

<b>DOCKETED</b>	
<b>Docket Number:</b>	23-AFC-01
<b>Project Title:</b>	Morton Bay Geothermal Project (MBGP)
<b>TN #:</b>	252500
<b>Document Title:</b>	Transcript of August 31, 2023 Informational Hearing
<b>Description:</b>	N/A
<b>Filer:</b>	Renee Webster-Hawkins
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Hearing Office
<b>Submission Date:</b>	10/4/2023 9:56:20 AM
<b>Docketed Date:</b>	10/4/2023

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CALIFORNIA ENERGY COMMISSION

Application for Certification	)	
for the:	)	
	)	Docket No. 23-AFC-01
Morton Bay Geothermal Project	)	23-AFC-02
Elmore North Geothermal Project	)	23-AFC-03
Black Rock Geothermal Project	)	

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Joint Environmental Scoping Meeting and Informational  
Hearing

THURSDAY, AUGUST 31, 2023

5:00 P.M.

Reported by:  
Elise Hicks

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**APPEARANCES**

**CEC Presiding Officers:**

David Hochschild, Chair  
Noemi Gallardo, Commissioner  
Andrew McAllister, Commissioner  
Ralph Lee, Hearing Officer

**Applicant:**

Alicia Knapp, CEO, BHE Renewables  
Dan Winters, VP, Communications and Public Relations  
Jon Trujillo, General Manager, Geothermal Development  
Mark White, General Manager of Geothermal Operations  
Bari Bean, Marketing and Community Relations Manager  
Jerry Salamy, Project Manager from Jacobs Engineering  
Chris Ellison, outside counsel, The Law Office of Ellison &  
Associates  
Samantha Neumyer, outside counsel, Ellison Schneider Harris  
& Donlan  
Rob Berntsen, Senior Vice President and General Counsel

**CEC Staff:**

Eric Knight, Siting & Environmental Branch Manager  
Eric Veerkamp, Project Manager  
Kari Anderson, Staff Counsel  
Jared Babula, Senior Staff Counsel  
Gabriel Roark, Environmental Planner II  
Mona Badie, Public Advisor

**Additional Parties and Officials in the Room Or on Zoom:**

Andrew Graff, Intervenor CURE, outside counsel  
Gina Dockstader, Imperial Irrigation District  
Isabel Solis, Imperial Valley College Board of Trustee  
Maria Nava-Froelich, Mayor of City of Calipatria  
John Hawk, Supervisor of District 5 in Imperial County  
Michael Luellen, Calipatria City Council  
Javier Amezcua, Calipatria City Council  
Sylvia Chavez, City of Calipatria, Pro Tem Mayor  
Guillermo Hernandez, Office of Assemblymember Eduardo  
Garcia  
Ana Beltran, Mayor for the City of Westmorland  
Alek Van Houghton, Ramboll, consultant for Imperial County  
Air Pollution Control District

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**APPEARANCES (cont'd)**

**Spanish Interpreters**

Giselle Franco

Adres Marquez

**Public Speakers:**

Courtney Coyle, Lawyer

Hector Meza, union representative for IBW 569

James Blair

Eric Reyes, Los Amigos de la Comunidad

Luis Olmedo

Sean Milanovich, Agua Caliente Band of Cahuilla Indians

Carmen Lucas

Nikola Lakic

Ruben Perez, Assemblymember Eduardo Garcia

Gina Dockstader, Imperial Irrigation District

Maria Nava-Froelich, Mayor of the City of Calipatria

Ryan Kelley, Imperial County Board of Supervisors

Efrain Silva, Imperial Valley College

Oreda Chin, Imperial Valley College

Ramiro Urias, Chamber of Commerce for Greater Brawley

Sara Griffen, Imperial Valley Food Bank

Anne Irigoyen

Rick Dannis, Kenai Drilling

Stephen Benson, Benson Farms Landowner

Sean Wilcock, Imperial Valley Economic Development  
Corporation

Tom Baker, Ancon Services

Victor Nava, Gafcon

Christian Froelich, North End Action Council

Armando Rojas, Imperial County resident

Tony Gallegos, Brawley American Citizens Club

Jerry Samaniego, CFM

Diana Juarez

Anna Garcia, North End Action Council

Sherry Cowie Imperial Valley Regional Chamber of Commerce

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

1  
2 August 31, 2023

5:00 p.m.

3 (Whereupon the Pledge of Allegiance was recited.)

4 COMMISSIONER GALLARDO: All right. The time is 5:04 PM  
5 on Thursday, August 31st, 2023. This is the joint  
6 informational hearing and scoping meeting for three  
7 geothermal power plants.

8 Number one, the Morton Bay Geothermal Project. Number  
9 two, the Elmore North Geothermal Project, and number three,  
10 the Black Rock Geothermal Project. I'm Commissioner Noemi  
11 Gallardo, the presiding member of the committees that the  
12 Energy Commission assigned to oversee the proceedings  
13 reviewing these projects. We are in person at the  
14 Calipatria High School Library.

15 We thank the community of Calipatria. I saw Mayor  
16 Nava-Froelich earlier, so thank you to you as well. Also to  
17 the Calipatria High School for enabling the hosting of this  
18 event here. I did meet Mr. Diaz, the principal and give him  
19 a thank you directly. I'd also like to thank the staff from  
20 the CEC and BHE Renewables for putting on this event. I  
21 know it's a lot of hard work, so I want to make sure we  
22 show gratitude for all that you did. We are offering  
23 Spanish interpretation here in the room and on Zoom. If you  
24 are in person and need a headset to hear the interpreter,  
25 please visit the interpreter's table at the back of the

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1 room. If you are on Zoom and you would like to listen to  
2 the Spanish interpretation, the interpreter will give  
3 instructions on how to do that in a moment.

4 Can the interpreter please take a microphone and  
5 explain how to access Spanish in the room and on Zoom? The  
6 microphone is not on yet, so we're going to make that  
7 happen. Is someone from it able to come help? We can't hear  
8 it yet, so we're going to fix this technical glitch. Real  
9 quick. All right, well, I speak Spanish fluently and I have  
10 access to the instructions, so I can do that as well if Oh,  
11 great. We're resourceful back here.

12 MS. KNAPP: (Spanish interpretation of accessing  
13 Spanish interpretation services during the meeting in-  
14 person or online.)

15 COMMISSIONER GALLARDO: Thank you so much for that.  
16 The California Energy Commission assigned a committee of  
17 two commissioners to conduct proceedings for each of the  
18 three projects. Again, my name is Commissioner Noemi  
19 Gallardo and I am the presiding member of all three  
20 committees. I am joined by Energy Commission Chair David  
21 Hochschild, who is the associate member of the Black Rock  
22 Committee and by Commissioner Andrew McAllister, who is the  
23 associate member of the Morton Bay and the Elmore North  
24 committees.

25 Now I will introduce some other people in attendance

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1 here today. Jimmy Qaqundah, my advisor on siting  
2 proceedings. Lorraine Gonzales, advisor to Chair  
3 Hochschild. Brian Early, advisor to Commissioner  
4 McAllister. Ralph Lee, our hearing officer. Mona Badie, the  
5 Public Advisor and two energy fellows working in my office  
6 who are being loaned out today to assist the Public Advisor  
7 to Camden Burke and Valeria Bernal. Now, I will ask the  
8 parties to please introduce themselves and the  
9 representatives starting with the applicant.

10 MS. KNAPP: Good evening, everyone. My name's Alicia  
11 Knapp and I'm the President and CEO of BHE Renewables. Home  
12 for me is Des Moines, Iowa, but I do visit the Imperial  
13 Valley quite often and most of the time when I'm here is  
14 spent on site at our existing geothermal plants. So I've  
15 met several of you from the community and prior events, but  
16 many people tonight and it's great to see so many community  
17 organizations and just local representation here on. So  
18 thank you for being here. I'd like to recognize the  
19 California Energy Commission for all the hard work that has  
20 gone into this event and for being here over the last  
21 several days. Thank you. Chair Hochschild, Commissioner  
22 Gallardo, Commissioner McAllister for being here. I would  
23 also like to recognize the sovereign tribal nations that  
24 have joined us tonight. I'm truly encouraged by the  
25 attendance and engagement of this event, and I thank you

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1 all for spending your evening with us to learn more about  
2 our projects and so that we can learn more about your  
3 thoughts about our projects as well. We're very  
4 appreciative for you all being here. Our team is really  
5 excited for the event that they've put together. They're  
6 excited for the event, the tour that happened today and  
7 really enjoyed that time with everyone and appreciate  
8 people participating in that. And before we get started,  
9 I'd like to introduce a few of our team members who are  
10 joining me this evening.

11 (COLLOUQOY)

12 Yes, Dan Winters. Okay. Dan is our VP of Public  
13 Communications and Public Relations, communications and  
14 public relations. You'll hear from Dan shortly. Jon  
15 Trujillo is our general manager of geothermal development.  
16 Mark White is our general manager of geothermal operations.  
17 Bari Bean, who I know many of you know, is our marketing  
18 and community relations manager. Jerry Salamy is project  
19 manager from Jacobs Engineering, Chris Ellison, outside  
20 counsel and Samantha Neumyer, also outside counsel. And we  
21 have Rob Berntsen, who is our vice president and general  
22 counsel. Imperial Valley is home for many of our team  
23 members here, up here with me as well as in the audience  
24 today, and I encourage you to reach out to them should you  
25 ever have any questions. So before we jump into our new



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1 proposed projects, we would like to share with you a quick  
2 video that highlights exactly what geothermal is, how it  
3 works, and why we're so excited to be developing more of it  
4 in this region.

5 (VIDEO PLAYS)

6 COMMISSIONER GALLARDO: Does that conclude the  
7 introductions for applicant?

8 MR. ELLISON: It does conclude our introductions. We  
9 do have a longer presentation, but I assume you want to  
10 finish introductions first.

