this body's  
22 answer is no. And what I have -- what I have suggested  
23 or offered is perhaps put that in a finding, that, you  
24 know, you have found that no they don't. Not  
25 necessarily in a recommendation to the legislature.

1 MS. BALLIN: So, how many would support  
2 removing this recommendation? We're making a  
3 distinction here between this tracking system versus a  
4 centralized information.

5 MS. CARRILLO: Mmm hmm.

6 MS. BALLIN: Okay. So how many -- how many --  
7 thank you for clarifying that, I didn't pick up on that.  
8 How many would support removing this recommendation from  
9 the report and including in the findings what Deana just  
10 discussed, that industry doesn't need it, but  
11 communities would like a centralized source of  
12 information? Okay, seeing Chair Paz, Commissioners  
13 Weisgall, Ruiz, Kelley, and Commissioner Castaneda is no  
14 longer here.

15 MS. CARRILLO: He's here.

16 MS. BALLIN: Oh, I'm sorry. Oh okay, sorry.  
17 He went for a --

18 MS. CARRILLO: Commissioner Ruiz, you had your  
19 hand up before we asked for hands up. I'm just reading  
20 Have you had a comment to add?

21 MS. BALLIN: Yeah.

22 COMMISSIONER RUIZ: Oh, I anticipated, you  
23 know, that, and I raised my hand.

24 MS. BALLIN: Okay.

25 MS. CARRILLO: Okay.

1 MS. BALLIN: Okay, let's move -- so let's,  
2 let's move on to the next one then. Thank you for that  
3 suggestion. Okay, let's move to recommendation 13. And  
4 I will turn it back to Deana for some context on that.

5 MS. CARRILLO: Okay. So, recommendation 13  
6 addresses the comments that we have heard over the last  
7 several months that I've been with you, with the  
8 community interested in a comprehensive environmental  
9 study that is cumulative, includes seismic activity as  
10 well as environmental impacts, and is not limited to  
11 Imperial County but considers the broader region. At  
12 our last meeting, there were concerns raised that this  
13 was duplicative of CEQA, it could be considered  
14 redundant.

15 We added some clarifying language for your  
16 consideration. We added seismic activity in response to  
17 Commissioners' comments as well as public comments. And  
18 we also acknowledged that this was not a dependency or  
19 an interdependency for any projects moving forward. But  
20 rather, it's outside of the anticipated Programmatic EIR  
21 established by Imperial County and those CEQA processes  
22 that projects are undergoing.

23 MS. BALLIN: Thank you, Deana.

24 COMMISSIONER WEISGALL: Did you give thought  
25 as to who will conduct the study? That doesn't seem to

1 be there. And I think there's a typo at the very end.  
2 Consider "advanced," not "advance," -- I think you need  
3 a "d," --mitigation efforts. But my question is, who  
4 would conduct the study? Is that -- did you get a  
5 sense? I'm not remembering.

6 MS. CARRILLO: Right now, we're noting either  
7 a state agency or academia. It is not specific.

8 COMMISSIONER WEISGALL: Oh, I'm sorry, I'm  
9 sorry. At the beginning. Yes, I apologize. But I keep  
10 my typo.

11 MS. CARRILLO: Noted. We'll try to catch  
12 those on the final. Okay. And -- go on -- go ahead.

13 MS. BALLIN: Any other Commissioners want to  
14 ask a question or make a comment about this? And we'll  
15 take a straw poll and see if this revision -- with these  
16 revisions how Commissioners feel about including this  
17 recommendation? I don't see any questions. So, let's  
18 have raised hand --

19 COMMISSIONER WEISGALL: Quick question.

20 MS. BALLIN: Sure.

21 COMMISSIONER WEISGALL: Can you give me an  
22 outline of what this does that is not accomplished under  
23 CEQA?

24 MS. CARRILLO: So I may defer to some of my  
25 other colleagues on the phone that are more

1 knowledgeable of CEQA. But as designed or as written it  
2 would be Imperial County's Programmatic EIR has not --  
3 the scope has not been established yet. So I think  
4 there is some uncertainty around that. But it would  
5 include a region outside of Imperial County. So, it  
6 would not be closed by those jurisdictional boundaries  
7 if Imperial County were doing the CEQA review.

8 MS. BALLIN: Commissioner Kelly?

9 VICE CHAIR KELLEY: Just to clarify, our CEQA  
10 with Dudek is already initiated. There will be a  
11 presentation on the 22nd in Westmorland. The scope has  
12 been defined, and there is a detailed engagement  
13 included. But it does not extend outside of Imperial  
14 County.

15 MS. CARRILLO: Thank you for that correction.  
16 Apologies.

17 MS. BALLIN: Any other thoughts before we take  
18 a quick straw poll on this recommendation? Commissioner  
19 Ruiz?

20 COMMISSIONER RUIZ: Yeah, I'm totally  
21 supportive of this one. I think the impacts, you know,  
22 if there are impacts, you know, I think we need to have  
23 a better understanding outside of the buffer of just,  
24 you know, Imperial County.

25 I think, you know, this brings, you know,

1 peace of mind to many community members, you know, who  
2 may be ambivalent about this, you know, industry. So I  
3 think you know, if it doesn't create an extra layer of  
4 bureaucracy, I think you know, this is a really good  
5 approach to make community members you know, feel more  
6 comfortable.

7 MS. BALLIN: Thank you. Commissioner Kelly?

8 VICE CHAIR KELLEY: I'm sorry, I forgot to  
9 lower my hand.

10 MS. BALLIN: So you forgot to lower, okay.  
11 Looks like it went down and up. Okay.

12 So, let's just take a quick straw poll and see  
13 where Commissioners are on this recommendation. If you  
14 want to raise, you could do your actual hand or your  
15 virtual hand if you're off camera if you support  
16 inclusion of Recommendation 13 as modified. Chair Paz  
17 supporting it, and Commissioner Ruiz. Thank you.

18 COMMISSIONER OLMEDO: Before I make the  
19 decision, I do have a comment.

20 MS. BALLIN: Okay.

21 COMMISSIONER OLMEDO: I just want to say it  
22 says a state agency or academia, I think that's  
23 limiting. I think we should put other, qualified other.

24 MS. BALLIN: I'm sorry, I'm not understanding  
25 that.

1                   COMMISSIONER OLMEDO: So here on 13 it says  
2 that "state or academia required to fund the study." It  
3 only identifies the state or academia.

4                   MS. BALLIN: Oh I see, you're saying to add --

5                   COMMISSIONER OLMEDO: You know we don't want  
6 to limit ourselves or limit the report. The  
7 recommendation, it's just--

8                   MS. CARRILLO: Perhaps we just remove "state  
9 agency or academia" and keep it silent so all are  
10 welcome?

11                   COMMISSIONER OLMEDO: I think that would be  
12 okay with me.

13                   MS. CARRILLO: Okay.

14                   MS. BALLIN: Is that okay with others? I know  
15 Commissioner Weisgall had a question about who would be  
16 doing it. Commissioner Kelley?

17                   VICE CHAIR KELLEY: Just to be clear, we're  
18 taking a poll. And I guess, should we not finish the  
19 poll on the language in front of us?

20                   MS. BALLIN: It's getting a little conf--  
21 yeah. So let's put that to the side. Oh, Commissioner  
22 Olmedo, does that affect whether or not you would --  
23 let's just support the concept of this and then we can  
24 talk about changes. So, let's go back with all hands  
25 down and finish off that poll. Who would support this



1 recommendation? The general concept even if you have  
2 some minor changes? So we've got Chair Paz,  
3 Commissioner Olmedo, Commissioner Ruiz supporting the  
4 inclusion of this recommendation.

5           And then when we bring this up later,  
6 suggestions for modifying it could be considered when  
7 you guys vote. Let's move to Recommendation 14.  
8 There's no change on this one. Deana, I wasn't sure if  
9 you want to give a little background on that, on  
10 Recommendation 14?

11           MS. CARRILLO: Recommendation 14 doesn't have  
12 any modifications proposed. It's a recommendation for a  
13 cumulative water study to gain more information about  
14 the needs for this budding industry. There was robust  
15 discussion at last month's meeting, so we brought it  
16 into this table for some additional discussion if  
17 needed.

18           MS. BALLIN: Thanks. And if I remember  
19 correctly, I think there was broad support for this at  
20 the last meeting. So --

21           MS. CARRILLO: Well and Commissioner Hanks was  
22 interested in in specifying IID.

23           MS. BALLIN: Yeah.

24           MS. CARRILLO: Not necessarily broad support.

25           MS. BALLIN: Okay. I think there was -- I

1 should speak more clear--

2 MS. CARRILLO: There was some support.

3 MS. BALLIN: Support for the concept, but most  
4 of the discussion was about who would do it, if that's  
5 correct? So, we've got all of the options remaining in  
6 there, state agency, academia or IID. So, it was  
7 brought back because there was a lot of discussion on  
8 that. So, let's see. Let's take our straw poll. Oh,  
9 Commissioner Hanks, did you want to weigh in before we  
10 take a straw poll on this one?

11 COMMISSIONER HANKS: Yes. This -- the use of  
12 the water will require a will-serve letter from the IID.  
13 It doesn't make sense to me to have state or academia  
14 come in and they may have no idea what the plans are,  
15 what preparations have been made for the use of water.  
16 You haven't even agreed to the location.

17 Now, it is agreed, there may, may be a  
18 possibility of some geothermal development outside of  
19 the IID. Haven't seen it. Hasn't been developed yet.  
20 So, I think, you know that you're going to do some type  
21 of study, we have plans, we have gone through this for  
22 years. I think it ought to be IID, truly.

23 MS. BALLIN: So some of the last time --

24 COMMISSIONER HANKS: (INDISCERNIBLE)

25 MS. BALLIN: Sorry.

1           COMMISSIONER HANKS:  --going to move outside  
2 to a resource outside of the IID Water District, then  
3 you would have to consult within the other water  
4 companies because we wouldn't be able to serve it.

5           MS. BALLIN:  So, is it correct to say you  
6 support the concept of this recommendation, but you feel  
7 strongly that it should only be done by IID, not have  
8 the option for state agency or academia?  Is that  
9 correct?

10          COMMISSIONER HANKS:  Yeah, I think it would  
11 have to be something -- some type of declaration first  
12 from the industry how much water they're going to need,  
13 what the development looks like, and what timeframe.  
14 There's a -- this is a moving target, there's a lot  
15 going on the river.  And, you know, we have prepared for  
16 this years in advance.  So, I would, I would say  
17 (Indiscernible 2:27:52) probably our plan is pretty much  
18 complete in the final state, just need to -- the  
19 industry needs request for the will-serve letters.

20          MS. BALLIN:  Thank you.  Commissioner Olmedo?

21          COMMISSIONER OLMEDO:  So as it reads, it seems  
22 very limiting.  I do want to just add that it would be  
23 important to come back and revise it.  I think I can  
24 partially side with it.  But, water quality, water  
25 quantity, local beneficial uses of the water, are three

1 areas that I think are very important. And then the  
2 state agency, academia -- I will have to say that IID  
3 has made it made it very clear in documented manner that  
4 they are not interested in studying water quality.

5           However, I would support that every -- while I  
6 would like water quality to be included, that IID may be  
7 remain in all areas, minus water quality, because  
8 they've made it clear -- unless the board has made a  
9 different decision to support water quality study. They  
10 made it clear that they're not interested in that.

11           MS. BALLIN: Commissioner Dolega?

12           COMMISSIONER DOLEGA: Yes, just reading  
13 through this. In terms of the word potential, how is  
14 that being defined? Because is it -- is there going to  
15 be a study that will declare potential, or declare  
16 adverse effects, or just declare the potential of these  
17 things happening? Because I think there's like a  
18 delineation between you know, like theoretical,  
19 improbable, right? That may not need to be addressed,  
20 versus they do need to be addressed.

21           And sorry if I missed it, I was offline for a  
22 second.

23           MS. BALLIN: No worries. Are you on  
24 Recommendation 14?

25           COMMISSIONER DOLEGA: Sorry, 13.

1 MS. BALLIN: Okay, yeah, we had moved on to --

2 COMMISSIONER DOLEGA: My apologies.

3 MS. BALLIN: No worries. I'm trying to look  
4 for the word. I see "potential" in the topic heading  
5 but not in the --

6 COMMISSIONER DOLEGA: It's in the last  
7 sentence there on the right.

8 MS. BALLIN: Oh, I'm sorry, I was looking at  
9 the -- oh, gotcha, gotcha. Potential impact. So, are  
10 you suggesting -- is there a definition that you want to  
11 suggest for potential?

12 COMMISSIONER DOLEGA: Well, I'm just saying  
13 like, if there are like let's say there's a study, and  
14 the find that there are going to be impacts, right? So  
15 then you can make recommendations to minimize those  
16 impacts. But there could be theoretically any probable  
17 potential impacts of a lot of stuff. So, if it's too  
18 loosely defined, I could just see that being  
19 problematic.

20 MS. BALLIN: Thank you. We'll note that to  
21 the list of comments about Recommendation 13. Okay, so  
22 going back to 14, it sounds like we've got a few options  
23 on the board to consider later. One was to change who  
24 does the study, and another was to add to the study to  
25 the water quality. So, I think we should move on to the

1 next item. The next recommendation, which is  
2 Recommendation 15.

3 MS. CARRILLO: Okay, this was a recommendation  
4 that was discussed in detail last month, to require or  
5 incent for projects in the regions to enter into a  
6 project labor agreements and workforce development  
7 strategies to support high-road principles and jobs.  
8 Two concepts were raised in that discussion. One was  
9 that the industry was already doing this. The other  
10 concept that was raised was that it shouldn't be a  
11 requirement. We've modified the language to say, "to  
12 incent," instead of, "to require," and that is for  
13 discussion today.