11 COMMISSIONER GALLARDO: That's correct.

12 MR. ELLISON: And also, if you don't mind, if we could  
13 double check to make sure that the subsequent presentation  
14 isn't flipped backwards the way that one was.

15 COMMISSIONER GALLARDO: All right. We'll have our IT  
16 staff here check that.

17 MR. ELLISON: Thank you.

18 COMMISSIONER GALLARDO: Thank you. Now who do we have  
19 for staff?

20 MR. KNIGHT: Screen? Oh, okay. Good evening everybody.  
21 My name's Eric Knight. I manage the Siting and  
22 Environmental Branch with the California Energy Commission  
23 representing staff.

24 MR. VEERKAMP: My name is Eric Veerkamp and I'm the  
25 project manager for these three geothermal projects,

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1 proposed projects, and we'll introduce ourselves.

2 COMMISSIONER GALLARDO: I'm counsel for CEC. My name  
3 is Carrie Anderson.

4 MR. BABULA: I'm Jared Babula, Staff Counsel for  
5 Energy Commission Staff.

6 COMMISSIONER GALLARDO: Is there anyone else? Does  
7 that conclude your introductions?

8 MR. KNIGHT: Yes.

9 COMMISSIONER GALLARDO: All right, thank you.

10 Do we have anyone here for Intervener CURE?

11 MR. KNIGHT: Yes.

12 MR. GRAFF: Good evening. Presenting member Gallardo,  
13 and commissioners and staff. My name is Andrew Graff. I'm  
14 an attorney with Adams Broadwell, Joseph and Cardozo here  
15 on behalf of Intervenor CURE. I'm also here with two of my  
16 colleagues, Tara Rengifo and Kelilah Federman. Thank you.

17 COMMISSIONER GALLARDO: Thank you. With that, do we  
18 have any elected officials here, starting with those in the  
19 room, who would like to introduce themselves. That's  
20 elected officials or representatives from their staff?  
21 Please feel free to come up to the microphone. Introduce  
22 yourself.

23 MS. DOCKSTADER: Thank you, Naomi. Gina Dockstader  
24 present from Imperial Irrigation District. I'm a Director.  
25 Thank you.

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1 COMMISSIONER GALLARDO: Thank you.

2 So we just had someone ask if they could be an  
3 intervenor. There's a process to become an intervenor in  
4 this proceeding, so not at this moment, but you can talk to  
5 the Public Advisor for that information. They will talk  
6 about that later. So sorry for that interruption.

7 MS. SOLIS: Isabel Solis, Imperial Valley College  
8 Board of Trustee Area four.

9 MS. FROELICH: Maria Nava-Froelich, Mayor of the City  
10 of Calipatria. Happy to be here. Thank you.

11 SUPERVISOR KELLEY: Ryan Kelley, (indiscernible)  
12 County board supervisors. Current Chair of the Board.

13 SUPERVISOR HAWK: John Hawk, Supervisor of District  
14 five in Imperial County. Thank you.

15 COMMISSIONER GALLARDO: Alright, do we have any, oh,  
16 go ahead. Sorry.

17 MR. GRAFF: Michael Luellen, Calipatria City Council.  
18 Thank you all.

19 MR. AMEZCUA: Javier Amezcua, Calipatria City Council.

20 COMMISSIONER GALLARDO: Wonderful.

21 MR. CHAVEZ: Good afternoon. Sylvia Chavez, City of  
22 Calipatria, Pro Tem Mayor.

23 COMMISSIONER GALLARDO: Thank you. I was also just  
24 reminded that we need for people to spell their names, so  
25 those of you who already walked up, we will forgive you

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1 because I did not give that instruction. But moving  
2 forward, if people could please say their name, spell their  
3 name, it would be really helpful for us. Thank you. All  
4 right.

5 Do we have any representatives of tribal nations or  
6 tribal governments who would like to introduce themselves?

7 Alright. Anyone from the federal government or other  
8 state agencies aside from the California Energy Commission.

9 All right, so anyone else from the local governments  
10 who would like to introduce themselves?

11 Okay, and state representatives, legislators, anyone.  
12 Okay. Just want to make sure I don't miss anybody.

13 All right. Looks like we have one more person in the  
14 room.

15 MR. HERNANDEZ: Good afternoon, everyone. Guillermo  
16 Hernandez with the Office of Assemblymember Eduardo Garcia.  
17 Spell out. My name is G-U-I-L-L-E-R-M-O H-E-R-N-A-N-D-E-Z.  
18 Thank you.

19 COMMISSIONER GALLARDO: All right, thank you. Anyone  
20 else in the room?

21 MS. BADIE: Commissioner? Sorry.

22 COMMISSIONER GALLARDO: Yes.

23 MS. BADIE: We'd like to do a call out on Zoom.

24 COMMISSIONER GALLARDO: I was going to go next. I want  
25 to do the whole room first. Thank you. Alright, so now that

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1 we've finished with folks in the room, we will move over to  
2 introductions from folks on Zoom.

3 So starting with any elected officials and if you are  
4 on Zoom, please raise your hand. It looks like an open  
5 palm. Please press that function. I am not able to see  
6 whether or not there are any people on Zoom raising their  
7 hands. If someone could -

8 MS. BADIE: I'll open the lines.

9 COMMISSIONER GALLARDO: Thank you.

10 MS. BADIE: First we have Ana Beltran and I'm going to  
11 open your line. Please unmute on your end and make your  
12 introduction.

13 MAYOR BELTRAN: Sorry. Ana Beltran, Ana, A-N-A,  
14 Beltran, B as in boy, E-L-T-R-A-N, Mayor for the City of  
15 Westmorland.

16 MS. BADIE: Thank you. Next we have Alek Van Houghton.  
17 I'm going to open your line. Alec, please unmute on your  
18 end. Introduce yourself.

19 MR. VAN HOUGHTON: Hi, I'm Alek Van Houghton. That's  
20 spelled A-L-E-K V-A-N H-O-U-G-H-T-O-N. I work for Ramboll.  
21 We are a technical consultant assisting the Imperial County  
22 Air Pollution Control District.

23 MS. BADIE: Those are all the raised hands.

24 COMMISSIONER GALLARDO: All right, thank you Madam  
25 Public Advisor. So we really appreciate everybody being

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1 here. Just with those introductions, you get a sense of the  
2 wide range of people interested, so thank you so much. I  
3 will now turn to my colleagues Chair Hochschild and  
4 Commissioner McAllister to see if they have any opening  
5 remarks. Chair Hochschild. Do you have any remarks?

6 CHAIR HOCHSCHILD: Yeah, thank you so much,  
7 Commissioner Gallardo, not just for leading us in these  
8 three important siting cases, but also for being the lead  
9 commissioner for Lithium Valley and the vision of  
10 transitioning to a clean air transportation future and all  
11 the work that's happening here to support that.

12 I also just wanted to give my thanks to the local  
13 community for turning out in force and for those of you who  
14 joined on the tour today and for all for being here. Thank  
15 you. And just to share that this is a significant moment.  
16 We have not had new geothermal built in this county, I  
17 think in over a decade, so this is a very significant case  
18 and I just want to thank all the staff and the applicant  
19 and others for all the work to get to this.

20 COMMISSIONER GALLARDO: Commissioner McAllister.

21 COMMISSIONER McALLISTER: Great. Well thank you.  
22 Reiterate the thanks to you, Commissioner Gallardo for your  
23 leadership down here and we've had the chance to tour  
24 around for the last couple of days and meet many officials  
25 from the cities and the county and just have really

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1 appreciated the range of opinion and just the  
2 thoughtfulness and the engagement and just to see your  
3 network that you've built down here and just the  
4 relationships is really gratifying. And I think that is  
5 going to serve us well. These hearings, this is a really  
6 auspicious moment as the chair said to kick off these  
7 processes on these three applications and the process  
8 really is how democracy functions, right? This is how we  
9 get to outcomes that are satisfactory and we get to  
10 decisions that are well-grounded, whatever they may be. And  
11 so I just want to thank everyone for your engagement. I  
12 think today we had a lot of sweat and not yet, we haven't  
13 had any blood or any tears yet, but I think it's a really  
14 solid start to get to know the area and really begin to  
15 engage with these processes and thanks to the applicant and  
16 all of the interested parties.

17 So back to you, commissioner.

18 COMMISSIONER GALLARDO: Thank you. I will now turn the  
19 proceeding over to Hearing Officer Ralph Lee.

20 HEARING OFFICER LEE: Thank you. Good afternoon. Can I  
21 have just two minutes? I'd like to speak to the IT.

22 COMMISSIONER GALLARDO: This is Commissioner Gallardo.  
23 Unfortunately, I don't have any good jokes to fill the  
24 space right now, but I just want to say we appreciate your  
25 patience as we're maneuvering. We're in a different place

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1 than we usually do our meetings, so we appreciate that  
2 you're willing to let us figure out the process here so we  
3 can make it a smooth proceeding.

4 MS. BADIE: Maybe I could talk about the blue cards.

5 COMMISSIONER GALLARDO: Oh, that'd be great. Thank  
6 you.

7 MS. BADIE: The blue cards are to let us know you'd  
8 like to make a public comment. There's a public comment  
9 period towards the end of the agenda. Sometimes we have QR  
10 codes where you can sign up, but today we don't. The QR  
11 code does work to access the agenda though, and so there's  
12 cards on the table over here and pens and then Camden and  
13 Valerio over there can collect them. You can bring them to  
14 me and then we'll collect them again when we get towards  
15 public comment.

16 HEARING OFFICER LEE: Hello, I think we've got it  
17 figured out. Again, my name is Ralph Lee, Hearing Officer  
18 with the California Energy Commission. The Energy  
19 Commission is the State's Primary energy policy and  
20 planning agency. This slide shows the five commissioners of  
21 the Energy Commission. Energy Commission is conducting  
22 today's joint informational hearing and environmental  
23 scoping meeting to discuss three applications that the  
24 Energy Commission received. Each of the three applications  
25 is requesting that the Energy Commission grant their



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1 application to construct and operate a geothermal power  
2 plant, the Morton Bay Geothermal Project, the Elmore North  
3 Geothermal Project, and the Black Rock Geothermal Project.  
4 The Energy Commission appointed committees of two  
5 commissioners to conduct proceedings for each application  
6 shown on this slide for the Morton Bay Committee. Then  
7 Commissioner Gallardo is the presiding member and  
8 Commissioner McAllister is the associate member for Elmore  
9 North. Commissioner Gallardo is the presiding member and  
10 Commissioner McAllister is the associate member also.

11 And for the Black Rock committee, Commissioner  
12 Gallardo's presiding member and Chair Hochschild is the  
13 associate member. Today's event is a joint event because  
14 the three committees decided to hold this event for all  
15 three projects jointly for everybody's convenience. As  
16 Hearing Officer, my role is to assist the committees with  
17 the conduct of committee events like today's event and with  
18 preparation of documents, orders, notices, and decisions.  
19 I'm the lead hearing officer for the Morton Bay proceeding.  
20 The lead hearing officer for the Elmore North proceeding is  
21 Deborah Dyer and the lead hearing officer for Black Rock is  
22 Chad Oliver. They're in attendance today, but for  
23 efficiency, I'll be leading today's discussion for all  
24 three proceedings.

25 Formal notice of today's event was filed on August

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1 9th, 2023 in English and in Spanish. Notice was also mailed  
2 to agencies, adjoining property owners and certain  
3 interested parties. Next slide, please.

4 The Energy Commission created an online docket that  
5 allows the public to access the documents associated with  
6 these proceedings. Morton Bay's Docket number 23-AFC-01,  
7 Elmore North is docket number 23-AFC-02 and Black Rock is  
8 docket number 23-AFC-03. The notice of today's event and  
9 other documents related to these proceedings are available  
10 on the Energy Commission's website and the electric docket  
11 for each respective proceeding. Our Public Advisor will  
12 explain a little later on how you can follow these  
13 proceedings online.

14 Housekeeping, I just want to let everybody know that  
15 there are restrooms here on my left and out the back door  
16 across the courtyard to the right as you exit their more  
17 restrooms.

18 Also, we're conducting today's event in person. We're  
19 also allowing participation by Zoom. We set up today's Zoom  
20 meeting so that most participants will not be able to mute  
21 or unmute themselves to speak. However, if you're using  
22 Zoom by phone, we still recommend muting your phone by  
23 pressing star six. Muting will not impair your ability to  
24 listen. If you've muted your phone by pressing star six,  
25 please be sure to unmute yourself if you need to speak by

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1 pressing star six again. Also, if you're on Zoom by phone,  
2 remember that star nine and raises your hand. You'll have  
3 the opportunity to speak later on.

4 First, we're going to have a public question and  
5 answer period and then there will be an opportunity to give  
6 public comments. Both will happen after we've given the  
7 prepared presentations. If you're in the room and you  
8 already know that you'd like to make a comment, you can add  
9 your name to our list of people who be making comments by  
10 scanning the QR code located in the doorway. To my right,  
11 we have some more QR codes in the room to my right.

12 Another option if you want to make a public comment is  
13 to fill out a blue card, which you can get from Valeria or  
14 Camden from the Energy Commission on either side of the  
15 room to the left and right to the front toward the end of  
16 the vent. When we move to the public comment period, we'll  
17 call on you to let you know that it's your turn to speak.  
18 Today we have a court reporter transcribing all the  
19 statements made and any questions asked, and I therefore  
20 must ask that only one person speak at a time. Also, please  
21 identify yourself before you speak and when you speak for  
22 the first time, please say and spell your name slowly for  
23 the record. That's important for me and for the court  
24 reporter. If you don't identify yourself, either the court  
25 reporter or I may interrupt you to ask that you do so to

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1 ensure that we have a complete and accurate record of  
2 today's event.

3 If you run into any technical difficulties on Zoom,  
4 please contact the Public Advisor's Office or Zoom's Help  
5 center. Contact information for both is listed on page nine  
6 of the notice. For today's event, about an hour ago, we  
7 concluded the joint tour of the proposed project sites for  
8 the Morton Bay, Elmore North and Black Rock Geothermal  
9 projects. This is the joint informational hearing and  
10 Environmental Scoping meeting. Its purpose is to provide  
11 the public with an opportunity to see an overview of the  
12 process the Energy Commission is using to review the  
13 applications to hear about the projects proposed by the  
14 applicants to provide an overview for your opportunities  
15 for public participation, including to intervene to  
16 describe any outstanding issues to date and the schedule to  
17 provide the public with an opportunity to ask questions and  
18 provide public comment. And finally, to allow the committee  
19 to hold a closed session to those purposes.

20 First, I'm going to give a brief overview of the  
21 applications that are the subjects of these proceedings.  
22 Next I'll briefly describe the application for  
23 certification process that we're using to review the  
24 applications and then I'll outline some of the rules  
25 applicable to the proceedings. After I give that overview,

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1 we're going to ask the Energy Commission's Public Advisor's  
2 office to describe opportunities for public participation  
3 in these proceedings. Following that, the applicants will  
4 tell us more about the three proposed geothermal projects.  
5 Next Energy Commission staff will describe their role in  
6 this review of the applications and discuss issues  
7 identified to date and schedule.

8       Following the presentations, the committee will  
9 discuss the schedule and other topics related to the  
10 applications and toward the end of the agenda, we'll have a  
11 public question and answer period during which the public  
12 will be allowed to address questions to the Energy  
13 Commission staff and the applicants. Then we'll take public  
14 comments and after that we'll hold a closed session. And  
15 finally we will adjourn. And before we begin, do any of the  
16 parties have any questions about the agenda? I'm seeing no  
17 questions shaking heads, so we'll move on.

18       Now turning to the applications at issue in these  
19 proceedings, the Morton Bay, Elmore North and Black Rock  
20 Geothermal project applications for certification. All  
21 three applications were filed on April 18th. All three  
22 applications request the Energy Commission certify the  
23 construction and operation of geothermal electrical  
24 generating and related facilities southeast of the Salton  
25 Sea within the Salton Sea Known Geothermal Resource Area.

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1           Each of the proposed projects are power plants that  
2 would use geothermal resources to generate renewable  
3 electricity. Morton Bay Geothermal LLC an indirect wholly  
4 owned subsidiary of BHE Renewables LLC filed an AFC to  
5 construct and operate the Morton Bay Geothermal Project.  
6 Morton Bay would be located on 63 acres of 160 acre parcel  
7 in unincorporated Imperial County bounded by McDonald Road  
8 to the north Davis Road to the east and Shrimp Road to the  
9 south. About seven miles northwest of Calipatria Morton Bay  
10 is expected to have a net generating a capacity output of  
11 140 megawatts. Elmore North Geothermal LLC an indirect  
12 wholly owned subsidiary of BHE Renewables LLC filed an AFC  
13 to construct and operate the Elmore North Geothermal  
14 Project. Elmore North would be located on 63 acres of 160  
15 acre parcel in an unincorporated Imperial County bounded by  
16 an unnamed road to the north Cox Road to the west Garst  
17 Road to the east and West Sinclair Road to the south.

18           It's located about six miles northwest of Calipatria.  
19 Elmore North is expected to have an electric generating  
20 output net output of 140 megawatts and Black Rock,  
21 geothermal LLC an indirect wholly owned subsidiary of BHE  
22 Renewables, LLC filed an application for certification to  
23 construct and operate Black Rock. Black Rock would be  
24 located on a 55 acre portion of 160 acre parcel, an  
25 unincorporated Imperial County bounded by McHenry Road to

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1 the north Boyle Road to the east and Severe Road to the  
2 west, and it's also about six miles northwest of  
3 Calipatria. Black Rock is expected to have a net  
4 electricity generating output of 77 megawatts. Each project  
5 would require a steam turbine generator system, geothermal  
6 fluid processing systems, cooling towers production and  
7 injection wells, well pads pipelines, the 230 kilovolt  
8 substation transmission line, water impound ponds emergency  
9 standby, diesel fired generators and related features. The  
10 external freshwater source for the projects would be  
11 Imperial Irrigation District Canal water supplied by  
12 existing Imperial Irrigation District agricultural  
13 irrigation canals. Applicant will give more details about  
14 its project later on.

15       These applications are before the Energy Commission  
16 because the Warren Alquist Act gives the Energy Commission  
17 the exclusive jurisdiction to license or as we say, certify  
18 new power plants that generate 50 megawatts or more of  
19 electricity. The Energy Commission certification takes the  
20 place of other licenses or permits that would otherwise be  
21 necessary to build or operate a power plant. The commission  
22 is also known is also the lead agency under the California  
23 Environmental Quality Act, known as CEQA for short, the  
24 Energy Commission will review the environmental impacts  
25 engineering, safety and reliability of the proposed

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1 projects and review the compliance with state, local or  
2 regional laws, ordinances, regulations and standards. The  
3 Energy Commission's proceedings started when the  
4 application when the applicant's filed applications for  
5 certification of the proposed power plants. Right away,  
6 Energy Commission staff started reviewing the applications  
7 to determine if the applications were complete.

8       Upon staff's recommendation, the Energy Commission  
9 determined the applications were complete on July 26th,  
10 2023, and that was what formally started the Energy  
11 Commission's review process. As I mentioned, the Energy  
12 Commission appointed committees of two commissioners to  
13 oversee the proceedings, reviewing each application for  
14 certification. The committee's first act was to set notice  
15 of today's event, so now we're in what's known as the  
16 discovery phase. During this phase, Energy Commission staff  
17 and other parties like Intervener CURE can ask questions of  
18 the applicant to make the application more specific and ask  
19 for more information about the project to better analyze  
20 it. Energy Commission's staff's goal is to analyze the  
21 project's, environmental impacts, safety, reliability, and  
22 compliance with laws. In a report called a staff  
23 assessment, a staff assessment is the equivalent to an  
24 environmental impact report. Under CEQA, commonly known as  
25 an EIR, staff will publish its preliminary staff



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1 assessment, which will be circulated to the public for a 30  
2 day comment.