14 MS. BALLIN: Thank you, Deana. Commissioner  
15 Dolega, I think your hand is up on the last discussion  
16 but let me know if I'm wrong in that. Okay, so let's  
17 get a sense. Let's do a quick straw poll on this one  
18 and see. How many Commissioners support including this  
19 recommendation as modified. We've got Commissioner  
20 Castaneda, Commissioner Kelley, I'll give another  
21 minute. Commissioners look like you might still be  
22 reading it.

23 CHAIR PAZ: And we're looking at number 15?

24 MS. BALLIN: We're looking at -- yeah,  
25 Recommendation 15.

1           Commissioner Weisgall supports, and  
2 Commissioner Ruiz. Oh, Commissioner Ruiz changed.  
3 Changed your mind, I'm assuming? Oop, no, okay. Okay,  
4 it looks like we've got pretty -- yeah, we've got broad  
5 support for this recommendation. Great. Let's move to  
6 Recommendation 18.

7           COMMISSIONER REYNOLDS: Can I --

8           COMMISSIONER OLMEDO: I do have a comment on  
9 15.

10          MS. BALLIN: Sure. Where there two people?

11          MS. CARRILLO: And I do want to note that  
12 Commissioner Reynolds has joined us. I believe she'd  
13 been promoted to a panelist.

14          COMMISSIONER REYNOLDS: I'm here now. Yeah.  
15 And apologies to everyone for joining late. We had a  
16 meeting of my Commission that I had to Chair previously,  
17 but I'm glad to be able to join. I have a question on  
18 this, but I'm not sure if you want to call on  
19 Commissioner Olmedo first?

20          MS. CARRILLO: Yes, Commissioner Reynolds, we  
21 have gone through two tables. Table A was where we  
22 identified broad support for the recommendations. We're  
23 now going through the recommendations in Table B. We're  
24 on Recommendation 14, to assess --

25          MS. BALLIN: 15.

1 MS. CARRILLO: I'm sorry, 15, to get comments  
2 to see if we can assess broader support.

3 COMMISSIONER REYNOLDS: Understood, thank you.  
4 I just had a question on 15, when you're ready.

5 MS. CARRILLO: Great.

6 MS. BALLIN: So, Commissioner Olmedo, then  
7 Commissioner Reynolds, and then Commissioner Weisgall.  
8 These are all on 14 -- 15. (Laughter). Commissioner  
9 Olmedo, did you have a comment on 15?

10 COMMISSIONER OLMEDO: Right, so let me know if  
11 this is sort of going beyond the scope of the intent of  
12 this. But, I would move, "and," to the end, and add,  
13 "prioritize local hiring, comma and community benefits."  
14 So that's what I would recommend. I don't know if that  
15 brings concerns or changes the whole intent of this very  
16 specific recommendation, but that's what I would like to  
17 add in there.

18 MS. BALLIN: Commissioner Weisgall? I'm  
19 sorry, Commissioner -- sorry.

20 COMMISSIONER WEISGALL: Well, on that point,  
21 that changes the nature of this because this  
22 recommendation goes to workforce, not community  
23 benefits. So, I mean, you know, we can entertain that  
24 thought, but I wouldn't put it here and I would be  
25 opposed.



1           And my only other suggestion is, and I said  
2 this at last meeting, and if folks who want to keep in  
3 highroad, that's fine. I would at least suggest a  
4 footnote somewhere to explain to a reader what is meant  
5 by highroad. because if you google highroad, you get a  
6 pretty broad variety of views. So -- but I could still  
7 support this, but not with community benefits. That  
8 goes beyond workforce.

9           MS. BALLIN: I get --

10           COMMISSIONER OLMEDO: Fair enough. I'm good  
11 with that, Commissioner.

12           MS. CARRILLO: Two notes there -- prioritize  
13 local hiring is in this language already. So just to  
14 note that it wouldn't be a change. And Commissioner  
15 Weisgall, there's a discussion and a definition of high  
16 road in chapter four to address--

17           COMMISSIONER WEISGALL: You're right.

18           MS. CARRILLO: -- the order.

19           COMMISSIONER WEISGALL: You're right. I did  
20 see that. Yup, thank you.

21           MS. CARRILLO: And Commissioner Reynolds, I  
22 think you had a question?

23           COMMISSIONER REYNOLDS: Yeah, I do you have a  
24 question. Sorry, I may have missed it, but I'm just  
25 wondering what in -- what is meant by incentives?

1 MS. CARRILLO: Incentives, right now, is  
2 defined fairly broadly to be defined by the legislature.  
3 But it'd be incentives for companies to -- so financial  
4 incentives or other incentives to carry out these acts  
5 for the legislature's consideration.

6 MS. BALLIN: We might have lost Commissioner  
7 Reynolds. I think that -- did we lose Commissioner  
8 Reynolds? Or am I just not reconnecting did we lose  
9 questioner Reynolds? Am I just not --

10 Hopefully she heard the answer. If not, we'll  
11 answer again when she comes back. Okay.

12 So, let's move on to Recommendation 18, which  
13 is the last one on Table B. And I think after this  
14 we'll take a 10-minute break or something. That sounds  
15 good, Deana?

16 MS. CARRILLO: Probably a five-minute break  
17 for timing and then we'll need public comment.

18 MS. BALLIN: Okay. So, let's go to  
19 Recommendation 18, and we'll get a little background on  
20 this one from Deana.

21 MS. CARRILLO: Okay. So, the track cha--  
22 there's two ver-- Recommendation 18 is now a combination  
23 of two prior recommendations that both proposed to  
24 create advisory councils to provide input and guidance  
25 as investment decisions were made. So these two

1 recommendations were consolidated into one. In our last  
2 discussion, there was concern of who would fund the  
3 advisory councils, and where the source of funding would  
4 come from.

5 We have made the recommendation that the state  
6 should fund, or provide funds, and this will be from  
7 sources other than the lithium extraction excise tax,  
8 and funds allocated to Imperial County, the formation of  
9 this advisory council to provide input. So, we've  
10 combined these two recommendations and the track change  
11 and the clean version is actually in front of you,  
12 because that track change version was a little messy.

13 MS. BALLIN: Thank you, Deana.

14 MS. CARRILLO: Yup.

15 MS. BALLIN: I'm gonna give Commissioners a  
16 minute to read through this recommendation, pretty new.

17 Okay, Commissioner Olmedo, do you have a  
18 comment on this one?

19 COMMISSIONER OLMEDO: No, my apology, that is  
20 from earlier. I'm still reading through it.

21 MS. BALLIN: Oh.

22 (Pause)

23 Okay. Commissioners ready to discuss this  
24 one? So, any comments or thoughts on this before we  
25 take a quick straw poll, see how Commissioners feel

1 about this recommendation? Commissioner Olmedo?

2 COMMISSIONER OLMEDO: I -- look. I think it  
3 should be expected that I will continue to uplift the  
4 need to explicitly call out members of labor,  
5 environmental justice, disadvantaged communities, and  
6 tribal and certainly not leaving other stakeholders that  
7 are critical to this process. But we need to make sure  
8 at minimum that those that we write in the language,  
9 that those stakeholders will be invited to participate  
10 in this type of advisory. But I support the  
11 recommendation.

12 MS. BALLIN: Thank you. Any other quick  
13 questions on this? Let's do our straw poll on this one  
14 and see how many Commissioners support the inclusion of  
15 this Recommendation 18? Commissioners Olmedo,  
16 Castaneda, Chair Paz, Weisgall, Ruiz, okay. And for  
17 those who don't support, are there any modifications  
18 that you could see making to this recommendation to be  
19 able to support it?

20 COMMISSIONER OLMEDO: Just to clarify, I  
21 support it with the --

22 MS. BALLIN: Yes.

23 COMMISSIONER OLMEDO: -- expectation that  
24 these recommendations would be considered.

25 MS. BALLIN: Yeah. And again, we'll look for

1 language. You could provide the specific language --

2 MS. CARRILLO: Do you mind if I just follow up  
3 now?

4 MS. BALLIN: Please.

5 MS. CARRILLO: So, Commissioner Olmedo, what -  
6 - right now it identifies the formation of an advisory  
7 council to provide input to the State, Imperial County,  
8 and lead agencies on community and tribal priorities.  
9 Such guidance could include discussion of community  
10 benefit and labor agreements, action to protect public  
11 health and safety, tribal cultural concerns, and  
12 infrastructure improvements.

13 What -- are you looking for the term  
14 environmental justice and labor to be put into the  
15 definition of the advisory council? I'm -- I just want  
16 to clarify what the proposal is.

17 COMMISSIONER OLMEDO: Look, you know, let me  
18 just propose the following. But I am certain that I'm  
19 not looking at it from a holistic view. But we need to  
20 make sure that environmental justice, disadvantaged  
21 community representation, tribal representation, labor  
22 representation are explicitly committed within this  
23 formation of the advisory council.

24 And look, the reason I bring this up is  
25 because while there are new models and great

1 opportunities that the state, federal government, and  
2 locally are opening up, we still don't have any  
3 guarantees that at the end of the day, the formation of  
4 an advisory will in fact be representative of the --  
5 what the intent of this recommendation, what I think it  
6 aims to do. And you can never overlook the importance  
7 of calling it out explicitly, because otherwise others  
8 will interpret it differently. I mean, it may turn out  
9 to exclude very critical stakeholders. That's why I  
10 wanted to call those out explicitly. But also --

11 MS. CARRILLO: Thank you for that  
12 clarification.

13 COMMISSIONER OLMEDO: Is that helpful, Deana?

14 MS. CARRILLO: Yup, yup. Thank you.

15 MS. BALLIN: Sorry, whenever I turn it off, I  
16 forget to turn it on. Julia pointed out correctly that  
17 we had said we were going to come back to Recommendation  
18 five from Table A, and I had forgotten about that one.  
19 So perhaps we can get through that and then take our  
20 quick break for public comment?

21 MS. CARRILLO: Yup.

22 MS. BALLIN: Okay. So, let's get  
23 Recommendation five up on the screen if we could.

24 CHAIR PAZ: Before we move on, I believe  
25 Roderic Dolega might have a comment on this one, and so

1 do I.

2 COMMISSIONER DOLEGA: Sorry, again, from  
3 previous, sorry.

4 CHAIR PAZ: Okay, thank you. So, for me, it  
5 was only a clarification and I believe Deana might have  
6 already understood this. But what I heard Commissioner  
7 Olmedo talk about was the composition of the advisory  
8 council. And Deana in your comment, you were talking  
9 about what the council would do. That's where you read  
10 from, but I heard Commissioner Olmedo wanting to define  
11 at least some key members who should be part of this  
12 council, just for clarification.

13 MS. CARRILLO: Thank you.

14 MS. BALLIN: Thank you. And Commissioner  
15 Olmedo, I'm assuming your hand is left up from before?  
16 Okay. All right. Thank you.

17 Thanks Chair Paz, sorry I didn't see that.  
18 Okay, so let's move to recommendation number five, which  
19 is a revision to a recommendation about the SB 125 tax.  
20 I'll give Commissioners a minute to take a look at the  
21 new words. I think Deana explained before a little bit  
22 about the intent of this.

23 MS. CARRILLO: Yeah. So, this -- what was  
24 raised in our earlier conversation today, just for those  
25 who are joining us, was that this language to expedite

1 the study of whether a flat tax or a volume-based tax  
2 makes sense would in and of itself open up the statute  
3 and that statutory bill. So that was the discussion  
4 this morning, or earlier this afternoon.

5           Prior to that, this recommendation was to  
6 encourage a volume-based tax versus a flat tax, in  
7 response to feedback that we've gotten. That had then  
8 evolved into just a recommendation to expedite the study  
9 to give clarity to the industry. And so, yes, Lisa,  
10 opening that up, of whether this is a recommendation  
11 that we would like to move -- that the Commission would  
12 like to move forward with. I believe we've heard from  
13 Commissioner Olmedo on this, and now we just need to get  
14 a sense of -- Commissioner Olmedo, if you'd like to  
15 share those thoughts?

16           COMMISSIONER OLMEDO: Yeah. Again, I'd just  
17 like to offer that, I mean, if there is a concern with  
18 the date, I think there is a process as to which those  
19 that are -- that have a preferred route, you know,  
20 there's a there's a process by which they can handle  
21 that in Sacramento. I don't believe that our role here  
22 is to change the definition of SB 125.

23           And, again, I just feel that this -- five  
24 should just all together be removed. And there's  
25 already a definition further down the report that



1 already defines SB 125 as written in law. That's my  
2 recommendation.

3 MS. BALLIN: As Deana mentioned, we did  
4 discuss this at some length earlier. So, let's get a  
5 sense of how Commissioners feel about this  
6 recommendation. How many of you would support including  
7 recommendation number five as modified in the final  
8 report? And Commissioner Olmedo, I don't know if you  
9 want to take your hand down from your question before?

10 Okay. How many support including  
11 Recommendation five as modified? So far I'm not seeing  
12 any hands, I wasn't sure if some are still reading it.  
13 Okay.

14 COMMISSIONER WEISGALL: And what about  
15 Commissioner Olmedo's suggestion of deleting it  
16 altogether then, and getting rid of what we have on the  
17 left also?

18 MS. BALLIN: If nobody's --

19 COMMISSIONER WEISGALL: Just a show of in--  
20 yeah. I think nobody supports anything on -- well, just  
21 to clarify, I'd get rid of the whole thing. Yeah.

22 MS. BALLIN: So, do -- delete five in the new  
23 form, and the old form, and -- okay. That seems to be  
24 the consensus here. Okay, so with that, I think we are  
25 complete with our recommendation-by-recommendation

1 discussion, and let's take a--

2 CHAIR PAZ: Before -- Lisa, before we do that,  
3 I want to bring up something that perhaps we can take on  
4 the one by one. But if we go back to recommendation and  
5 I think it was 14, I believe that in the writing -- no,  
6 not 14 -- number 13. I believe that in the rewriting  
7 that led to this recommendation, we lost the original  
8 request, which was for the state to fund an envi--- a  
9 Health Impact Assessment, not using any of the dollars  
10 that have been committed to Imperial County, that would  
11 include the Eastern Coachella Valley.