3 Staff will hold a workshop and based on input and  
4 comment, staff will file a final staff assessment. Then the  
5 committee assigned will review the respective staff  
6 assessments, hold evidentiary hearings to formally accept  
7 staff's assessment and other evidence into a formal hearing  
8 record. The committees will take the hearing record, use it  
9 to write a report called a presiding member's proposed  
10 decision, which is a recommendation to the full five member  
11 Energy Commission about whether to certify or reject the  
12 proposed project. Ultimately, the Energy Commission review,  
13 the presiding member's proposed decision and vote at a  
14 business meeting on whether to approve or deny  
15 certification of each proposed project. If the Energy  
16 Commission grants an application for certification, then  
17 the project may the project's applicant may begin  
18 construction of the power plant.

19 Ex parte rules. It's important to emphasize that the  
20 law requires the Energy Commission's ultimate decision be  
21 based solely on the evidence in the public record. Because  
22 project review is subject to an adjudicated process, Energy  
23 Commission's regulations and state law require that we  
24 ensure a fair process for everyone who participates in this  
25 proceeding. One way we ensure a fair process is through the

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1 ex parte rule, which states that parties to a proceeding  
2 and interested persons, which is to say the general public  
3 are prohibited from communicating with the presiding  
4 officers about anything that may be in controversy or in  
5 dispute unless notice is given, that allows an opportunity  
6 for all the parties to participate in that communication or  
7 the communication is in writing shared with all the parties  
8 and the public. The preferred way to submit a written  
9 communication is by filing it in our docket for this  
10 proceeding.

11 Prohibited communications include voicemail messages,  
12 text messages, emails, letters, telephone calls, and in-  
13 person discussions. Essentially any form of communication  
14 with the presiding officers in these proceedings. The  
15 presiding officers are the members of the committees: Chair  
16 Hochschild, Commissioner Gallardo, Commissioner McAllister,  
17 as well as the two other two members of the Energy  
18 Commission. The presiding officers also include me as the  
19 Hearing Officer and the other Hearing Officers. In this  
20 proceeding, ex parte communications are also prohibited  
21 with the individuals assisting the presiding officers,  
22 which for this proceeding includes their advisors and all  
23 the advisors to the commissioners and any attorney or other  
24 expert assisting the committees or commissioners with these  
25 proceedings. And now at this time, I would invite the

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1 Public Advisor to present on how the Public Advisor's  
2 office can assist members of the public to participate in  
3 the Energy Commission's review of these applications. And  
4 then after that we'll move on to applicant's discussion of  
5 the projects.

6 COMMISSIONER GALLARDO: Hello, if we can pull up my  
7 slide deck please. Can someone pull up my slide deck?

8 Thank you. Good evening everyone. My name is Mona  
9 Badie. I'm the Public Advisor at the California Energy  
10 Commission. Next slide. So I'm part of the Office of the  
11 Public Advisor Energy Equity and Tribal Affairs at the  
12 commission, part of our mission is to facilitate public  
13 engagement and CEC proceedings. We are free resource  
14 available to any member of the public that wants to engage  
15 in CEC proceedings. Next slide. So going to go through the  
16 multiple ways that the public can participate in this  
17 proceeding or these proceedings. Excuse me. Just to recap,  
18 what is an application for certification? So - or an AFC?  
19 In order for a developer to build certain types of power  
20 plants, they have to get CEC's permission first. you might  
21 hear this being described as project approval or a license  
22 or certification, and this process starts with an  
23 application for certification or an AFC.

24 And so the proceeding or and process associated with  
25 it is often called the AFC process or an AFC proceeding. So

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1 there's multiple ways to participate in the AFC process.  
2 One is to just follow the proceeding. Another is to submit  
3 comments. A third is to become an intervenor in the  
4 proceeding. And I'm going to go through these first three  
5 in detail, but briefly on number four, can you help me  
6 briefly on number four, tribal consultations? So the CEC  
7 invites tribal consultations and AFCs. Tribal consultation  
8 invitations, letters went out from the CEC with a request  
9 for responses by September 18th. Gabriel Roark who is here  
10 today from the CEC Siting Division, is your contact for  
11 tribes that are interested in consultations or other  
12 engagement with the Commission.

13       Next slide please. Okay, so one of the most popular  
14 ways to participate in our proceedings is just to follow  
15 them. You can sign up to receive email updates on the  
16 proceedings you're hearing about today on the CEC  
17 subscription webpage and I have the webpage up on the slide  
18 with the URL. You can also get in touch with my office.  
19 I'll have the contact information on my last slide and you  
20 can be on our outreach list for selected email updates for  
21 the proceedings and you can follow the proceeding by  
22 attending public events just like you are right now. The  
23 CEC website has our calendar events and our events are  
24 noticed via email if you sign up for one of the  
25 subscriptions. Our events are almost always hybrid or fully

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1 virtual via Zoom, so the public can attend our events from  
2 anywhere with a phone or internet connection. Next slide.

3 Another way to participate is to comment on a  
4 proceeding. So as in all of CEC's proceedings, any  
5 interested member can comment verbally at a CEC or in  
6 writing to comment verbally. Just attend the event and wait  
7 for the instructions during the public comment. There will  
8 be one today at the end of the program for our hybrid  
9 events, you can comment in person or via Zoom online or by  
10 phone. The other option is to comment in writing on the CEC  
11 website we have what is called a docket for each  
12 proceeding. A docket is where public documents and comments  
13 are filed and posted online for everyone to access. Written  
14 comments should be submitted to the docket for each  
15 proceeding. You want to comment on the notice For today's  
16 event, you'll find the docket numbers for the three  
17 geothermal power plant proceedings 23-AFC-01, 23-AFC-02,  
18 and 23-AFC-03.

19 Anyone can submit comments to the docket at any time,  
20 but the most effective time to do so is during the  
21 announced public comment periods. For example, when CEC  
22 staff release their preliminary staff assessment that  
23 covers environmental impacts among other items of each  
24 proposed project, there'll be a specified public comment  
25 where CEC wants to hear feedback on the draft and use that

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1 in the preparation of the final staff assessment. That's  
2 just one example on our website. You can submit a comment  
3 by just typing it into our e-comm page or uploading a  
4 document with your comment. And if you need assistance,  
5 again, my office, the Office of the Public Advisor, Energy  
6 Equity and Tribal Affairs can assist you. Next slide.

7 Okay, so another way to participate in a proceeding is  
8 to intervene in it. To intervene, you must apply to become  
9 an intervener, and you do that by submitting a petition to  
10 intervene to the docket. Then the CEC committee will  
11 approve or deny the petition. If your petition is approved,  
12 you'll become an intervener in the proceeding and have the  
13 same rights and responsibilities as other parties in the  
14 proceeding. On this slide, you'll also see an image of one  
15 of our dockets and the blue script. These are links to the  
16 documents so when someone petitions to intervene, anyone  
17 can view that the committee decides based on what is  
18 docketed. Next slide. That's it for my presentation today.  
19 Again, my office is here to help members of the public that  
20 want to participate in all the methods that we described  
21 and this is our contact information. Thank you.

22 HEARING OFFICER LEE: Thank you. And now I invite the  
23 applicants to describe each of their proposed projects, and  
24 after that we'll hear from staff about its role in  
25 reviewing the applications for certification and issues

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1 identified to date and schedule. And don't forget to  
2 identify yourself for the record.

3 MR. WINTERS: That's working. There we go. Hey  
4 everybody. My name is Dan Winters, D-A-N W-I-N-T-E-R-S. I'm  
5 the Vice President of Communications and Public relations  
6 for BHE Renewables, and I'm here tonight on behalf of the  
7 applicants for the Black Rock, Elmore North and Morton Bay  
8 Geothermal Projects. I want to thank each of you for being  
9 here along with the Commissioners. This is an incredible  
10 opportunity for California, for Imperial Valley, and  
11 there's a tremendous amount of enthusiasm among our team to  
12 see so many of you here tonight. It's humbling for us to  
13 have an opportunity just to make some introductions about  
14 who we are as a company and the great things we have  
15 planned for each of you and I mean each of you because I  
16 truly see everyone in this room being impacted positively  
17 in direct, indirect, and perhaps both ways before we get to  
18 who we are and more about the projects. If we'll advance to  
19 the next slide, I just want to say a few words about where  
20 we are. Can we go to the next slide, please?

21 We acknowledge the traditional homelands of the  
22 indigenous people of California's Imperial Valley, the  
23 Kwaaymii, Cahuilla and Quechan tribes inhabit - Kwaaymii,  
24 Cahuilla and Quechan inhabit lands in this region. We honor  
25 them as America's first peoples along with their past,

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1 present, and future. We honor with gratitude the land  
2 itself and the people who have stewarded it throughout the  
3 generations. Can we go to the next slide, please?

4 So it's my privilege tonight to tell you about BHE  
5 renewables, a nationwide leader in clean, sustainable  
6 energy. We deliver those solutions for customers and for  
7 communities. BHE Renewables has a generation capacity of  
8 over 5,100 megawatts across 10 states. We have a lot of  
9 wind projects throughout the Midwest in the country down  
10 into Texas Solar in California, Arizona, in Texas. And  
11 tonight we're here to talk to you about what everyone in  
12 this room knows us as.

13 And that's Cal Energy, which operates 10 geothermal  
14 clean power plants and many of you drove by this afternoon  
15 generating 345 megawatts of clean renewable baseload power  
16 that's available 24 hours a day, powering about a quarter  
17 of a million California households. We employ some of the  
18 best people in California as well, 230 employees. Many of  
19 them are here tonight. I'd like to recognize them. Please  
20 give a wave. I know many of you're in the back of the room  
21 and have made it possible for all of us to gather here.  
22 It's not just those amazing people who make this possible.  
23 And if we go to the next slide, we can talk about what else  
24 makes this possible and it's a world-class geothermal  
25 resource that is unique to this part of the world. We saw



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1 in the video a little bit earlier an overview of the  
2 geothermal clean power process and how that works.

3 And I want to just give you a little more info working  
4 from the bottom of this graphic and going to the top. So  
5 the core of the earth generates a tremendous amount of  
6 heat, thousands and thousands of degrees hot enough to melt  
7 rock. Above that, we have impermeable bedrock that  
8 transmits that heat up into the permeable rock formation  
9 layer here locally, it's known as the Borrego formation,  
10 and within that is made possible this incredible geothermal  
11 reservoir full of hot circulating brine 500 to 700 degrees  
12 Fahrenheit. Well, what happens with that brine? If you look  
13 on the far left side of your screen, we drill a production  
14 well at least half a mile, and the average depth for that  
15 is over 6,000 feet over a mile down into the geothermal  
16 reservoir. That releases a tremendous amount of pressure  
17 that naturally rises through the, well follow the pink line  
18 to the generating unit where the magic happens of creating  
19 clean renewable electricity. And we'll get to that on the  
20 next slide in a minute. But first, it goes back out through  
21 the green injection wells in this contained process that  
22 puts it right back into the same geothermal reservoir where  
23 it came from. It is naturally reheated, it can be reused  
24 and it's sustainable for generations to come.

25 We mentioned the Salton Sea geothermal resource, known

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1 resource area or it was mentioned in this meeting earlier.  
2 We get a lot of questions and a lot of misconceptions about  
3 that. A lot of people want to know, are you somehow  
4 impacting the Salton Sea, drawing water from the Salton  
5 Sea, creating electricity from the Salton Sea? And the fact  
6 is, we're not. We have no connection to it other than  
7 proximity. It would be like calling this Salton Sea High  
8 School. It just happens to be in the same area. We're glad  
9 it's Calipatria High School. The Salton Sea, by the way, is  
10 only 30 feet deep, 30 to 50 at its deepest range. The  
11 geothermal reservoir is at least 2,500 feet below that.  
12 That's half a mile of vertical separation between the  
13 geothermal reservoir for that hot circulating brine and the  
14 surface. By the way, that's far, far too deep to impact any  
15 groundwater as well.

16 Let's go to the next slide and talk about how the  
17 electricity gets made. So bottom left corner of your screen  
18 that's depicting the production well where the brine comes  
19 up and it's going to get separated immediately upon hitting  
20 one of our plants. And it's going to take two routes. So  
21 let's go straight up where the steam goes over to a turbine  
22 that spins a generator that creates electricity out to the  
23 top right through transmission lines, distribution lines,  
24 and out to neighborhoods and cities that power homes and  
25 refrigerators and electric cars. The rest of the steam off

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1 to the left goes up through a condenser where it gets  
2 turned back into liquid. And the most recognizable portion  
3 of this is what you see out in the desert at our  
4 facilities, those cooling towers where you see the steam  
5 and the water vapor rising, that is the only exhaust that  
6 comes off of those.

7       And then down at the bottom you have the liquid  
8 portion of the brine that takes a right track through our  
9 facilities, through crystallizers and flashers and  
10 clarifiers to get what's in the brine. To agree with how  
11 this system works, let's tell you about this brine. So it's  
12 chalk full of salts and minerals, liquid form. They're  
13 dissolved and we need to keep them dissolved in order to  
14 keep them from gunking up the plant. So we do use a little  
15 bit of water to do that. We're going to talk about water  
16 use here in just a minute, but it's incredibly important we  
17 keep those dissolved and filter out primarily sand, lots of  
18 sand that can come out of this as a secondary product  
19 before that clear brine gets put right back down into the  
20 injection well into the reservoir. And that's where again,  
21 it gets reheated. Naturally. It gets reused. Let's go to  
22 the next slide.

23       Water usage just touched on it a little bit. How do we  
24 use it? It's to keep those salts and those solids in liquid  
25 form so that they're always dissolved. That ensures the

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1 resource remains sustainable, that it's renewable and like  
2 all good Californians, we're trying to conserve water,  
3 right? It's a concern. And so we want to make sure we're  
4 finding ways to reduce reuse, recycle water as much as  
5 possible, and always exploring new technologies to be able  
6 to do that. Let's talk about how much the three new  
7 proposed plants, the reason we're all here tonight, would  
8 use as far as acre feet of water every year. You take Black  
9 Rock, Morton Bay and Elmore North, all three combined,  
10 13,000 acre feet of water each year. How much is that,  
11 right? How do you equate that? And let's go to the next  
12 slide.

13         And I think the best way to do this is to compare it  
14 to all the rest of the water use in Imperial County. So in  
15 2022, we know this for a fact, IID allocated 2.5 million  
16 acre feet of water. Now we also know where that water went  
17 and how it was used. Imperial County feeds California and  
18 feeds America. There's a proud tradition of farming here.  
19 It's the reason the water flows here. I'm a proud  
20 descendant of farmers from the great state of Iowa. I like  
21 to share that when I meet another farmer. I was telling  
22 Richard Elmore last year telling him about my legacy, my  
23 farming legacy, and he said, oh yeah, Iowa, that's where  
24 they only have to work half a year. And I didn't have a  
25 good comeback. I had nothing to respond. So you win this

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1 round. Imperial County farmers, so rightly so, 97.8% of the  
2 water going to agriculture to feed America, just 1.3%  
3 potable drinking water, less than a percent, roughly 0.9%  
4 to industrial commercial use.

5 Okay? So that's what geothermal power generation falls  
6 under. That's the category. The bottom number is if we were  
7 to take that 13,000 acre feet you saw on the last slide and  
8 apply it to the water use in 2022, 20.5 million acre feet,  
9 that's just about one half of 1% of all the water allocated  
10 in Imperial County in a year. And that's to generate a  
11 whole lot of power. Folks, let's go to the next slide  
12 because for that 13,000 acre feet, you see it right there  
13 in the middle. That's 401 megawatts of clean renewable  
14 baseload, electricity that's on powering homes and  
15 businesses 24 7. We know the resource can sustain that  
16 incredible reservoir because the state of California has  
17 determined that it'll take just less than six miles of  
18 project generation, interconnect lines, transmission lines  
19 to connect those three brand new plants because of where  
20 they're located, where they would be located to get that  
21 connected to IID's grid.

22 We want to use union labor to build these plants.  
23 That's our plan. We'll just say that here tonight.  
24 Commercial operations data anticipated somewhere between  
25 2026 to 2028 to get them online. The State of California

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1 has determined these facilities are critical. This power is  
2 critical for reliability for the state of California. We  
3 know it's an issue. Here's a solution, and we have every  
4 intention of meeting that deadline to get these plants  
5 online by 2028.

6 Here's another thing, geothermal expansion would  
7 generate another approximately 200 jobs just off the three  
8 new plants. Keep in mind, we have this incredible workforce  
9 that's already 230 people, strong local folks with good  
10 paying jobs who are also contributing to this community.  
11 And before we talk about jobs anymore, I want to mention, I  
12 was talking to Anne and Nelly at the North End Action  
13 Council. We were out in island out at the fire station, and  
14 they just happened to mention, I see you back there. Yeah,  
15 hey, they just happen to mention that there's a sentiment  
16 among some families in this community.

17 Maybe their kids don't have quite the opportunities  
18 their parents or their grandparents had, and maybe their  
19 kids might have to feel like they need to go somewhere else  
20 to find opportunities. And that really hit me. I've got  
21 three kids and my wife and I, we want to raise them up to  
22 be healthy and strong and ambitious to feel like they could  
23 go pursue anything anywhere in the world, but we never want  
24 them to feel like they have to leave. And so that's what  
25 we're talking about here tonight.

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1           If we'll go to the next slide, is creating some  
2 workforce development and putting those jobs right where  
3 you see on this map and the next two maps as well. So we  
4 drove past this afternoon, Black Rock, geothermal and the  
5 reason, so if you go to the CEC's website, you'll be able  
6 to find these maps and explore exactly in greater detail  
7 where the boundaries are. Mr. Lee, thank you for describing  
8 those earlier. I know it's hard to conceptualize, but if  
9 you go to the website, you can examine these and see  
10 exactly where the boundary lines are drawn. What I want to  
11 show you tonight is those shaded areas. You see the squares  
12 and rectangles. Let's go to the next slide.

13           Those squares and rectangles, depending on the project  
14 name at the top, they don't move. Here's why, because we're  
15 optimizing land use. If we build all three projects  
16 together, you've got to have construction lay down, you got  
17 to have work camp. You've got to have all the things that  
18 go into building a massive facility like that. If we do  
19 three at the same time, it minimizes land use. I know  
20 that's something a lot of you care tremendously about. It's  
21 also more efficient. Let's go to the next slide.

22           And Morton Bay, it also illustrates the same thing.  
23 One thing I will draw your attention to on this one, it's  
24 also on the other maps. If you see the hot pink dotted line  
25 in the middle of the screen that goes straight down, that's

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1 depicting the transmission line. It all goes to a central  
2 servicing hub. So all three, all three plants going to one  
3 spot to get to IID's transmission lines.

4 That's by virtue of the well-thought out placement of  
5 these plants nestled right up next to existing ones. So  
6 let's go to the next slide and talk about the economic  
7 benefits. Now, for myself and for our team, and for so many  
8 of you in the crowd, I know there's been a lot of  
9 anticipation about this. Your mind starts to go a little  
10 wild with what are the possibilities of what this could  
11 generate for this community. And I think the best thing to  
12 do is just start with the bare minimum. When we break down  
13 these taxes to build these facilities and get them up and  
14 running, add up those numbers and just to build the plants.  
15 It's a \$17 million benefit in taxes to Imperial County.  
16 That's just to get them up and running. But then there's  
17 every year that they're running year over year over year,  
18 approximately \$24 to \$25 million in tax revenue for this  
19 county, and we know how Imperial County spends that money.