12 So, we somehow lost that all together into  
13 this and went into this very different direction that I  
14 see in front of us. So, when we're voting, I would just  
15 like us to go back to that original request that was  
16 here, recommendation for the state to fund a health  
17 impact assessment that would sort of parallel what  
18 Imperial County is already going to do for the Imperial  
19 County side. And I really don't see if Imperial's going  
20 to do it, why this Commission wouldn't support it to  
21 happen in the Eastern Coachella Valley, so long as it's,  
22 you know, funded by the state.

23 MS. CARRILLO: Chair Paz, if I may, I think  
24 you're referring to Recommendation 10 which is on Table  
25 A for a consent vote. That notes that the state should

1 find a Health Impact Analysis. For example, an  
2 assessment or a study, because those are really specific  
3 terms for Eastern Coachella Valley to be carried out.  
4 So, I think that concept is included --

5 CHAIR PAZ: Got it.

6 MS. CARRILLO: -- and this is additive.

7 CHAIR PAZ: I missed that when I was trying to  
8 look back. Okay, now disregard my comment. Thank you.

9 MS. BALLIN: Commissioner Hanks?

10 COMMISSIONER HANKS: Yeah, I'd like to go back  
11 to recommendation five, if we could. I'm in support of  
12 the recommendation to modify, to move that date up from  
13 December 31 to June 30th. There are contracts that are  
14 in place, and some being developed, that benchmarks in  
15 it. And this is playing hectic with it for the  
16 developers to meet to benchmark that's being placed on  
17 them.

18 And I think that our purpose here was to see  
19 how to remove barriers instead of putting them in place.  
20 And with contracts already written for some of these  
21 developers, this is really playing hectic with ordering  
22 of materials and so forth. So, there's timelines on  
23 just geothermal development, and there's timelines on  
24 lithium extraction. That's never been discussed here,  
25 that's been in place for some time. So I'm supporting

1 the modification.

2 MS. BALLIN: I'm sorry, because I haven't --  
3 I'm having trouble hearing you. Are you saying you  
4 support Recommendation five, is that what I heard?  
5 Yeah, okay, thank you.

6 Okay. Thank you. So, noted.

7 MS. CARRILLO: So, if we can just talk about  
8 next steps.

9 MS. BALLIN: Yeah, is that two?

10 MS. CARRILLO: Oh, sorry, two more hands.

11 MS. BALLIN: Two more hands and then we'll  
12 move on to next steps. Commissioner Reynolds?

13 COMMISSIONER REYNOLDS: Yeah, thank you. And  
14 sorry, my computer crashed twice, previously. I was  
15 going to ask a question, I think I'm cursed for this  
16 meeting. But I'll try again. I had a follow up on  
17 Chair Paz's note on the recommendation on the study, and  
18 it also goes to recommendation six that's on the screen  
19 and the references to state funding.

20 And I'm just wondering, you may have already  
21 discussed this, but I wanted to add in a view that we  
22 should consider leaving the source of funding more open,  
23 because there may not be any state funding. And if we  
24 say some -- there may be federal funding, there may be  
25 other sources of funding. So rather than depend on the

1 state to get some of these things done, if we can leave  
2 it a little bit more open, so that it gives us greater  
3 possibilities to find funding to do the things like the  
4 study, and some of his other research. So that would be  
5 a more global recommendation for all of the items that  
6 have referred to state funding.

7 MS. BALLIN: Thank you. Commissioner Kelley?

8 VICE CHAIR KELLEY: So my comment -- oh, and  
9 Commissioner Reynolds, I concur with what you've just  
10 shared about the limitations. And maybe the state and -  
11 - but also opening to other revenues. But I would hope  
12 that we do not take a break. Maybe if people need to  
13 step out to be able to use the facilities or such,  
14 because I'm anticipating losing Jonathan Weisgall or Jim  
15 Hanks in the next 10 minutes. No offense to either of  
16 you, but this is gonna -- if we take a break, not  
17 everybody's gonna come back.

18 CHAIR PAZ: I support that recommendation.

19 COMMISSIONER WEISGALL: I'm all for it. I'm  
20 not going anywhere.

21 MS. CARRILLO: Okay. So, what I am hearing is  
22 that we will not be taking a break. We're going to be  
23 going into public comment on your discussion. The  
24 public has now had an opportunity to hear some of the  
25 potential motions that will be made. We'll have public

1 comment and then after public comment, together we will  
2 identify some specific motions for you to make to  
3 approve the report. Okay.

4 And I think, Chair Paz, this is when I send it  
5 back to you. But let me try to find --

6 CHAIR PAZ: And only -- thank you, Deana. And  
7 only briefly because I will hand it over to Erica. So  
8 Erica, if you can please open up the public comments.  
9 Thank you.

10 MS. LOZA: Of course. So we will now take the  
11 public comments on discussion and upcoming vote which  
12 the Commission will decide on the contents of the final  
13 report. As a reminder, please state and spell your name  
14 and state your affiliation, if any, unless you want to  
15 remain anonymous. As another reminder, if you're  
16 joining us via Zoom on the computer, please use the  
17 raise hand feature. If you've called in, please dial  
18 star-nine to raise your hand and star-six to unmute your  
19 phone line.

20 So, while those hands are getting raised, I'm  
21 going to read the question and answer box that we've had  
22 up and running. So, we have a few questions here. The  
23 few first four comments are from Rodolfo Lopez.

24 And the first one says, "What are the  
25 boundaries of Lithium Valley?"

1           The second one says, "Imperial County is very  
2 large. It should be defined by specific cities around  
3 the Salton Sea and Indian tribal nations."

4           The third comment, it says, "Salton Sea Beach  
5 is not included in the list and should be included as  
6 part of Lithium Valley."

7           The last comment by Rodolfo Lopez is, "Will  
8 there be studies done to evaluate the risk of  
9 earthquakes due to the extraction of lithium near or on  
10 the Salton -- the San Andreas fault."

11           And the next few comments are from Pascha  
12 Nierenhausen. Sorry if I mispronounced it. And it  
13 says, Fort Yuma Quechan tribal member.

14           It says, "Will IID participants be informed in  
15 some sort of capacity? Or, is this type of information  
16 within part of the revision? Will fed give tribal  
17 members be informed if this type if this type of IID  
18 report?" Sorry, there's a few typos.

19           And the next part says, "Water should be  
20 potentially mandated to be reported to the public with  
21 adverse effects, if any, in any type, if any way.  
22 Recommendation Number 14. Please advise, thank you for  
23 inviting."

24           The next comment says, "Recommendation number  
25 13 and 14, tribal should be involved with either study

1 and potentially be mandated. Number 15 tribal members  
2 should be discussed, that native members should have  
3 free education in terms of learning and gaining  
4 employment."

5           The next comment is still from Pascha. It  
6 says, "Number 18 recommendation. Will lithium excise  
7 tax -- tribals be exempt from? How will you reach out  
8 to inclusion of tribal? All should be in support.  
9 It'll identify the broader discussion with diversity.  
10 Absolutely."

11           And the last comment it says, "Thank you very  
12 much for this acknowledgement. Grassroots tribal  
13 members of California. Pasha Quechan/Lakota Sicangu."

14           Okay, those are all of the questions. Let me  
15 go to the hands on Zoom. The first hand is from Nikola  
16 Lakic. You should be able to unmute yourself

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

18           MS. LOZA: Yes.

19           MR. LAKIC: Thank you. Thank you for this  
20 opportunity to say a few words. Well, I was late a  
21 little bit, 30 minutes. I wasn't able to get in, I had  
22 some problem on my computer. Sorry about that. I  
23 didn't hear the first part.

24           But the discussion was mostly about fixing and  
25 making better draft, and you're talking about taxes



1 mostly and that's fine. I want just to remind you to  
2 read my comment dated last month, sent it about one  
3 month ago. Please do it. It's very important. I was  
4 criticizing system, how you do it, why you didn't invite  
5 me to make presentation. Because it's interest -- not  
6 just to the extraction of lithium, but in restoration of  
7 the Salton Sea altogether, environment, and health of  
8 the nearby population. And my proposal includes all  
9 those things very successfully. Unfortunately, it was  
10 brushed it off for some reason.

11 I want just to say that you have mentioned  
12 also Economic Development Zone today a few times. I'm  
13 not sure, ladies and gentlemen, Commissioners, are you  
14 aware that if you proceed with current course of action,  
15 smaller lake, elemental brine lake, which is part --  
16 although you're focusing on extraction of lithium. But  
17 it's together. It's big elephant, you cannot avoid  
18 that.

19 If you proceed with -- if my -- let me put  
20 this way. If my proposal is not accepted, you can say  
21 goodbye to the Economic Development Zone, because will  
22 be economic, environmental, equal disaster, if I may  
23 say. Everyone is going to run away. Not just about  
24 Salton Sea, but even farther. Palm Desert, Palm  
25 Springs, Indio.

1           I just wanted to let you know, please read my  
2 comment. It's 10 pages. There is on the bottom, there  
3 is also link to the five segments, summaries of the  
4 proposals. Obviously, you brush it off for some reason,  
5 but please do it. It's your job to do it, to review it.  
6 But thank you very much. I have 30 seconds, but if  
7 somebody has any questions for me, I would be glad to  
8 answer since I'm still here and there is 20 seconds.  
9 But if not -- but thank you very much for this  
10 opportunity to say a few words.

11           MS. LOZA: Thank you. The next hand raised is  
12 from Mariela Loera. You should be able to unmute  
13 yourself.

14           MS. LOERA: Hi, good afternoon. This is  
15 Mariela Loera. It's M-A-R-I-E-L-A, last name L-O-E-R-A,  
16 and I'm commenting on behalf of Leadership Council for  
17 Justice and Accountability. It is really concerning  
18 that while this Commission provided the appropriate time  
19 for the public to respond to the draft report as it was  
20 released on September 21<sup>st</sup>, it has not shifted its  
21 conversation to focus on a new version of its  
22 recommendations, which were released the same day public  
23 comment for the draft report was due.

24           While the majority of these recommendations  
25 remain relatively similar, there are some key changes to

1 which the public were not given the appropriate time to  
2 review and comment on. Especially concerning, the  
3 recommendations regarding the CEQA process has been  
4 extremely watered down. And the new version of this  
5 report, as we told in our comment letter, the CEQA  
6 process should be com-- should be a comprehensive study  
7 of both individual impacts of independent projects, as  
8 well as the analysis of cumulative impacts. As  
9 described by Commissioner Ruiz today, given the general  
10 lack of information on potential impacts, ensuring a  
11 comprehensive process is vital to prevent future harm as  
12 well as just the opportunity to address local questions  
13 and concerns.

14           Additionally, the recommendation regarding a  
15 centralized tracking system for permits and regulation  
16 should not be removed. While individual agencies make  
17 relevant documents available online, these are extremely  
18 inaccessible to the public given the difficulty just to  
19 locate. So as described in the original version of the  
20 draft report, these documents should also be made  
21 available in the appropriate languages for the region  
22 including Spanish and Purepecha.

23           As described by Commissioner Olmedo again  
24 today, a tool of this kind will help ensure transparency  
25 and accountability in project development and all

1 potential impacts. Thank you for your time and  
2 consideration.

3 MS. LOZA: Thank you. The next hand raised is  
4 from Carmen Lucas. You should be able to unmute  
5 yourself.

6 MS. COYLE: Hi. This is Courtney Coyle.  
7 We're on the same device. Courtney Coyle, attorney for  
8 Carmen Lucas, Kwaaymii Laguna band. We appreciate that  
9 some revisions to the report have been made in response  
10 to prior Kwaaymii comments. However, we would like to  
11 carry forward our other comments.

12 We also disagree with the approach introduced  
13 into the revised final report at page 43, lines 12 to  
14 14, asking readers to go to the docket to obtain a  
15 summary of tribal perspectives. That approach is  
16 unwieldy, difficult, and not done for any other  
17 stakeholder or stakeholder group. It also appears  
18 discriminatory and unfair. Can additional tribal  
19 perspective be added to the final text by the Chairwoman  
20 with the support of staff?

21 Second, we also appreciate that some revisions  
22 to the consolidated recommendations were made in  
23 response to prior Kwaaymii comments. We further  
24 recommend edits to two items in Table B, regarding  
25 number three, options one and two, Economic Development

1 Zone.

2 Echoing Commissioner Olmedo, we ask that  
3 tribes be added to the list of community economic  
4 resilience fund stakeholders. Tribes often get left out  
5 if not specifically listed at the outset, like what  
6 happened in the formation of this very Commission. We  
7 also agree with Commissioner Weisgall's approach that  
8 the two options be combined, and ask that tribal  
9 consultation be placed into any selected option.

10 Regarding number 12, state agency initiatives  
11 and programs, again, echoing Commissioners Olmedo and  
12 Weisgall, we agree that a centralized information portal  
13 on lithium extraction be developed to promote community  
14 engagement and information. Prefer it to remain a  
15 recommendation, and not a finding. It is very difficult  
16 for tribes to access information, track and participate  
17 in the permitting and project implementation processes  
18 as is. Perhaps this function could live within the  
19 state, such as the CEC, especially since the county does  
20 not appear to support it.

21 Regarding number 18, community benefits and  
22 safety, we ask that it be revised to state that any  
23 advisory council or body be representative and include  
24 tribal representatives affiliated with the geographic  
25 area. Again, without specific inclusion, tribal

1 stakeholders tend to be overlooked. Having just been  
2 provided this table we've not been able to reach out to  
3 Commissioners or staff before today. We hope these  
4 minor revisions can be made now.

5           Lastly, regarding the responses to comments,  
6 we weren't able to comment on them as there was not  
7 adequate time provided before today. Carmen Lucas is  
8 here with me on the same device. She would like three  
9 minutes to comment next. Thank you for your time and  
10 attention.