20 80% of it goes to those critical services, fire,  
21 police, health, sanitation, public services, assistance and  
22 support for the community. Not to mention, Imperial County  
23 employs 2200 people and those people pay property taxes and  
24 our employees pay property taxes. And so you can see the  
25 ripple effect starts to go very far and very fast very



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1 quickly. There's the economic benefit of electricity that's  
2 reliable 24 7 going to 265,000 California homes. Not only  
3 that, our employees support local businesses. They live  
4 here, they shop here, they eat out here. We're going to  
5 hear from some folks tonight who benefit directly from that  
6 geothermal clean power, and this is just a fact. Geothermal  
7 clean power generates more jobs per megawatt than any other  
8 energy source.

9 We've been creating a workforce for four decades in  
10 this county. Let's go to the next slide, and we've been  
11 doing it by collaborating with our partners. IVC  
12 (indiscernible) is going to, I think he's going to get up  
13 and share some thoughts this evening about what it means to  
14 have an employer who reinvests in workforce development  
15 through local learning institutions to get people trained  
16 in just one year certification programs to get a really  
17 good job as a lab technician, instrument technician, plan  
18 operator. Our goal is primarily to hire people from here.  
19 These are Imperial County projects. We want to hire people  
20 from Imperial County. We also are committed to hiring  
21 members of tribal nations. We have some exciting new  
22 efforts in that regard. My colleague Bari Bean, has been  
23 instrumental in breaking new ground in forging  
24 relationships with and giving new opportunities to members  
25 of tribes.

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1           The new projects, and we're talking just strictly  
2 about numbers. 1600 people working at peak monthly output  
3 to build these plants once they're up and running  
4 approximately 200 full-time. But it's not just that you  
5 have the ripple effect. Our projects provide opportunities  
6 for local contractors. We need people to drill wells, to  
7 maintain wells, to clean facilities, to provide seasonal  
8 outage support. And so these are other ways we add to the  
9 workforce in Imperial County. Let's go to the next slide  
10 and talk about who these workers are and what they do. 230  
11 people, every one of those are individuals, folks, a lot of  
12 them are in this room. A lot of them are. Your family, your  
13 friends, your neighbors, and what they're doing and have  
14 for years just tells a tremendous story. We're just going  
15 to talk about recently tonight, just this year, they've  
16 already put in 300 hours of volunteering through our  
17 community.

18           Look at that picture up at the top left. That's our  
19 team at a tremendous organization called Woman Haven that  
20 provides support and assistance to women and children in  
21 crisis. That's them putting in a garden on their own time  
22 for free. That picture in the middle right there, we got a  
23 brief introduction. That's our president and CEO Alicia  
24 Knapp delivering a \$25,000 check to CASA Court Appointed  
25 Special Advocate. And what that money did was buy a vehicle

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1 to haul children in foster care to their court appointments  
2 and to reconnect with their siblings. And then, sorry, that  
3 fly is amazing off on the right there. That's kind of a  
4 hard, weird picture to look at, but it is the contents of  
5 the \$20,000 dream classroom giveaways that Bari went out  
6 and handed out to every single elementary school in this  
7 county. These are drops in the bucket. We're talking about  
8 an \$86.5 million dollars tax benefit to Imperial County  
9 just since 2008. This is the largest single contributor to  
10 the tax base.

11 We're also partnering with those schools and colleges  
12 come up with new ways to train to help them pursue federal  
13 grants so we're not just supporting ourselves, but we're  
14 supporting this entire industry in this area. Let's go to  
15 the next slide because we've thrown out a lot of numbers to  
16 you, a lot of facts and figures and charts and graphs, but  
17 this is the one I want to leave you with, and it's just a  
18 symbol number. It's 84 - 84 organizations supported in  
19 Imperial County by our employees and our company just in  
20 the last year and a half. I know these names. These are the  
21 places you care about. You're members of these  
22 organizations. You serve for these organizations and our  
23 people too, and I'll tell you why. Let's go to the next  
24 slide.

25 They care. They care. 230 people. Every one is an

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1 individual and every one of them when they show up to serve  
2 in their community, that's what it says on the back of  
3 their t-shirt. It says, because I care. It's as simple as  
4 that. Thank you for caring enough about this community to  
5 show up here tonight, to give up your Thursday evening to  
6 come and join your friends and neighbors. Come and join  
7 people you disagree with to at least learn and share your  
8 perspectives because today was all about you. Thank you.

9 HEARING OFFICER LEE: Thank you.

10 In the August 9th notice of today's event, we directed  
11 staff to present on its roles and responsibilities. In  
12 reviewing the AFCs and about its engagement with agencies,  
13 the public and tribes. We also directed staff to file an  
14 issues identification report and proposed schedule for each  
15 project. Staff timely filed those documents in the docket  
16 for each proceeding on August 17th. The notice also ordered  
17 the applicant's to file a response to staff's issues,  
18 identification reports, and proposed schedule. The  
19 applicant's filed their responses on August 24th, 2023. We  
20 thank staff and the applicants for their timely  
21 submissions, and now Energy Commission staff will present  
22 on its roles and responsibilities in reviewing the  
23 applications for certification and on its issues,  
24 identification reports, and proposed schedule for all three  
25 projects. And again, don't forget to identify yourself for

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1 the record, can we have staff's PowerPoint on screen  
2 please?

3 COMMISSIONER GALLARDO: This is Commissioner Gallardo.  
4 I would like to clarify if we have questions of the  
5 applicant. Should we wait until the end of the presentation  
6 for staff? I just want to make sure we have an opportunity.  
7 What would be preferred?

8 MR. VEERKAMP: That's what I would prefer

9 COMMISSIONER GALLARDO: After the staff presentation.  
10 It's -

11 HEARING OFFICER LEE: Possible. Yeah, we have multiple  
12 opportunities, but if you'd like to make a comment now,

13 COMMISSIONER GALLARDO: That's fine. I just wanted to  
14 make sure we clarified. Yeah, that's fine. Thank you.

15 MR. VEERKAMP: Thank you. Thank you, Mr. Lee.  
16 Commissioner Gallardo. Good afternoon. My name is Eric  
17 Veerkamp, and I'm the project manager for the Siting and  
18 Environmental Branch within the California Energy  
19 Commission's Siting and Environmental Protection Division.  
20 The STEP division oversees all licensing applications for  
21 power plants, 50 megawatts or greater. The Siting and  
22 Environmental Branch is responsible for organizing the CEC  
23 staff's participation in an application for certification  
24 proceeding.

25 In addition, staff conducts independent research and

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1 field visits as necessary, and consults with interested  
2 agencies and California Native American tribes to gather  
3 additional information and to inform staff's analysis. To  
4 date, staff has met with representatives of the Department  
5 of Conservation's, CalGEM or Geologic Energy Management  
6 Division, Imperial County Planning Department and Air  
7 Pollution Control District. I'm sorry. No, that's correct.  
8 Imperial Irrigation District, Caltrans District 11  
9 representatives and staff from the Regional Water Boards to  
10 discuss this project. It's important to stress that CEC  
11 staff is an independent party to the proceeding. In other  
12 words, CEC staff is required to provide the project  
13 committees with an objective position on the applicant's  
14 proposed project. Next slide, please. Oh, I think we'll go  
15 to the next slide please.

16 Staff provides an objective and independent analysis  
17 of the project and will be presented initially in the  
18 preliminary staff assessment. The PSA will evaluate the  
19 project's effects on the environment, assess the adequacy  
20 of the applicant's mitigation measures, propose modified or  
21 additional mitigation as necessary, and assess the  
22 project's conformance with all applicable laws, ordinances,  
23 regulations, and standards regarding LORS conformance. When  
24 staff met with Imperial County Air Pollution Control  
25 District, we discussed the schedule for receiving the air

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1 district's preliminary and final determinations of  
2 compliance with Air District rules for the projects. As an  
3 example, the PSA will include an assessment of any feasible  
4 alternatives to the proposed project or its location that  
5 could avoid or reduce any significant project effects. CEC  
6 staff will notice and conduct a public workshop or  
7 workshops the PSA for the purpose of taking public  
8 comments, the final staff assessment will include CEC  
9 staff's responses to written comments filed on the PSA  
10 during the public comment. The FSA will serve as CEC  
11 staff's testimony at the committee hearing.

12 To summarize, CEC staff's role in the process, we  
13 consult with agencies and tribes in our evaluation of the  
14 project. We prepare objective unbiased environmental  
15 assessments. We issue public notices and requests to public  
16 agencies for their review and input, conduct public  
17 workshops and present expert witness testimony at the  
18 hearings. Next slide, please.

19 To supplement Mona Badie's comments, this slide shows  
20 the Morton Bay webpage on the CEC's web site, Elmore North  
21 and Black Rock Geothermal plants each would have a similar  
22 webpage. So while there are many ways to navigate to this  
23 webpage, the most one simple way is to just type the words  
24 California Energy Commission into your browser. And once  
25 you're there in the search box, if you type power plants

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1 alphabetical listing, that will get you to the links for  
2 Morton Bay, Elmore North and Black Rock or for any webpage  
3 in the CEC website for that matter.

4       Once on the respective webpages you can find all  
5 related official documents filed for each of the projects,  
6 including the application with maps, et cetera. In the  
7 docket logs, there are a couple things highlighted on the  
8 webpage. One of them is the docket log. That's one thing  
9 you'd want to look in particular. From the project webpage,  
10 you can sign up for the subscription list for each project  
11 and by being on that subscription list, you'll receive an  
12 email alert anytime a document or notice is filed to the  
13 document. At these webpages are my contact information as  
14 well as contact information for the CEC's media office, as  
15 you can see there, and the CEC's Public Advisor's office  
16 who we heard from.