11           MS. LUCAS: Thank you, Courtney. Oh. Okay.  
12 Thank you, Courtney, and thank you, Commissioners. I'm  
13 a lineal descendant of Southern California Indians. And  
14 we have brought to your attention that the area in which  
15 you're interested in is ancient Lake Cahuilla. And it's  
16 been used for thousands of years and since time  
17 immemorial. Oh, we've also advised you that it is a  
18 representative of Mother Earth, that it has the  
19 heartbeat of the Mother Earth, it is the fire within.

20           Am I correct in understanding that there is a  
21 test going on on lithium extraction over at Hell's  
22 Kitchen? I am requesting, I don't know if this is the  
23 place to do it or not, but I don't know where else to  
24 go. As a lineal descendant of the people who have used  
25 the Lake Cahuilla over thousands of years, I would like

1 the opportunity to witness that process if in fact it is  
2 taking place. So, if you have any questions I'm happy  
3 to give you my next two minutes. And I hope that I'm  
4 clear in my request.

5 Again, as an Indian, a lineal descendent of  
6 this area, we utilize that area. I want to see the  
7 process. Thank you.

8 MS. LOZA: Thank you. Next hand raised is  
9 from Christopher Allen, you should be able to unmute  
10 yourself.

11 MR. ALLEN: Yes, my name is Christopher Allen,  
12 I'm a representative for the Southwest Mountain States  
13 Regional Council of Carpenters. And I wanted to address  
14 Recommendation 15 as far as workforce development. And  
15 I really want the staff to take a good look at what  
16 workforce training is. And take in consideration what a  
17 state accredited apprenticeship curriculum is, and  
18 possibly utilize that. When you speak about workforce  
19 development and prioritizing local hiring, a skilled and  
20 trained workforce is a productive workforce. It's a  
21 workforce that's going to grow, be safe, and ultimately  
22 be able to go home to their families every day.

23 The other thing I'd also like to bring up is  
24 community benefits. And when you talk about community  
25 benefits, I would like you to think about what's

1 skilled, trained, and what that's going to be. When  
2 people are skilled and trained and make a good honest  
3 wage, they're safe, they spread that money back into the  
4 community.

5           And the reason why I'd like you to think about  
6 community wealth or community benefits, is I've seen  
7 time and time again, out of state contractors bring  
8 their workforce into the valley, do the work, take the  
9 money, and go back where they came from. I'd really  
10 like to see that money stay in the valley. The valley  
11 is someplace that holds near and dear to my heart. I've  
12 had -- my family originated down in Durango, Mexico,  
13 emigrated up to El Centro and Brawley. And  
14 unfortunately have two of 50 family members left in the  
15 valley, because there were no opportunities for them to  
16 stay in the valley.

17           And to finish this off, all of the  
18 recommendations that I've seen talked about the  
19 construction and the development of the lithium  
20 extraction, and nowhere does it say the maintenance of  
21 it. And I'd like to see about the maintenance being  
22 covered in this as well, because we can build anything  
23 we want. But if there's no opportunities in the future  
24 to maintain for the people, the valley, then there  
25 really isn't any community wealth or community benefits.



1 Thank you very much.

2 MS. LOZA: Thank you. Next hand raised is  
3 from Nilda Ruiz. You should be able to unmute yourself.

4 MS. RUIZ: Thank you, Erica. Good afternoon,  
5 Commissioners. My name is Nilda Ruiz. That's N-I-L-D-A  
6 R-U-I-Z. I am a special project manager with Alianza  
7 Coachella Valley. I just wanted to highlight my support  
8 for several of the recommendations we went over today.  
9 I wanted to highlight and support for recommendation 10,  
10 that that seeks funding for a health impact analysis for  
11 the Eastern Coachella Valley. With Commissioner  
12 Reynolds' suggestion of looking at funding from other  
13 sources, of not just from the state.

14 Also support recommendation three, in regards  
15 to the Economic Development Zone. This is really going  
16 to bring a lot of potential opportunities for our  
17 region, not just for one city or county. So, thank you  
18 Commissioner Kelley for putting forward that  
19 recommendation to the Commission.

20 Also in support of recommendation 12 and 18.  
21 As Commissioner Weisgall says, the industry may not need  
22 this, may not need this particularly recommendation at  
23 all, but I think this will be helpful for all those  
24 outside of the industry in understanding the process of  
25 lithium extraction. These two recommendations together

1 create transparency, and I think it will really help to  
2 build trust between the developers, tribes and  
3 community.

4           And lastly, I wanted to highlight my support  
5 for recommendation 13 on funding a study on  
6 environmental impacts and looking at cumulative and any  
7 possible cumulative effects. In every community  
8 workshop I was in, and in every space I was in outside  
9 of those community workshops held by the California  
10 Energy Commission, one thing I constantly heard from  
11 community members was that this - they strongly support  
12 this recommendation. So, I really urge the Commission  
13 to move forward with this -- with recommendation number  
14 13. Thank you.

15           MS. LOZA: Thank you. I wanted to check if  
16 there was any comments in the room?

17           MR. FLORES: Yes, hello. Good afternoon.  
18 This is Jose Flores, of Comite Civico del Valle. And I  
19 just wanted to thank all the Commissioners for your  
20 time, effort, and work up to this point, since I noticed  
21 it's usually the same Commissioners, the dedicated  
22 Commissioners, that are always putting in the long hours  
23 and the hard work.

24           It's important for me, specifically because  
25 this is a once in a lifetime endeavor that will impact

1 our region in the short and long term. And continued  
2 community input is crucial via direct contact with you  
3 Commissioners present.

4 I also appreciate seeing some edits that we  
5 gave a few weeks back, or a month back, kind of hard to  
6 keep track of time, that these edits are actually  
7 reflected in this iteration of the draft. I look  
8 forward to seeing all of you continue to work to refine  
9 this document until it becomes a final draft. Thank  
10 you.

11 MR. HERNANDEZ: Good afternoon, Commissioners.  
12 John Hernandez, H-E-R-N-A-N-D-E-Z, Brawley, California.  
13 I like the way this was done today in terms of being  
14 able to follow what the recommendations were on this  
15 report.

16 But what caught my eye, and what I must  
17 comment on, was on page 23 where it talks about global  
18 lithium supply. And to me, that was a little confusing  
19 in terms that it talks about resources and supply. And  
20 that was quite confusing. And I see it talks about  
21 other countries, and it talks about Argentina and it  
22 talks about Chile. Yet I've been reading what's going  
23 on here, right -- right outside, right outside the door  
24 here where it takes me 10 minutes to get to in Mexico,  
25 where I read that they have discovered what I heard was

1 the largest lithium deposits in the world. I don't know  
2 if that's true or that's false.

3           And then in view of what's happened with the  
4 reauthorization of the United States and Mexico and  
5 Canada free trade agreement that impacts all of North  
6 America. And what's happening in North America with the  
7 lithium and the electrification, I would think that  
8 there should be some recommendations to keep an eye or  
9 keep a pulse on this in the state legislature. And  
10 maybe things like what happened with the Inflation  
11 Reduction Act, where there have been incentives and  
12 there have been tax credits for what comes out of  
13 Lithium Valley, that that'd be part of the of the  
14 conversation.

15           So again, I don't know how that would be done  
16 in a recommendation. And you know, not that  
17 sophisticated in this type of stuff. But I have been  
18 paying attention. And if it's true that they've  
19 discovered the largest mineral deposits in Sonora, and  
20 if it's true that the ones that are developing it right  
21 out there are Canadians and Chinese, then you know, what  
22 could happen is, you know, we could be undermined in  
23 some of the stuff -- but we don't -- we don't do -- that  
24 pay attention to it, and it's outlined in these reports.

25           It's my understanding also, that Mexico is

1 already producing electrical vehicles. And so we see  
2 what happened to our region over the over the last  
3 decades with the maculadoras (phonetic) right there, and  
4 how that left this community, you know, just hoping that  
5 something would come to us like this lithium, and we  
6 hope that it helps us rather than continues to hurt us.  
7 Thank you.

8 MS. LOZA: Are those are all the comments in  
9 the room?

10 MR. VEGA: Hello, everybody. My name is  
11 Fernanda Vega, F-E-R-N-A-D-A Vega, V-E-G-A, and I am  
12 with Comite Civico del Valle. And I also wanted to  
13 thank the CEC and the Commissioners for listening to our  
14 input and then making the necessary changes to the  
15 document, especially after seeing a lot of the cities  
16 properly listed in this docket. I also wanted to voice  
17 that having the opportunity to speak about these issues  
18 that we see on the docket and then seeing them, allows  
19 for -- it gives us access to speak up and then see them  
20 present on the docket.

21 So, I did want to highly encourage the  
22 industry and the state to have the -- to continue having  
23 this opportunity of keeping us involved and having our  
24 participation present. So, thank you.

25 MS. PALMA-ROJAS: No more comments.

1 MS. LOZA: Thank you. We have one hand raised  
2 from Hector Meza.

3 MS. PALMA-ROJAS: Erica, we have one more  
4 comment.

5 MS. LOZA: Okay.

6 MS. PALMA-ROJAS: Sorry.

7 MS. LOZA: It's okay.

8 UNIDENTIFIED SPEAKER: Thank you. Yeah, thank  
9 you for putting on this forum so we could ask questions.  
10 I just had a question about was there a provision made  
11 for down the line? You know, and I don't know how many  
12 decades these extraction facilities are, like, not being  
13 used anymore. Is there a provision to kind of like  
14 reclaim the land and backfill or anything like that?

15 And also, another question about the water, or  
16 has it been determined, like if there'll be any  
17 contamination or anything like into other proximity --  
18 because like what proximity they are to the water table  
19 or anything? I was just wondering if that was  
20 addressed.

21 MS. PALMA-ROJAS: No more comments, Erica.

22 MS. LOZA: Thanks. So, the next hand raised  
23 from Hector Meza, you should be able to unmute yourself.

24 MR. MEZA: Hi, good afternoon. I just want to  
25 thank you guys, thank the Commissioners for everything,

1 and remind them that we need to keep in mind equity and  
2 community benefits in order to help everybody in our  
3 communities.

4 Also I want to mention that this week is the  
5 National Apprenticeship Week. And I want to remind  
6 everybody about the importance of state approved  
7 apprenticeships and the labor force that we have here in  
8 the valley. Thank you.

9 MS. LOZA: Thank you. We have two more  
10 comments in the Q&A box.

11 So, the first one is from anonymous attendee  
12 and it says, "Having a significant experience attempting  
13 to reform local permitting systems for accessibility. I  
14 would like to strongly recommend the creation of a  
15 publicly accessible tracking system with good  
16 multilingual user design. The industry experts may know  
17 where to find niche permits, but that does not mean  
18 anyone else knows where to find those, much less what  
19 they are for, or who approves them.

20 "Even as a legal professional, it is  
21 incredibly challenging to track down the existing  
22 permits, monitoring, and studies from existing projects  
23 in lithium Valley. It requires FOIA's and navigating  
24 complex technical documents. It is ridiculous to assume  
25 that the existing system is adequate for legal for

1 community organizations or individuals to monitor the  
2 accountability.”

3           So, the last comment is from Nilda Ruiz and it  
4 says, “Apologies, I should have said Vice Chair  
5 Commissioner Kelley, not Commissioner Kelley.”

6           So those are all the hands raised, and no more  
7 questions on Zoom. So back to you, Chair Paz.

8           CHAIR PAZ: Thank you, Erica. And thank you  
9 for all of the public comments received. Our next  
10 action before us is to move towards perhaps separate  
11 motions that will get us to the approval of the report,  
12 and provide directions to the CEC staff for its  
13 submittal. So, for this section, I will invite Deana,  
14 who I know has been thinking throughout this meeting  
15 about the possible recommendations that we need based on  
16 the discussion.

17           So, Deana, we'll propose some, we can amend,  
18 change, edit. I do see Vice Chair Ryan Kelley's hand.  
19 Do you have a question, comment?

20           VICE CHAIR KELLEY: Silvia, just to make a  
21 request that all the votes be recorded for the report.

22           CHAIR PAZ: Okay.

23           VICE CHAIR KELLEY: Regardless if there's a  
24 majority, that those in dissent are recorded.

25           CHAIR PAZ: So you want the report to include



1 the roll call of the vote for each item?

2 VICE CHAIR KELLEY: Yes, please.

3 CHAIR PAZ: Okay, thank you. Deana, I'll hand  
4 it over to you.

5 MS. CARRILLO: Thank you, Chair Paz. There  
6 has been a few of us that have been taking notes  
7 throughout this conversation to assess and provide some  
8 thoughts for you to consider for your motion. Vice  
9 Chair Kelley, just to follow up on that request on  
10 taking votes. Would you like -- do -- is there interest  
11 on voting on each recommendation one by one? Or, is  
12 there interest -- there's a chunk of recommendations I  
13 think there's consensus around in Table A, minus  
14 recommendation six, with one word where we could just  
15 take one vote. I -- whatever the Commission prefers.

16 CHAIR PAZ: I think that was minus  
17 recommendation five.

18 MS. CARRILLO: Five, yup. Apologies.

19 VICE CHAIR KELLEY: So I'm -- whatever the  
20 final action is, I would like a recorded vote to be  
21 added in to the report.

22 CHAIR PAZ: So, Deana, my recommendation is  
23 that we take the report and the items on A, minus five,  
24 as a bulk. And then, that we consider the remaining  
25 ones one by one.

1 MS. CARRILLO: Okay, well then a motion -- I  
2 think that you probably just made your -- the motion.  
3 What the modifications to the report, I think a motion  
4 to approve the report with the following modifications -  
5 - to add "bridges" on page five, to remove the new  
6 language added on line 15 and 16 on page 16, and remove  
7 sentences 15 and 16, and limit non-factual comments on  
8 page 54.