17       Next slide, please. The CEC staff filed an issues  
18 identification report on August 17th of this year. Staff  
19 identified two issues of potential significance: the  
20 incompleteness of the applicant's archeological surveys and  
21 identification of assessment of impacts on cultural and  
22 tribal cultural resources and the provision of water for  
23 the projects and the potential impacts on the regional  
24 water supply.

25       CEC staff publicly filed our first or its first set of



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1 data requests, which is simply a request for more  
2 information today, approximately one hour ago, covering the  
3 topics of air quality and GHG impacts, alternatives,  
4 biological resources, cultural resources, geology, land  
5 use, project description, public health, socioeconomics,  
6 transportation, transmission system engineering, and water  
7 supply. Many of those were listed on the previous slide of  
8 all the technical areas.

9 At this time, the CEC staff is unable to say if  
10 responses to those requests would resolve all issues of  
11 concern. But staff anticipates that the applicant's  
12 responses to data requests and the other information staff  
13 is seeking will inform the issues. Staff is also  
14 anticipating information will be obtained from relevant  
15 tribal, local and state agencies such as a water supply  
16 assessment from the IID that will allow staff to identify  
17 environmental impacts and develop appropriate mitigation if  
18 possible consistent with CEQA and the Warren Alquist Act  
19 and staff will keep the committee informed if additional  
20 issues arise. And at this point I would request that the  
21 PowerPoint be brought back up when we talk about schedule.

22 HEARING OFFICER LEE: Yeah, go ahead and talk about  
23 schedule now.

24 MR. VEERKAMP: Okay. Oh, next slide please.

25 We're aware that staff's aware that the applicant had

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1 comment on our open-ended nature of our schedule that we  
2 included with our issues identification report. Staff  
3 schedule, however, was reflective of the fact that many  
4 aspects of a proceeding such as this, are outside of  
5 staff's control. Staff does not schedule evidentiary  
6 hearings nor control the committee's publication of the  
7 presiding member's proposed decision. While applicant's  
8 data responses are due within 30 days of our data requests,  
9 we have historically seen applicant's request additional  
10 time to provide the requested information so we feel  
11 comfortable with presenting a performance-based schedule  
12 for the aspects within our control. The publication of both  
13 the preliminary and the final staff assessments. Staff will  
14 publish its PSA and FSA sooner than identified in staff  
15 schedule, wherever possible. To date, staff has been  
16 diligent in its review and processing of the applications.  
17 An example of this is resolving the matter of the  
18 geothermal resource adequacy prior to acceptance of the  
19 AFCs. Staff filed our first set of data requests, as I  
20 mentioned, today and there is a second set. We expect there  
21 to be a second set of data requests. Staff will diligently  
22 follow any schedule the committee set and will keep the  
23 committees apprised of our progress in future status  
24 reports. And that concludes my presentation, Mr. Lee.

25 HEARING OFFICER LEE: Yeah, thank you. Can we show the

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1 hearing officer slide deck again at slide 14 I believe.

2 And actually I'm going to go to the applicants. Does  
3 the applicant have any response to staff's presentation  
4 including anything regarding the issues identified to date,  
5 status or the proposed schedule?

6 MR. ELLISON: Yes, we do. I'll try to be very brief.  
7 Christopher Ellison, E-L-L-I-S-O-N, counsel for the  
8 applicants.

9 With respect to the staff's issues, we agree these are  
10 issues and we are already at work to do the additional work  
11 that the staff has identified. There's no disagreement  
12 between us and staff with respect to those issues. The  
13 incompleteness referred to in identifying tribal resources,  
14 at least in part, is the 10% of the acreage that we  
15 surveyed with professional outside experts was agricultural  
16 land that had crops on it and the staff would like to see  
17 those crops removed and then a second survey done. And we  
18 are proceeding to do that. We were hoping to be able to  
19 preserve the farming activity that was going on there, but  
20 that's okay. We're in agreement.

21 With respect to the schedule. Staff is right. We have  
22 a very deep concern about schedule. And again, I'll try to  
23 be brief, the Public Utilities Commission and the State of  
24 California in an effort to address climate change and those  
25 of us that were on the tour today, I think understand and

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1 certainly, excuse me, those of you who were here for the  
2 tropical storm last week understand that climate change is  
3 a pretty serious issue.

4 The State of California and the Public Utilities  
5 Commission, in particular, have said that we need to move  
6 toward renewable energy, solar, wind, geothermal, and that  
7 in particular we need to move to baseload reliable, clean,  
8 renewable energy to address climate change. And that's  
9 basically geothermal. And they have set a very ambitious  
10 goal for the amount of geothermal that they want to see.  
11 And they have set a very near term deadline for having it,  
12 which is June 1st, 2028. And in order for that schedule to  
13 be maintained, and to be consistent with state law, and I  
14 would also say consistent with California Energy  
15 Commission's own regulations or statute that requires a  
16 decision within 12 months, the Committee and the Commission  
17 are in a position of having to balance the staff's need for  
18 data and the public process that we support and are engaged  
19 in, with trying to meet the schedule that's been put  
20 forward by the state to address climate change.

21 So our concern about the schedule is that we don't  
22 think any independent party, and the staff is an  
23 independent party, should be in control of the schedule. We  
24 have essentially asked the Committee to take control of the  
25 schedule to set deadlines and expect all the parties to

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1 meet them. And the last thing I'll say about that, is that  
2 in doing that one, I think that the Committee will take  
3 control of the schedule and I think that that's important  
4 for the balance that I've spoken to. But secondly, you can  
5 always extend a schedule that's too aggressive. You can't  
6 recapture time that's already been lost. And so, I would  
7 hope, that the Committee would recognizing what I have said  
8 will adopt specific dates for all parties, including  
9 ourselves, that sets a schedule that's consistent with the  
10 12 months that the statute requires or is even better than  
11 that. And we have proposed a specific one that is slightly  
12 better than that. And hold people to it as much as  
13 possible, recognizing that if it turns out to be infeasible  
14 it can always be extended. Thank you very much.

15 HEARING OFFICER LEE: Yeah, thank you Mr. Ellison.  
16 Actually I do have some follow-up thoughts on that. I don't  
17 believe staff can publish its preliminary staff assessment  
18 until it has the preliminary determination of compliance  
19 from the air district. And I noticed in your proposed  
20 schedule you said you listed the proposed date for the  
21 preliminary determination of compliance will be November  
22 22nd, 2023. And I'm curious, did they give us some  
23 assurance that they would provide it by that date or I was  
24 just wondering how you came up with that date. I think the  
25 statutory deadline would be 180 days after it would be the

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1 regulatory deadline would be 180 days from data adequacy,  
2 which I think would be January 22nd, 2024. And so I didn't  
3 see anything in the docket. I may have missed it, but I  
4 didn't see anything in the docket assuring that the  
5 preliminary determination of compliance would be published  
6 in November. Do you have some knowledge about that?

7 MR. ELLISON: I personally do not. If it turns out  
8 that there is some amongst our team, we will -

9 (Off mic colloquy)

10 I have been told by Mr. Salamy that we had a phone  
11 call with the staff and with the Air district and that the  
12 staff told the district that date, that November date,  
13 would be the date that they are looking for.

14 What I was going to say, because I wasn't in that  
15 meeting, is that I obviously can't commit the district or  
16 commit them to what they're doing. But what I can say is  
17 that if the Committee adopts a schedule similar to what we  
18 have proposed that that will certainly encourage them to  
19 meet that and be consistent with the efforts that we are  
20 putting forward, not just with the Energy Commission but  
21 with everybody involved, including especially our own team  
22 that we need to proceed expeditiously consistent with the  
23 state's needs.

24 HEARING OFFICER LEE: Thank you, Mr. Ellison. Let me  
25 see what staff thinks about that.

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1           Suppose the Committee sets a schedule that the  
2 preliminary staff assessment, for all three projects, be  
3 published within 60 days of the air district's submission  
4 of the preliminary determination of compliance. Is that  
5 something that staff would be agreeable to?

6           MR. VEERKAMP: I think that that's something that  
7 staff could agree to. Absolutely. I think the point we were  
8 trying to make is that - I mean obviously we're going to  
9 follow any schedule the Committee request of us or requires  
10 of the parties, but we were trying to reflect is that data  
11 responses oftentimes come in much beyond the date that is  
12 set in the statute. And so when I actually looked at the,  
13 the schedule the applicant put together and assuming that  
14 data responses came in on within 30 days, our request to  
15 have published the PSA 60 days following was pretty much in  
16 line with that schedule that the applicant put together. So  
17 I didn't think we were that far off, but we didn't feel  
18 comfortable setting a real hard deadline because we've seen  
19 them come and go all the time. And so having more of a  
20 performance base. So the idea of triggering it, tying it to  
21 the POC and the FOC I think works for staff. And I was in  
22 that meeting with our district and we laid out to them that  
23 the normal 12 month clock and gave them an idea of where  
24 their determinations would fall. There was no commitment on  
25 their part, but they thanked us for the information so at

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1 least they had a target.

2 HEARING OFFICER LEE: Thank you.

3 MR. VEERKAMP: And I should say that's a major piece  
4 of the air quality section for staff. So having that  
5 document. So I think what you just proposed 60 days  
6 following, that works for staff.

7 HEARING OFFICER LEE: Right. I'm not committing to it,  
8 I'm just getting some information so that the Committees  
9 can discuss it later on. And, just out of curiosity, if we  
10 did go with a schedule like that, say 60 days after the  
11 preliminary determination of compliance comes out is  
12 submitted, would staff anticipate staggering those staff  
13 assessments?

14 MR. VEERKAMP: I think that's probably going to be  
15 necessary given the amount of effort that goes into the  
16 formatting and page turn and all that and getting them  
17 uploaded. So yeah, we would appreciate a staggering not  
18 required that they all be filed on the same day.