9 VICE CHAIR KELLEY: Okay.

10 MS. CARRILLO: I think that summarizes that.  
11 And then someone other than the Chair will need to make  
12 that motion, or as described.

13 VICE CHAIR KELLEY: I'll make the motion as  
14 presented.

15 COMMISSIONER WEISGALL: I'll second the  
16 motion.

17 MS. CARRILLO: Okay, then Erica for a roll  
18 call vote.

19 MS. LOZA: Commissioner Castaneda?

20 COMMISSIONER CASTANEDA: Yes.

21 MS. LOZA: Commissioner Colwell?

22 Commissioner Dolega?

23 COMMISSIONER DOLEGA: Yes.

24 MS. LOZA: Commissioner Flores?

25 Commissioner Hanks?

1 COMMISSIONER HANKS: No.

2 MS. LOZA: Vice Chair Kelley?

3 VICE CHAIR KELLEY: Yes.

4 MS. LOZA: Commissioner Lopez?

5 Commissioner Olmedo?

6 COMMISSIONER OLMEDO: Yes.

7 MS. LOZA: Chair Paz?

8 CHAIR PAZ: Yes.

9 MS. LOZA: Commissioner Reynolds?

10 COMMISSIONER REYNOLDS: Yes.

11 MS. LOZA: Commissioner Ruiz?

12 COMMISSIONER RUIZ: Yes.

13 MS. LOZA: Commissioner Scott?

14 Commissioner Soto?

15 Commissioner Weisgall?

16 COMMISSIONER WEISGALL: Yes.

17 MS. LOZA: Okay. There are eight yeses.

18 MS. CARRILLO: Okay. Another consensus, or  
19 some broad support that I heard, is to move forward with  
20 the recommendations in Table A, except for  
21 recommendation five, and to add, "Other funding  
22 sources," to recommendations six.

23 COMMISSIONER WEISGALL: Do you want that in  
24 the form of a motion? I will so move.

25 COMMISSIONER REYNOLDS: Can I add one

1 question, Deana? My -- I think it was my recommendation  
2 for, "other funding sources," and it was meant to apply  
3 to any reference to state funding.

4 MS. CARRILLO: Thanks for that clarification.  
5 Did Commissioners want to discuss that global change?

6 COMMISSIONER CASTANEDA: I'll second with the  
7 change.

8 MS. CARRILLO: Okay.

9 COMMISSIONER CASTANEDA: If the maker accepts  
10 it.

11 MS. CARRILLO: So Commissioner Weisgall, do  
12 you accept that amendment to your motion?

13 COMMISSIONER WEISGALL: Yeah. I'm looking  
14 through some of the other recommendations on funding and  
15 you know, it makes a lot of sense. I mean, for example,  
16 "the state should increase its R&D funding." You know,  
17 it should be broader. I think it's a good idea. And I  
18 think just, staff, I think you can wordsmith it to apply  
19 across the board, so I'm fine with it. Yep.

20 MS. CARRILLO: Okay, so we have a motion and a  
21 second.

22 CHAIR PAZ: I see a hand up from Commissioner  
23 Vice Chair Ryan Kelley.

24 VICE CHAIR KELLEY: So I do support that  
25 change. I just want to make sure that any language that

1 makes reference to, like, county excise, or the  
2 severance, that that's not in jeopardy of being opened  
3 up again.

4 MS. CARRILLO: Any concerns with that  
5 additional clarification? Okay, then I heard a motion  
6 and a second--

7 COMMISSIONER WEISGALL: No concerns, I'm just  
8 -- I'm wondering how we -- yeah, I'm just wondering,  
9 Deana, how you write that in? I don't know if it's,  
10 "other than community." Well, yeah, I think we all  
11 agree with it conceptually. So, you can -- again I  
12 think you've been wordsmith that.

13 MS. CARRILLO: Okay. I heard a motion and a  
14 second and I might have heard a third with both  
15 amendments or qualifications. I think that's - my CEC  
16 legal team because I'm not always -- are we ready for a  
17 roll call vote on that?

18 MS. DYER: Yes.

19 MS. CARRILLO: Thanks, Deborah.

20 MS. DYER: Mmm hmm.

21 MS. LOZA: Commissioner Castaneda?

22 COMMISSIONER CASTANEDA: Yes.

23 MS. LOZA: Commissioner Colwell?

24 Commissioner Dolega?

25 COMMISSIONER DOLEGA: Yes.

1 MS. LOZA: Commissioner Flores?

2 Commissioner Hanks?

3 COMMISSIONER HANKS: Yes.

4 MS. LOZA: Vice Chair Kelley?

5 VICE CHAIR KELLEY: Yes.

6 MS. LOZA: Commissioner Lopez?

7 Commissioner Olmedo?

8 COMMISSIONER OLMEDO: Yes.

9 MS. LOZA: Chair Paz?

10 CHAIR PAZ: Yes.

11 MS. LOZA: Commissioner Reynolds?

12 COMMISSIONER REYNOLDS: Yes.

13 MS. LOZA: Commissioner Ruiz?

14 COMMISSIONER RUIZ: Yes.

15 MS. LOZA: Commissioner Scott?

16 Commissioner Soto?

17 Commissioner Weisgall?

18 COMMISSIONER WEISGALL: Yes.

19 MS. LOZA: Okay. Nine yesses.

20 MS. CARRILLO: Deborah, I have a quick

21 clarification question. I believe Commissioner Hanks

22 voted no on the report, but yes on the recommendations.

23 Commissioner Hanks, could you confirm that your vote on

24 the report was a no?

25 COMMISSIONER HANKS: Yes, that's correct.

1 MS. CARRILLO: Okay. With the acknowledgment  
2 that the recommendations that you just voted on are  
3 going to be on the report?

4 COMMISSIONER HANKS: Yes, I understand that.  
5 I'm okay with those.

6 MS. CARRILLO: Okay. I'm not sure how  
7 administratively we'll -- I'm gonna defer to --

8 COMMISSIONER HANKS: Well that's why you  
9 should one at a time.

10 MS. CARRILLO: Okay, so now we're moving to  
11 the one by one recommendations. And the consensus or  
12 the broad support I heard regarding recommendation three  
13 was to redraft the report and combine options one and  
14 two.

15 CHAIR PAZ: There were also some additional  
16 language that I had suggested.

17 MS. CARRILLO: Hold on. I'm pulling that out  
18 just so we can be clear. Okay, so I think the revision  
19 of the language, "to add federally, state, and locally  
20 recognized," in the first paragraph as a region.

21 Chair Paz, can you refine what your second  
22 statement was to that?

23 CHAIR PAZ: Yes. I'll try to remember. On  
24 the second paragraph, to add a sentence that would also  
25 ensure that this region, as defined for the Economic

1 Zone, is recognized under other state, regional funding  
2 opportunities such as, CERF, our Regional Climate  
3 Collaboratives and other relevant -- those are the top  
4 of my mind. So that was the other one.

5           And then the third was that in options one and  
6 two, we restate the need to incentivize childcare,  
7 research and development, and construction and non-  
8 construction apprenticeships. Although I think  
9 construction, non-construction is already listed in  
10 option one and two, but not childcare, research  
11 development.

12           MS. CARRILLO: Thank you.

13           CHAIR PAZ: And if I can add, based on the  
14 public comment from labor, that we do make mention of a  
15 state certified apprenticeships, pre-apprenticeship  
16 programs.

17           MS. CARRILLO: So I think the motion would be  
18 to pass that concept, and staff will work to refine it,  
19 if we're combining option one and two?

20           COMMISSIONER CASTANEDA: I'll move that.

21           MS. CARRILLO: CEC legal, do we need something  
22 more defined for this?

23           MS. DYER: Let me just make sure I'm  
24 understanding that. The motion is to direct CEC legal  
25 to craft the recommendation to reflect the discussion



1 that was just held?

2 COMMISSIONER CASTANEDA: That's correct.

3 MS. CARRILLO: And I think that was a motion  
4 from Commissioner --

5 COMMISSIONER CASTANEDA: Castaneda.

6 MS. CARRILLO: -- Castaneda.

7 COMMISSIONER CASTANEDA: Yup.

8 MS. CARRILLO: Is there a second?

9 Would one of the Commissioners want to offer a  
10 different motion?

11 CHAIR PAZ: Am I allowed to second? I can  
12 second Commissioner Castaneda.

13 MS. CARRILLO: Deborah, can the Chair second?

14 MS. DYER: It should be someone other than the  
15 Chair.

16 COMMISSIONER REYNOLDS: I'll second.

17 MS. CARRILLO: Okay, so we have a motion from  
18 Commissioner Castaneda with a second from Commissioner  
19 Reynolds to consolidate this recommendation into one and  
20 reflect this most recent discussion.

21 Erica?

22 MS. LOZA: Commissioner Castaneda?

23 COMMISSIONER CASTANEDA: Yes.

24 MS. LOZA: Commissioner Colwell?

25 Commissioner Dolega?

1 COMMISSIONER DOLEGA: Yes.

2 MS. LOZA: Commissioner Flores is absent.

3 Commissioner Hanks?

4 COMMISSIONER HANKS: No.

5 MS. LOZA: Okay. Vice Chair Kelley?

6 VICE CHAIR KELLEY: Yes.

7 MS. LOZA: Okay. Commissioner Lopez?

8 Commissioner Olmedo?

9 Commissioner Olmedo? Okay.

10 Chair Paz?

11 CHAIR PAZ: Yes.

12 MS. LOZA: Commissioner Reynolds?

13 COMMISSIONER REYNOLDS: Yes.

14 MS. LOZA: Commissioner Ruiz?

15 COMMISSIONER RUIZ: Yes.

16 MS. LOZA: Commissioner Scott and Commissioner  
17 Soto are absent.

18 Commissioner Weisgall?

19 COMMISSIONER WEISGALL: Yes.

20 MS. LOZA: Commissioner Olmedo, I didn't get a  
21 vote from you.

22 COMMISSIONER OLMEDO: That would be a yes, I  
23 apologize.

24 MS. LOZA: Okay. Thank you. We have eight  
25 yeses and one no.

1 MS. CARRILLO: Okay, so moving on to  
2 recommendation 12. Did any Commissioners want to add to  
3 this recommendation, given the public comment that  
4 you've heard? At the end of our last discussion, there  
5 was a discussion that the industry does not need this,  
6 but the public is in need of a -- of some accessible  
7 information. And there was discussion of whether this  
8 be a finding or a recommendation. So, I leave that you  
9 to consider the public comment and how you want to move  
10 forward with this particular recommendation.

11 CHAIR PAZ: I see Vice Chair Ryan Kelley.

12 VICE CHAIR KELLEY: I'll make a motion to  
13 remove recommendation 12 from the report.

14 COMMISSIONER HANKS: I'll second the motion.

15 MS. CARRILLO: Erica?

16 MS. LOZA: Commissioner Castaneda?

17 COMMISSIONER CASTANEDA: Yes.

18 MS. LOZA: Commissioner Colwell is absent.  
19 Commissioner Dolega?

20 COMMISSIONER DOLEGA: Yes.

21 MS. CARRILLO: Just to clarify what we're  
22 voting on, you're voting yes to remove the  
23 recommendation. Just wanted to be clear. Okay.

24 MS. LOZA: Okay. Commissioner Flores is  
25 absent.

1 Commissioner Hanks?

2 COMMISSIONER HANKS: Yes.

3 MS. LOZA: Vice Chair Kelley?

4 VICE CHAIR KELLEY: Yes.

5 MS. LOZA: Commissioner Lopez is absent.

6 Commissioner Olmedo?

7 COMMISSIONER OLMEDO: Yes.

8 MS. LOZA: Chair Paz?

9 CHAIR PAZ: No.

10 MS. LOZA: Commissioner Reynolds?

11 COMMISSIONER REYNOLDS: Yes.

12 MS. LOZA: Commissioner Ruiz?

13 COMMISSIONER RUIZ: Yes.

14 MS. LOZA: Commissioner Scott?

15 Commissioner Soto?

16 Commissioner Weisgall?

17 COMMISSIONER WEISGALL: Yes.

18 MS. LOZA: Okay. We have eight yeses and one

19 no.

20 MS. CARRILLO: Moving to recommendation 13 --

21 COMMISSIONER OLMEDO: Excuse me I -- yeah, I  
22 apologize. I -- what is the process to retract my vote,  
23 my yes to a no? Call it out?

24 MS. CARRILLO: I'm sorry --

25 COMMISSIONER OLMEDO: Yeah, I was on the

1 wrong. Yeah, so --

2 MS. CARRILLO: So you'd like to change your  
3 vote for recommendation 12?

4 COMMISSIONER OLMEDO: That is correct, to a  
5 no.

6 MS. CARRILLO: Okay.

7 MS. BALLIN: I think that's okay for us to do  
8 and correct the record.

9 MS. CARRILLO: Okay, corrected.

10 COMMISSIONER OLMEDO: And I have to say that  
11 I'm -- I press-- I needed to walk away. I needed a  
12 break and I'd hate to miss the vote. But I'm going to  
13 have to transition to my phone. So, if you just give me  
14 a minute to do that. I would greatly appreciate it.

15 MS. CARRILLO: Yep. Should we call a five  
16 minute break for a little bio break?

17 CHAIR PAZ: No.

18 MS. CARRILLO: No? Okay, we'll wait a minute.

19 Commission Olmedo

20 (Pause)

21 COMMISSIONER OLMEDO: Yeah, please proceed.

22 I'll go ahead and transition at the same time so I don't  
23 miss it. But I'm still here.

24 MS. CARRILLO: Okay.

25 COMMISSIONER OLMEDO: Thank you. I'll go

1 ahead and do it on my own here and hopefully I won't  
2 miss a second of it. Thank you.

3 MS. CARRILLO: So, recommendation 12, as it  
4 had been written, has been declined and it is not moving  
5 forward. Would anyone like to make a recommendation or  
6 a motion to include anything in the findings?

7 CHAIR PAZ: So can you explain, Deborah, why  
8 the Chair couldn't move? That's new to me.

9 MS. CARRILLO: Our previous discussion was  
10 perhaps to add something in the findings, that the  
11 industry did not find a need for a centralized tracking  
12 system. But the community found a need for a central  
13 source of information.

14 CHAIR PAZ: Yes, thank you for that. I got  
15 that, Deana. My question was more to Deborah, as I was  
16 ready to make that motion. Just some clarification as  
17 to why the Chair wouldn't be able to make a motion on an  
18 item.

19 MS. CARRILLO: Oh.

20 CHAIR PAZ: As, I mean that is new to me in  
21 all the spaces that I've been.

22 MS. CARRILLO: Yeah, I'll defer to our legal  
23 counsel. Deborah?

24 MS. DYER: Yeah, so in the majority of the  
25 controlling -- hold on, sorry, just let me back up.

1 There's nothing in the rules and responsibilities or the  
2 guiding documents of the Lithium Valley Commission that  
3 says that the Chair cannot make or second a motion. I -  
4 - it is my understanding that that is generally the way  
5 it is done because the Chair is handling, usually  
6 handling the proceedings and is calling for a motion or  
7 asking for a motion, and is obviously allowed to vote,  
8 but it's not usual for a Chair to make a motion  
9 themselves.

10 CHAIR PAZ: So in the maybe absence of perhaps  
11 getting a motion, and since I'm not prohibited legally  
12 or otherwise, I would allow any Commissioner --

13 VICE CHAIR KELLEY: Yes, Silvia, you can do  
14 it.

15 CHAIR PAZ: --to take that leave but I would--

16 VICE CHAIR KELLEY: You can do it.

17 CHAIR PAZ: Okay --

18 VICE CHAIR KELLEY: Go for it.

19 CHAIR PAZ: -- perfect. So, I do move that we  
20 include it as a finding in the report.

21 COMMISSIONER OLMEDO: And I'd like to second  
22 that.

23 MS. CARRILLO: Erica?

24 MS. LOZA: Commissioner Castaneda?

25 COMMISSIONER CASTANEDA: Yes.

1 MS. LOZA: Commissioner Colwell?

2 Commissioner Dolega?

3 COMMISSIONER DOLEGA: Yes, sorry.

4 MS. LOZA: Commissioner Flores?

5 Commissioner Hanks?

6 COMMISSIONER HANKS: No.

7 MS. LOZA: Vice Chair Kelley?

8 VICE CHAIR KELLEY: Yes.

9 MS. LOZA: Commissioner Lopez?

10 Commissioner Olmedo?

11 COMMISSIONER OLMEDO: That is a yes, and I'm

12 staying here in the Zoom, so thank you.

13 MS. LOZA: Chair Paz?

14 CHAIR PAZ: Yes.

15 MS. LOZA: Commissioner Reynolds?

16 COMMISSIONER REYNOLDS: Yes.

17 MS. LOZA: Commissioner Ruiz?

18 COMMISSIONER RUIZ: Yes.

19 MS. LOZA: Commissioner Scott and Commissioner

20 Soto are absent.

21 So, Commissioner Weisgall?

22 COMMISSIONER WEISGALL: Yes.

23 MS. LOZA: Okay. We have eight yeses and one

24 no.

25 MS. CARRILLO: Okay. Going on to



1 recommendation 13. I think it is the consideration of  
2 recommendation 13, removing the word, "potential."

3 And the other amendment to 13 would be to  
4 remove, "state agency or academia," so any entity could  
5 implement the study.

6 CHAIR PAZ: I see a hand by Vice Chair Ryan  
7 Kelley.

8 MS. CARRILLO: Commissioner Kelley?

9 VICE CHAIR KELLEY: I make a motion to approve  
10 those edits.

11 COMMISSIONER DOLEGA: I can second that, this  
12 is Roderic.

13 MS. CARRILLO: For the record, what was the  
14 motion?

15 CHAIR PAZ: To approve.

16 COMMISSIONER HANKS: To approve what?

17 CHAIR PAZ: To approve number 13.

18 VICE CHAIR KELLEY: To approve with the  
19 recommended edits.

20 MS. CARRILLO: Okay. Erica?

21 MS. LOZA: Commissioner Castaneda?

22 COMMISSIONER CASTANEDA: Yes.

23 MS. LOZA: Commissioner Colwell is absent.  
24 Commissioner Dolega?

25 COMMISSIONER DOLEGA: Yes.

1 MS. LOZA: Commissioner Flores?

2 Commissioner Hanks?

3 COMMISSIONER HANKS: No.

4 MS. LOZA: Vice Chair Kelley?

5 VICE CHAIR KELLEY: Yes.

6 MS. LOZA: Commissioner Lopez?

7 Commissioner Olmedo?

8 COMMISSIONER OLMEDO: Yes.

9 MS. LOZA: Chair Paz?

10 CHAIR PAZ: Yes.

11 MS. LOZA: Commissioner Reynolds?

12 COMMISSIONER REYNOLDS: Yes.

13 MS. LOZA: Commissioner Ruiz?

14 COMMISSIONER RUIZ: Yes.

15 MS. LOZA: Commissioner Scott?

16 Commissioner Soto?

17 Commissioner Weisgall?

18 COMMISSIONER WEISGALL: Yes.

19 MS. LOZA: Eight yeses, one no.

20 MS. CARRILLO: Okay. Based on the discussion

21 earlier today, and minus any changes that you may want

22 to make due to public comment, recommendation 14 would

23 be changed to specify IID would do this study, and that

24 water quality would be included in the study.

25 COMMISSIONER CASTANEDA: I'll move that.

1           COMMISSIONER OLMEDO: That was not the  
2 recommendation that I made.

3           MS. CARRILLO: Please correct me.

4           COMMISSIONER OLMEDO: My comment was that  
5 there is enough evidence that IID is not interested in  
6 doing water quality. So that I recommended that the  
7 other studies of water quantity and, I forget what it  
8 was, water quantity, water, you know, local beneficial  
9 use.

10           So, I don't know if you captured all the other  
11 -- my notes or not. The one I explicitly said, that the  
12 record show that IID has not been interested in doing  
13 water quality. Yeah, that's it, without getting into  
14 any more details.

15           COMMISSIONER CASTANEDA: Can I ask a question?

16           COMMISSIONER OLMEDO: Certainly.

17           COMMISSIONER CASTANEDA: Does the county of  
18 Imperial conduct water quality studies?

19           CHAIR PAZ: I see a nod from Vice Chair Ryan  
20 Kelley.

21           COMMISSIONER CASTANEDA: They do. So,  
22 Commissioner Olmedo, would you be in favor of inserting  
23 the County of Imperial to conduct those quality studies?

24           COMMISSIONER OLMEDO: Absolutely. I would say  
25 the state, federal, county.

1           COMMISSIONER CASTANEDA: Okay. I would move  
2 that we qualify the quality in those jurisdictions. And  
3 then the balance go with IID.

4           VICE CHAIR KELLEY: I second, this is Ryan.

5           MS. LOZA: Can I do roll call?

6           MS. CARRILLO: Yup, if you got a motion and a  
7 second. Yup.

8           MS. LOZA: Commissioner Castaneda?

9           COMMISSIONER CASTANEDA: Yes.

10          MS. LOZA: Commissioner Colwell?

11          Commissioner Dolega?

12          COMMISSIONER DOLEGA: I'll abstain.

13          MS. LOZA: Okay. Commissioner Flores?

14          Commissioner Hanks?

15          COMMISSIONER HANKS: Yes.

16          MS. LOZA: Vice Chair Kelley?

17          VICE CHAIR KELLEY: Yes.

18          MS. LOZA: Commissioner Lopez?

19          Commissioner Olmedo?

20          COMMISSIONER OLMEDO: Yes.

21          MS. LOZA: Chair Paz?

22          CHAIR PAZ: Yes.

23          MS. LOZA: Commissioner Reynolds?

24          COMMISSIONER REYNOLDS: Yes.

25          MS. LOZA: Commissioner Ruiz?

1 COMMISSIONER RUIZ: Yes.

2 MS. LOZA: Commissioner Scott?

3 Commissioner Soto?

4 Commissioner Weisgall?

5 COMMISSIONER WEISGALL: Yes. And actually,  
6 can you go back and correct the record on the previous  
7 vote on the study? And it did not occur to me that I  
8 could abstain, so could you change my yes to an abstain?  
9 So that would be seven yes, one no, one abstention.

10 MS. LOZA: Of course.

11 COMMISSIONER WEISGALL: Thank you.

12 MS. CARRILLO: Which recommendation was that,  
13 Commissioner Weisgall?

14 COMMISSIONER WEISGALL: The one we just did  
15 before this one on the study on cumulative impacts. I  
16 don't have the language.

17 CHAIR PAZ: Number 13.

18 COMMISSIONER WEISGALL: 13. Yeah. Thanks a  
19 lot.

20 CHAIR PAZ: Vice Chair Ryan Kelley, I see a  
21 hand up from you? Go ahead. Oh -- no? Okay, thank  
22 you.

23 MS. LOZA: Okay. For recommendation 14 I have  
24 eight yeses and one abstain.

25 CHAIR PAZ: Can we -- yes, thank you. I see a

1 hand raised from James Hanks. Commissioner Hanks?

2 COMMISSIONER WEISGALL: Are you going to allow  
3 any comments added to that?

4 CHAIR PAZ: To which?

5 COMMISSIONER HANKS: 13.

6 CHAIR PAZ: So, there is been a vote already  
7 on 13. Deborah, can you clarify here the process if  
8 Commissioner Hanks wants to add a comment to number 13?

9 MS. DYER: 13, just to clarify, 13 has already  
10 been -- there was a motion and a second and a vote. And  
11 the reason we were going back to 13 was to register  
12 Commissioner Weisgall's abstention.

13 CHAIR PAZ: Correct.

14 MS. DYER: Yes. So, it is closed at this  
15 time.

16 COMMISSIONER WEISGALL: You voted no on that,  
17 and I voted to abstain.

18 COMMISSIONER HANKS: Yeah, I'm referring to  
19 the -- just the last vote just taken.

20 CHAIR PAZ: Number 14?

21 COMMISSIONER HANKS: Yes.

22 CHAIR PAZ: On the --

23 COMMISSIONER HANKS: On the water.

24 CHAIR PAZ: -- water study.

25 COMMISSIONER HANKS: Yeah.

1 CHAIR PAZ: And I believe on number 14 there  
2 was also a motion, a second, and a vote.

3 COMMISSIONER HANKS: And there was a comment  
4 made that the IID wasn't interested in quality. We're  
5 an irrigation district. We don't provide treated water.

6 CHAIR PAZ: Thank you.

7 COMMISSIONER CASTANEDA: You know, in my  
8 understanding was, well, my understanding was it  
9 regarded testing, not the quality of the water that you  
10 provide. That's water quality. So anyway, that was --

11 CHAIR PAZ: Deborah, if you could give us some  
12 guidance on how to move forward? I think that item was  
13 already closed as well.

14 MS. CARRILLO: Deborah, would it be  
15 appropriate to go back to -- sorry -- to go back to  
16 recommendation 14 with a new motion, if so moved?

17 MS. DYER: Um --

18 MS. CARRILLO: And do motions surpass prior  
19 motions?

20 CHAIR PAZ: I don't know if there's an  
21 interest or a request to do that. I think James --

22 MS. CARRILLO: Okay.

23 CHAIR PAZ: -- if I'm hearing Commissioner  
24 Hanks correctly, he wants to perhaps refute the  
25 statement or the comment that was given earlier around

1 IID not being interested in water quality.

2 COMMISSIONER OLMEDO: I think that --

3 MS. CARRILLO: I think that -- his -- that  
4 statement's in the record, it isn't in the motion or in  
5 the recommendation.

6 COMMISSIONER OLMEDO: Correct.

7 CHAIR PAZ: Thank you. Are we ready to move  
8 on to the next one?

9 MS. CARRILLO: And just a reminder that I'm  
10 right now -- what I'm providing is suggested  
11 recommendations based on Commissioner discussion. And  
12 any additional modifications you'll want to make from  
13 public comment, please put those in the motion.

14 CHAIR PAZ: Mmm hmmm.

15 MS. CARRILLO: Okay. Motion 15. I think --

16 MS. DYER: Recommendation 15.

17 MS. CARRILLO: Yeah, I'm sorry.

18 Recommendation 15, thank you. I believe that the  
19 Commissioners had indicated support for this  
20 recommendation as written, as newly proposed for  
21 November 17<sup>th</sup>.

22 VICE CHAIR KELLEY: Motion to approve.

23 CHAIR PAZ: Thank you. I see a hand up by  
24 Commissioner Reynolds.

25 COMMISSIONER REYNOLDS: Yeah. I had a



1 question on this one that I was trying to ask when my  
2 computer crashed. I just wondered if someone could  
3 explain what's meant by incentives?

4 MS. CARRILLO: Financial incentives was  
5 contemplated during the discussion, but I think it's  
6 pretty broad.

7 COMMISSIONER REYNOLDS: The developers would  
8 be provided funding to emphasize local hiring and things  
9 like that? IS there any contemplation of where it would  
10 come from? Are we just leaving it open? Is it just --  
11 I'm not necessarily against it, I just wanted to know a  
12 little bit more about what was contemplated versus just  
13 developers doing this on their own.

14 MS. CARRILLO: That's an interesting question.  
15 It originally read, "require or establish." So a  
16 requirement for any state funding, or establish, was one  
17 of the -- was an initial recommendation that was raised.  
18 And last month, while there was agreement with the -- or  
19 representation from industry that they're already  
20 entering into labor agreements, the interest was in not  
21 requiring it, but instead providing incentives in order  
22 for them to already do it.

23 CHAIR PAZ: And if I can add here maybe a  
24 little bit of my thought from previous conversation, and  
25 I believe also somewhere in the report. It captures

1 conversations around when the state, federal, or others  
2 are providing grants for example to some of these  
3 industries, that those grants could be used -- could be  
4 the incentive, right? It's like okay, we're going to  
5 give you this grant, and as a criteria, you know, these  
6 are things that we would, like to see your company have  
7 in place or whatever. So it is open, but that's an  
8 example that I can think of from past discussion.

9           COMMISSIONER WEISGALL: And another point I  
10 had made, Commissioner Reynolds, was I think it's one  
11 thing for the state, let's say, to appropriate money for  
12 a project and require project labor agreements. I think  
13 it runs possibly, I'll put legality aside, I think it's  
14 inappropriate for the state simply to say to the private  
15 sector, hey, you know, you're doing something and guess  
16 what, you have to -- we're requiring project labor  
17 agreements. I mean that to me is -- that's -- I think  
18 it goes way too far, which is why I recommended deleting  
19 "requirement," and simply providing incentives.

20           COMMISSIONER REYNOLDS: Would that be  
21 something like "encourage?" Encourage developers to  
22 enter into?

23           COMMISSIONER WEISGALL: Encourage how? I  
24 think the only way to encourage is through incentives.  
25 That's kind of what I went through there.

1           COMMISSIONER REYNOLDS: Okay. I mean maybe  
2 it's just semantics. I just-- Commissioner Olmedo has a  
3 thought on that.

4           CHAIR PAZ: Commissioner Olmedo?

5           COMMISSIONER OLMEDO: I have to say that I do  
6 like the recommendation of Commissioner Weisgall. And I  
7 don't know the best language is, but I also feel that at  
8 this point, the best information based on what we've  
9 heard and what we've seen, and state and federal policy  
10 that is driving much of this, isn't -- please don't take  
11 this terminology, it's not up to anybody, but their  
12 language doesn't seem to be wishy-washy, it seems to be  
13 pretty much grounded on must have, or in trying to favor  
14 labor agreements.

15           Now I know that I've heard that there are some  
16 jobs that may be difficult to get that, but I don't want  
17 to not fully bring forward the -- you know what we've  
18 learned about good jobs, good benefits, good  
19 opportunities, and not give it the place of importance  
20 that it needs. So having said that, I'm open to finding  
21 the best language. But for me, it may not reach that  
22 point as to where it strongly puts out there that it's  
23 going to have to find every possible way to put together  
24 these agreements. So that --

25           COMMISSIONER REYNOLDS: Yeah, I agree with

1 that. I was looking for a way to be as strong as  
2 possible, especially because it includes prioritized  
3 local hiring, which seems like something that all the  
4 developers should be doing. I understand Commissioner  
5 Weisgall's point on project labor agreements, but I was  
6 just hoping for something that could be as strong as  
7 possible to show that this is something that's important  
8 to the Commission.

9 MS. CARRILLO: Is there interest in suggesting  
10 that this be a requirement for receiving state funds as  
11 Chair Paz suggested? Or used as an example?

12 COMMISSIONER WEISGALL: I have a motion on the  
13 board to approve as written. And I am aware of these  
14 projects, so the programs through workforce development,  
15 through OJT, through other avenues. Those incentives  
16 exist. So, I ask, is there anyone for a second?

17 CHAIR PAZ: Commissioner Olmedo, I see your  
18 hand. Are you seconding?

19 COMMISSIONER WEISGALL: I will certainly  
20 second the motion.

21 CHAIR PAZ: Thank you. We have a motion and a  
22 second.

23 MS. LOZA: Commissioner Castaneda?

24 COMMISSIONER CASTANEDA: No.

25 MS. LOZA: Commissioner Colwell?

1 Commissioner Dolega?

2 COMMISSIONER DOLEGA: Yes.

3 MS. LOZA: Commissioner Flores?

4 Commissioner Hanks?

5 Did he log off? Commissioner Hanks?

6 Vice Chair Kelley?

7 VICE CHAIR KELLEY: Yes.

8 MS. LOZA: Commissioner Lopez?

9 Commissioner Olmedo?

10 CHAIR PAZ: You're on mute, Commissioner  
11 Olmedo.

12 COMMISSIONER OLMEDO: I lost track of where we  
13 landed on that language.

14 CHAIR PAZ: As it reads.

15 COMMISSIONER OLMEDO: I'm half-way there. And  
16 I really am very much in support of the incentives, but  
17 not limited to that. So, I have to say at this point  
18 no, not without the strong labor language.

19 MS. LOZA: Okay. Chair Paz?

20 CHAIR PAZ: Yes.

21 MS. LOZA: Commissioner Reynolds?

22 COMMISSIONER REYNOLDS: Yes.

23 MS. LOZA: Commissioner Ruiz?

24 COMMISSIONER RUIZ: As it reads, yes.

25 MS. LOZA: Commissioner Scott?

1 Commissioner Soto?

2 Commissioner Weisgall?

3 COMMISSIONER WEISGALL: Yes.

4 MS. LOZA: Okay. I have six yeses, two nos.

5 CHAIR PAZ: Thank you.

6 MS. CARRILLO: Okay. Recommendation 18. As  
7 discussed earlier, the request was to define potential  
8 members of the advisory council. And those members  
9 should represent labor, community, environmental  
10 justice, and tribal representatives.

11 COMMISSIONER WEISGALL: I'll jump in. I get  
12 the sentiment, and I think that's good. The other  
13 option is to say industry, local government, like a make  
14 up unlike, you know, somewhat like our Commission. So  
15 maybe the language should be, "Membership should include  
16 but not be limited to," and then highlight what  
17 Commissioner Olmedo has stressed.

18 Commissioner Reynolds, I don't know if you  
19 were there for the discussion. But his view was that  
20 tribes especially, but other EJ groups sometimes get  
21 overlooked, and he wants -- I don't mean this in a  
22 pejorative way, but he wants a specific shout out, in  
23 other words a specific mention, of these groups. I  
24 don't think we want to list 15 or 18 different kinds of  
25 groups, so I think having "including but not limited to"

1 might take care of highlighting the groups that he has  
2 mentioned without this recommendation sounding like an  
3 entire litany of every possible interest group there  
4 could be in California.

5 CHAIR PAZ: Is that a motion?

6 COMMISSIONER WEISGALL: I won't make it, but  
7 I'll vote for it.

8 COMMISSIONER CASTANEDA: I'll make it, Steve  
9 Castaneda.

10 CHAIR PAZ: Thank you.

11 COMMISSIONER CASTANEDA: So, moved, that  
12 language.

13 COMMISSIONER WEISGALL: Including but not  
14 limited to, yeah.

15 COMMISSIONER CASTANEDA: Yes, including but  
16 not limited to, yeah.

17 COMMISSIONER REYNOLDS: And this is one where  
18 we would make the funding broader than the state, too?

19 CHAIR PAZ: All of them, I believe --

20 COMMISSIONER REYNOLDS: Okay.

21 COMMISSIONER WEISGALL: Right.

22 COMMISSIONER REYNOLDS: Okay, perfect. Sounds  
23 good.

24 CHAIR PAZ: Is there a second?

25 COMMISSIONER OLMEDO: I second.

1 CHAIR PAZ: Thank you. So, roll call, please?

2 MS. LOZA: Commissioner Castaneda?

3 COMMISSIONER CASTANEDA: Yes.

4 MS. LOZA: Commissioner Colwell?

5 Commissioner Dolega?

6 COMMISSIONER DOLEGA: Yes.

7 MS. LOZA: Commissioner Flores?

8 Commissioner Hanks?

9 Vice Chair Kelley?

10 VICE CHAIR KELLEY: No. And just to add, the  
11 reason is, is I'm not sure about this relationship in  
12 making recommendations to Imperial County from an  
13 advisory county -- or an advisory committee that may not  
14 even have Imperial County representation.

15 MS. LOZA: Thank you. Commissioner Lopez?

16 Commissioner Olmedo?

17 COMMISSIONER OLMEDO: Okay. So, I'm -- I've  
18 just seconded it. And Commissioner Kelley has just made  
19 me think that maybe the language is much broader than  
20 the Lithium Valley or Imperial Valley. And that was not  
21 the intent of this. So, I'm inclined to question my  
22 motion. Because that's not the way I understood it, but  
23 that's the way Commissioner Kelley had understood it.

24 COMMISSIONER WEISGALL: Do you want to put  
25 pause and maybe -- well we could finish this vote, but



1 maybe do another vote that would include where you would  
2 list, you know, specific tribes, community-based  
3 organizations, and then you know, industry, local  
4 government or government, something like that. That  
5 probably covers the waterfront, labor, I guess.

6 COMMISSIONER OLMEDO: So, Commissioner  
7 Weisgall, I think what was -- now that I see that  
8 there's a difference in the way we're interpreting it  
9 is, it's not very clear what we're talking about -- a  
10 county led committee, a state led committee, or a  
11 regional committee. Like now it's become a little bit  
12 unclear.

13 So, I don't know if I'm just the only one that  
14 is interpreting it that way. But I think I have more  
15 questions now than I did have answers from the original.  
16 I think everything that was said is correct, but if it's  
17 being interpreted differently, sorry, by different  
18 Commissioners, then I think it's worth parking it.

19 CHAIR PAZ: So, let me -- and legal can guide  
20 us on how to do this. But maybe there's interest to us  
21 for the formation of a local advisory council, right?  
22 And that would take care of that, you know, Imperial  
23 County is at the forefront. So, a local advisory  
24 council, and then the conversation to include but not  
25 limited.

1           VICE CHAIR KELLEY: So, let me offer that we  
2 are creating a community advisory committee related to  
3 community benefits, mitigation, and hazards related to -  
4 - and quality of life issues related to Lithium Valley  
5 development. And I see this as something that is, you  
6 know, we're sending off to the legislature. We're going  
7 to do it locally. If there's going to be another group  
8 that's fine, I just don't know how it's going to be --  
9 once it comes back down to us, what it's going to look  
10 like. So - I won't change my opinion, I'll still be in  
11 opposition of this finding.

12           CHAIR PAZ: So, can I -- what are our options,  
13 Deborah? I mean I would say we continue the vote, but  
14 it sounds to me like Commissioner Olmedo wants to  
15 withdraw his second.

16           COMMISSIONER CASTANEDA: As the maker, I'll  
17 withdraw the motion.

18           MS. DYER: Okay. So, we have a motion, we  
19 have a second, we have a partial vote. Is that correct,  
20 Erica? We have not finished taking?

21           MS. CARRILLO: And we have -- we might have a  
22 -- and we have a withdrawn motion.

23           MS. DYER: Okay. Oh, Commissioner Castaneda,  
24 you're withdrawing --

25           COMMISSIONER CASTANEDA: I'm withdrawing my

1 motion in favor of a better one. I'm not sure if I can  
2 do that. I mean we can vote.

3 MS. DYER: I -- hmmm

4 COMMISSIONER CASTANEDA: I think we should  
5 just vote and -- because I'm not going to support my own  
6 motion, I'm not required to support my own motion, am I?

7 MS. DYER: No, you are not.

8 COMMISSIONER CASTANEDA: Yeah.

9 MS. DYER: I think that's the best course of  
10 action. We finish this vote, and then proceed from  
11 there.

12 MS. CARRILLO: So, Erica?

13 MS. LOZA: Commissioner Olmedo?

14 Commissioner Olmedo?

15 COMMISSIONER OLMEDO: I'm sorry, I'm still  
16 stuck on thinking of what to offer. Where are we at?

17 MS. CARRILLO: We're having audio issues in  
18 the room, so we're not able to hear the conversation  
19 very well.

20 CHAIR PAZ: We are continuing the vote. We  
21 left off with Commissioner Olmedo on the motion that --  
22 to move forward with number 18 with additional language  
23 that was suggested that would read, "To include but not  
24 be limited of the representatives that Commissioner  
25 Olmedo had mentioned earlier."

1           COMMISSIONER WEISGALL: But how do we move  
2 forward with a vote if the person making the motion has  
3 withdrawn the motion?

4           CHAIR PAZ: So, he didn't.

5           COMMISSIONER CASTANEDA: I withdrew my  
6 withdrawal.

7           (Laughter)

8           COMMISSIONER WEISGALL: I missed it.

9           COMMISSIONER CASTANEDA: I just did.

10          MS. BALLIN: He said he's no longer supporting  
11 it, but it's still out there.

12          COMMISSIONER CASTANEDA: Yeah, but I've  
13 already voted, so it really doesn't matter I guess  
14 though.

15          COMMISSIONER WEISGALL: But you voted yes -- I  
16 think you voted yes.

17          COMMISSIONER CASTANEDA: Yeah, I did. That  
18 was before all these issues were raised. So let's just  
19 let the chips fall where they may, and then we'll go  
20 where we need to, right?

21          COMMISSIONER OLMEDO: Madam chair, I'd like to  
22 propose that we condense the recommendation to just  
23 basically read that any Commission, board, advisory,  
24 that serves in helping inform, or help -- inform, you  
25 know, whether it's community benefits or other things,

1 that it include the named stakeholders, as Commissioner  
2 Weisgall had recommended as somewhat of a shout out.  
3 And I just, yeah, just condense it to a much more  
4 simplified vision or guide, if I may call it that. And  
5 not be a prescribed, which -- so, Commissioner Kelley,  
6 what do you feel about something as such -- just more of  
7 a --

8 MS. CARRILLO: Audio is not coming through to  
9 the site, so we're not following that motion here. But  
10 hopefully online you are.

11 CHAIR PAZ: We are following online. And I  
12 think, Commissioner Olmedo, that at this point, we have  
13 -- and Deborah, correct me if I'm wrong -- we have  
14 recommendation from legal that there was a second --  
15 there was a motion and a second with a partial vote  
16 already started so that we go and continue the vote on  
17 this, and that it would include -- I mean I think the  
18 language that I see here is exactly what you're saying.  
19 It's not overly prescribed and it was just adding  
20 additional items that you had suggested and Johnathan  
21 helped modify. So, the request is that we continue with  
22 the vote, and we left off with you. So, we need a yes  
23 or a no from you on this item.

24 COMMISSIONER OLMEDO: Given the pressures and  
25 the information at hand and given that it's not overly

1 prescribed, I'm going to have to continue in my support  
2 of it with the caveat that it not be prescribed, but in  
3 the spirit of.

4 CHAIR PAZ: Thank you.

5 MS. LOZA: Okay. So, Commissioner Olmedo, was  
6 that a yes or --

7 COMMISSIONER OLMEDO: That's a yes.

8 MS. LOZA: Okay. Thank you.

9 Chair Paz?

10 CHAIR PAZ: Yes.

11 MS. LOZA: Commissioner Reynolds?

12 COMMISSIONER REYNOLDS: No.

13 MS. LOZA: Commissioner Ruiz?

14 COMMISSIONER RUIZ: Yes.

15 MS. LOZA: Commissioner Scott?

16 Commissioner Soto?

17 Commissioner Weisgall?

18 COMMISSIONER WEISGALL: (INDISCERNIBLE)

19 MS. LOZA: I'm sorry, I didn't hear.

20 COMMISSIONER WEISGALL: No.

21 MS. LOZA: No. Thank you. We have five yeses  
22 and three nos.

23 MS. DYER: Erica, can we take a brief pause so  
24 that we can get audio back in the room with Deana at  
25 all?

1 MS. CARRILLO: We've got audio back.

2 MS. DYER: Oh, you have audio. Awesome.

3 CHAIR PAZ: Thank you. So I believe where we  
4 -- we were going to bring number five? Or did we  
5 already vote on number five alone?

6 MS. CARRILLO: So, we have not voted on number  
7 five yet.

8 CHAIR PAZ: Okay. So, we had pulled number  
9 five from Table A. And what is the recommendation in  
10 that one, Deana?

11 MS. CARRILLO: The --

12 COMMISSIONER WEISGALL: I thought the motion  
13 was to withdraw it all together, but maybe I'm wrong.

14 MS. CARRILLO: Yeah. There -- that was the  
15 motion.

16 CHAIR PAZ: Okay.

17 MS. CARRILLO: Well, there is some support.

18 CHAIR PAZ: Well --

19 MS. DYER: Sorry, just to correct, I don't  
20 think it was a motion, I think that was the consensus as  
21 we were discussing it going forward. There's been no  
22 motion on this yet.

23 CHAIR PAZ: So, I need a motion then on number  
24 five. So, Jonathan, was your motion to strike out --

25 COMMISSIONER WEISGALL: Yeah, I'll move to

1 withdraw it all together.

2 CHAIR PAZ: Thank you. Is there a second?

3 COMMISSIONER OLMEDO: I second it.

4 CHAIR PAZ: Thank you.

5 MS. LOZA: Commissioner Castaneda?

6 COMMISSIONER CASTANEDA: Yes.

7 MS. LOZA: Commissioner Colwell?

8 Commissioner Dolega?

9 COMMISSIONER DOLEGA: I guess I'll abstain on  
10 this one.

11 MS. LOZA: Commissioner Flores?

12 Commissioner Hanks?

13 Vice Chair Kelley?

14 VICE CHAIR KELLEY: Yes.

15 MS. LOZA: Commissioner Lopez?

16 Commissioner Olmedo?

17 COMMISSIONER OLMEDO: Yes.

18 MS. LOZA: Chair Paz?

19 CHAIR PAZ: Yes.

20 MS. LOZA: Commissioner Reynolds?

21 COMMISSIONER REYNOLDS: Yes.

22 MS. LOZA: Commissioner Ruiz?

23 COMMISSIONER RUIZ: Yes.

24 MS. LOZA: Commissioner Scott?

25 Commissioner Soto?



1 Commissioner Weisgall?

2 COMMISSIONER WEISGALL: Yes.

3 MS. LOZA: Okay. We have seven yeses and one  
4 no.

5 CHAIR PAZ: Thank you.

6 MS. CARRILLO: Okay.

7 CHAIR PAZ: That takes care of all of the  
8 report and the recommendations. Thank you, everybody.

9 MS. CARRILLO: We have one more, Chair Paz.

10 CHAIR PAZ: Oh, we have one more.

11 MS. CARRILLO: We do need a motion delegating  
12 the authority to work with the Energy Commission in  
13 finalizing the report--

14 COMMISSIONER CASTANEDA: So moved.

15 MS. CARRILLO: --and to submit the final  
16 report to the legislature.

17 COMMISSIONER CASTANEDA: So, moved.

18 VICE CHAIR KELLEY: Second.

19 CHAIR PAZ: Motion and a second. Roll call?

20 MS. LOZA: Commissioner Castaneda?

21 COMMISSIONER CASTANEDA: Yes.

22 MS. LOZA: Commissioner Colwell?

23 Commissioner Dolega?

24 COMMISSIONER DOLEGA: Yes.

25 MS. LOZA: Commissioner Flores?

1 Commissioner Hanks?

2 Vice Chair Kelley?

3 VICE CHAIR KELLEY: Yes.

4 MS. LOZA: Commissioner Lopez?

5 Commissioner Olmedo?

6 COMMISSIONER OLMEDO: Yes.

7 MS. LOZA: Chair Paz?

8 CHAIR PAZ: Yes.

9 MS. LOZA: Commissioner Reynolds?

10 COMMISSIONER REYNOLDS: Yes.

11 MS. LOZA: Commissioner Ruiz?

12 COMMISSIONER RUIZ: Yes.

13 MS. LOZA: Commissioner Scott?

14 Commissioner Soto?

15 Commissioner Weisgall?

16 COMMISSIONER WEISGALL: Yes.

17 MS. LOZA: Okay. We have eight yeses.

18 CHAIR PAZ: Thank you. Alright. I believe we

19 are now on administrative items. Thank you everyone, we

20 have a few more things here before we're done.

21 Administrative items, approval of meeting action minutes

22 from September 29<sup>th</sup> and the October 31<sup>st</sup> meeting, as one

23 of the last --

24 COMMISSIONER WEISGALL: I'll move.

25 CHAIR PAZ: -- Yeah, okay, thank you.

1 VICE CHAIR KELLEY: Second, in one motion.

2 CHAIR PAZ: Thank you.

3 MS. LOZA: Commissioner Castaneda?

4 COMMISSIONER CASTANEDA: Yes.

5 CHAIR PAZ: Well, we need to do public  
6 comment.

7 MS. LOZA: Public comment, yes, thank you.

8 Okay. So as a reminder, please state and  
9 spell your name and state your affiliation, unless you  
10 want to remain anonymous. If you're joining us via  
11 Zoom on the computer, please use the raise-hand feature.  
12 If you've called in, please dial star-nine to raise your  
13 hand and star-six to unmute your phoneline.

14 CHAIR PAZ: And a reminder to all speakers,  
15 that we are taking public comments on the administrative  
16 actions only. So if you can limit your public comment  
17 to the administrative actions that are before us for our  
18 approval. Thank you.

19 MS. LOZA: Thank you. Are there any comments  
20 in the room?

21 MS. CARRILLO: No comments in the room.

22 MS. LOZA: Okay. I don't see any hands raised  
23 on Zoom, and no comments on the Q&A. So back to you,  
24 Chair Paz.

25 CHAIR PAZ: Thank you. Slide number 31, I

1 believe -- oh no. Now we have a motion and a second and  
2 I need a vote.

3 MS. LOZA: Commissioner Castaneda?

4 MS. DYER: I don't see Commissioner Castaneda  
5 still on the attendees list. We might have lost him.

6 MS. LOZA: Okay. So, I think we might have  
7 lost a quorum. I have seven present now.

8 MS. DYER: I'm only counting seven as well,  
9 Erica.

10 MS. LOZA: Okay.

11 CHAIR PAZ: So, with absent of quorum, we  
12 cannot take a vote on this item. I will look at legal  
13 on whether we continue -- if we're going to have to  
14 continue the meeting so that we can approve these action  
15 items?

16 MS. CARRILLO: Chair Paz, I think that's up to  
17 you. I don't think that they need to be approved today.

18 CHAIR PAZ: Thank you. Okay. So absent a  
19 quorum, we're going to move on to general public  
20 comments, and then I will speak to our next steps right  
21 before we adjourn. So --

22 MS. LOZA: Okay. So then as a reminder,  
23 please state and spell your name and state your  
24 affiliation, unless you want to remain anonymous. If  
25 you're joining us via Zoom on the computer, please use

1 the raise-hand feature. If you've called in, please  
2 dial star-nine to raise your hand and star-six to unmute  
3 your phoneline.

4 Are there any public comments in the room?

5 MS. CARRILLO: No public comments from the  
6 room.

7 MS. LOZA: Okay. There are a few public, I  
8 mean questions in the chat so I'll get started on those.

9 From PrivePosh-YG it says, "When will draft  
10 revision wording be made public"

11 Another one from the same person it says,  
12 "Encourages more appropriate word craft. What dates  
13 does the comment close publicly?"

14 And then the last comment says, "Publicly,  
15 when does public comment close before submission to the  
16 legislature?"

17 We do have a hand -- oh, it looks like James  
18 Hanks is back. Let me promote him to panelist. Okay,  
19 so we have a quorum with Commissioner Hanks.

20 COMMISSIONER HANKS: I've been blocked out  
21 from joining. I've been watching, but I just got let  
22 back into the meeting on the administrative part. My  
23 vote is yes.

24 CHAIR PAZ: Okay.

25 MS. LOZA: We have a quorum now, Chair.

1 CHAIR PAZ: We have a quorum. So we can go  
2 back to the administrative items and do take a motion  
3 and a second and a vote, since there was already public  
4 comment for that, and then we'll come back to the hands  
5 raised for the general public comment, if that's okay.

6 MS. DYER: I'm sorry, this is Deborah. I'm  
7 counting -- three, four, five, six -- I'm only seeing  
8 seven.

9 CHAIR PAZ: Can we do a quick roll call?

10 MS. LOZA: Yes.

11 CHAIR PAZ: Thank you.

12 MS. LOZA: Commissioner Castaneda?

13 Commissioner Colwell?

14 Commissioner Dolega?

15 COMMISSIONER DOLEGA: Yes.

16 MS. LOZA: Commissioner Flores?

17 Commissioner Hanks?

18 COMMISSIONER HANKS: Yes.

19 MS. LOZA: Vice Chair Kelley?

20 CHAIR PAZ: This is just a roll call to see if  
21 we have quorum.

22 MS. LOZA: Okay. Vice Chair Kelley?

23 Okay. Commissioner Lopez?

24 Commissioner Olmedo?

25 COMMISSIONER OLMEDO: Here.

1 MS. LOZA: Chair Paz?

2 CHAIR PAZ: Here.

3 MS. LOZA: Commissioner Reynolds?

4 COMMISSIONER REYNOLDS: Here.

5 MS. LOZA: Commissioner Ruiz?

6 COMMISSIONER RUIZ: Here.

7 MS. LOZA: Commissioner Scott?

8 Commissioner Soto?

9 Commissioner Weisgall?

10 COMMISSIONER WEISGALL: Here.

11 MS. LOZA: Okay. Yes there is seven, we still  
12 don't have quorum.

13 CHAIR PAZ: Okay. So we do not have quorum.  
14 Let's resume then our general public comments, since we  
15 cannot vote on this item.

16 MS. LOZA: I thought I had just done the  
17 general public comments.

18 CHAIR PAZ: And there were none?

19 MS. LOZA: Yes. I read them already.

20 CHAIR PAZ: Okay. Perfect, thank you. And no  
21 other hands raised being on the Q&A.

22 So, thank you everyone. Before we adjourn, it  
23 looks like we're going to have to come back perhaps for  
24 a very quick virtual meeting only so that we can approve  
25 those administrative items. And also, it is my desire

1 that we formally discuss and decide sort of that we've  
2 met our obligations under AB 1657, and have that  
3 discussion about perhaps wrapping up the Commission, or  
4 you can think about you know, what if any next steps  
5 are. But again, I would like to just -- general  
6 comments, unless anyone is completely opposed to us just  
7 having a brief maybe one hour no more than one-hour  
8 virtual meeting sometime in January, so that we can wrap  
9 up some final loose ends?

10 I don't see any comments. So, then that will  
11 be my recommendation to the CEC staff, that we find a  
12 time in January for a short virtual meeting for all of  
13 us to meet and wrap up any loose items. So with that, I  
14 thank you. I thank everybody who has been giving a lot  
15 of time, and Lisa and Deana for the process, which could  
16 have been messy, but I think we did all right. So,  
17 thank you everyone.

18 COMMISSIONER WEISGALL: Silvia, real quick.  
19 And are you confident you'll make December 1 for  
20 submission?

21 CHAIR PAZ: Deana, are you confident?

22 MS. CARRILLO: We've been working nights and  
23 weekends to get it done.

24 COMMISSIONER WEISGALL: Yeah.

25 MS. CARRILLO: We will continue to do so.



1           COMMISSIONER WEISGALL: And I got to tell you,  
2 you all did a marvelous job in condensing those  
3 recommendations. And you saved us a whole lot of  
4 compromise work. Really, really nicely done. You  
5 threaded a whole lot of needles there. If that's the  
6 right metaphor? Nicely done.

7           CHAIR PAZ: Thank you.

8           MS. CARRILLO: It took a village, so thank you  
9 all for your service.

10          CHAIR PAZ: Thank you. The meeting is now  
11 adjourned. Have a good evening everyone.

12          (Whereupon the meeting was adjourned at 5:41  
13 P.M.)

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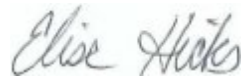
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## CERTIFICATE OF REPORTER

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 29th day of November, 2022.



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.



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MARTHA L. NELSON, CERT\*\*367

November 29, 2022