19 HEARING OFFICER LEE: Yeah, we don't -

20 MR. VEERKAMP: Okay. That would be -

21 HEARING OFFICER LEE: Well we don't have to set the  
22 staggering schedule. We can leave that to staff, but we  
23 could say they all have to be published within 60 days of  
24 the preliminary determination of compliance and then staff  
25 could decide how it sees fit to stagger those.



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1 MR. VEERKAMP: I understand that. Okay. Yes.

2 HEARING OFFICER LEE: Okay. Mr. Ellison, do you have  
3 any thoughts about that proposal?

4 MR. ELLISON: Yeah. Yes, I do. Two things. One is our  
5 schedule does propose staggering in deference to the staff.  
6 We understand the logistics of trying to put three large  
7 documents out simultaneously. So we are trying to reach out  
8 to the staff in that way.

9 Also though the preliminary DOC does not, you can  
10 bifurcate this, it has happened in the past where the staff  
11 produces a PSA prior to getting the termination of  
12 compliance to keep the schedule moving and if necessary we  
13 can do that in this case too.

14 HEARING OFFICER LEE: Thank you. I did have a comment  
15 not addressed to any party, maybe to staff a little bit,  
16 but - I would appreciate that staff identified the water  
17 supply issue and is looking into that. Additionally, we  
18 look forward to a robust discussion of India preliminary  
19 staff assessments of alternative technologies that might  
20 reduce the water consumption of the projects and why  
21 alternatives are not feasible.

22 I had a statement about regarding farmland two, if I  
23 understand correctly, these projects, Black Rock  
24 particularly will permanently convert seven acres of prime  
25 farmland to industrial use. And all the projects, I believe

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1 if I understand correctly, convert farmland to statewide  
2 importance. The applications describe the impacts as an  
3 insignificant percentage of the vast amount of farmland in  
4 this region. And I would just say again to staff, we look  
5 forward to seeing staff's analysis in its preliminary staff  
6 assessment of farmland conversion, including some  
7 discussion explaining the law on the proper threshold of  
8 significance for determining the impacts of farmland  
9 conversion. And of course it goes without saying that if it  
10 looks like there is going to be some potentially  
11 significant impact in farmland or anything, either  
12 mitigation or evidence in the record that the energy  
13 commission's going to need to make a finding of overriding  
14 considerations and regarding biological impacts the same,  
15 we look forward to a robust analysis of impacts to  
16 biological resources, including any impacts to wetlands.

17 Now let me open it up to the committee members  
18 starting with chair ho shield on whether they have any  
19 comments or questions for any of the parties.

20 CHAIR HOCHSCHILD: I do have a question for the  
21 applicant. This is just about the improvement in  
22 efficiency. It's been, as I mentioned, I think 10 years  
23 since we've had a geothermal project built in this county  
24 and over 40 years since your first geothermal facility was  
25 built here. Can you provide a little bit of color on the

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1 efficiency improvements in the technology?

2 MR. ELLISON: I'm going to refer that question to John  
3 Trujillo.

4 MR. TRUJILLO: Good afternoon. Jon Trujillo J-O-N.  
5 Trujillo. T-R-U-J-I-L-L-O. BHE renewables. What I would've  
6 to say is compared with our existing facilities, which do  
7 carry with it some 30 and 40 year old technology, when you  
8 look at the brine efficiency, so for every pound our unit  
9 of mass of brine that comes up out of the ground along with  
10 the steam associated, we anticipate and have designed these  
11 facilities to capture roughly another 20% of that energy  
12 with that each unit of brine that's produced. So we're  
13 striving to be efficient in every way possible. I would  
14 also say that we look towards mechanisms like variable  
15 speed pumps and motors to help reduce the overall house  
16 load or parasitic load that helps to pump that brine back  
17 down in other aspects that support the facility.

18 CHAIR HOCHSCHILD: And what specifically about water  
19 use efficiency, do you expect to be able to use less water  
20 than the earlier versions? I mean, you're going to have to  
21 buy the same amount of water from Imperial per megawatt  
22 hour.

23 MR. TRUJILLO: There's one part where we really don't  
24 have much control is that dilution water. And that really  
25 is based upon the natural resource itself. The salts and

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1 dissolved minerals that come up with this geothermal fluid  
2 can provide great opportunity, but they also have to be  
3 managed so that we can make this process sustainable. And  
4 so for each percentage of dissolved solids and salts that  
5 come up, we over a certain threshold have to add additional  
6 water to keep the process flowing. And so it is a  
7 challenge, but we are certainly looking at alternative  
8 methods in every efficiency that we can that's viable. So  
9 thank you. Thank you

10 HEARING OFFICER LEE: Commissioner McAllister.

11 COMMISSIONER McALLISTER: I appreciate that answer. I  
12 guess maybe I'm going to ask you to speculate a little bit,  
13 but these projects are defined as generation only and I'm  
14 not taking advantage of the mineral resource in the brine,  
15 but if at some point you determine that there's value in  
16 some of those resources that are dissolved in the brine  
17 with that, what sort of exploiting those resources decrease  
18 the water requirement of the plant?

19 MR. TRUJILLO: It depends on the technology that's  
20 developed to recover. I assume lithium is on top of mind  
21 for everyone, but other minerals. So it really is, I'd have  
22 to say is too speculative to determine whether would, how  
23 it would impact water. It really is dependent upon the  
24 technology that's selected for a commercial application  
25 there.

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1           COMMISSIONER McALLISTER: I had another question just  
2 about the dispatch really of the plant. I think you've  
3 characterized them this technology, high capital, base  
4 load, 24/7 resource and that agree with that. In  
5 California, we do have a unique evolution. Obviously we're  
6 going to electrify a lot, we're going to build load, so  
7 there's going to be just increasing demand for electricity  
8 and reliable electricity. But we also do have a serious  
9 need for ramping resources. And so in the shoulder seasons  
10 when there's not as much load because the weather isn't so  
11 extreme, so there's not a lot of heating, not a lot of  
12 cooling. And so we have a lot of solar that's going to  
13 grow. So during the day in those shoulder months, it could  
14 be that we actually don't need a lot of baseload, but we  
15 will always need ramp. And so I'm wondering if this is a  
16 traditional steam cycle, so just getting its heat from the  
17 ground instead of from combustion, but could you talk about  
18 the technology's ability to ramp up and down in how much  
19 and in what timescale?

20           MR. TRUJILLO: Sure. Right now we do have to respond  
21 when there are challenges on the grid, either a capacity  
22 load issue or something else going on there and we're able  
23 to respond up and down somewhat, but it isn't something  
24 that from an operational standpoint we desire. The nature  
25 of this brine is not only corrosive but also very scaling.

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1 And so when you vary that flow of fluid as well as those  
2 scaling brines, that can have an impact on the process that  
3 causes us to become less reliable on the long, long-term.  
4 So that scale will build up and it can, when it's cycled up  
5 and down causes, sorry, this fly is something else. So it  
6 is something that we have evaluated, but I think for the  
7 long-term viability of these projects, we are looking at 40  
8 year lives for these and delivering a high level of  
9 availability compared with most of the resources,  
10 especially renewable. While I fully recognize the desire to  
11 dispatch and ramp up the nature of this brine doesn't lend  
12 itself to that being optimal.

13 HEARING OFFICER LEE: Commissioner Gallardo, go ahead.

14 COMMISSIONER GALLARDO: Yeah, I have a couple  
15 questions for the applicant. So you started out the  
16 presentation with a land acknowledgement of this being  
17 traditional territory of the Kwaaymii, Cahuilla and Quechan  
18 tribes. And then I also noticed the mud pots were shown in  
19 the video at the beginning, which as far as I understand  
20 have significance to the tribes. So I was curious if there  
21 are any actions you're taking to preserve those areas like  
22 the mud pots, Obsidian Butte, et cetera, if you're able to  
23 speak to that at all.

24 MR. ELLISON: Commissioner Gallardo. Yes, we certainly  
25 can speak to that, but let me speak to it in two ways. One

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1 is to talk about what we've already done and the other is  
2 to look forward to what we hope to do going forward. And  
3 what we've already done is first of all to locate the  
4 projects to cite them within the general region as much as  
5 possible to avoid tribal resources. And that was a  
6 significant factor in choosing the particular acreage for  
7 the location of the projects. Secondly, we have gone out  
8 and hired Jacobs and in a moment, I'm going to turn it over  
9 to Jerry Salamy to summarize, but hired professional  
10 cultural resource experts to go out and do all the required  
11 surveys that are required in the application, which the  
12 Commission has accepted as data adequate. And they have  
13 done that and Jerry can describe what those conclusions  
14 have been.

15 And that sort of sets what our legal obligation under  
16 CEQA is, is to mitigate any significant adverse impacts of  
17 our projects. But we're also very aware, looking forward to  
18 the AB 52 process and the whole consultation with the  
19 tribes that the Energy Commission is leading and we are  
20 already engaged in setting up meetings at the highest  
21 possible level. The president of our company is going to  
22 meet with the tribes hopefully next month and discuss with  
23 them their concerns and what we might be able to do. And in  
24 addition to that, we expect to be involved and look forward  
25 to being involved in the Energy Commission's tribal

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1 consultation process.

2 And the last thing I would say, and this was  
3 emphasized in our presentation before I turn it over to  
4 Jerry, is that we are serious about providing jobs and  
5 economic opportunities to the tribes apart from the tribal  
6 cultural resource questions. And so for example, one of the  
7 things that I'm sure we will do is have tribal monitors  
8 watching everything we do and that's a job for tribal  
9 people that both protects cultural resources as well as  
10 provides jobs. So with that, let me ask Jerry Salamy to  
11 discuss the work that Jacobs did.

12 COMMISSIONER GALLARDO: That'd be great. I also had  
13 the question about the tribal jobs, if someone could  
14 elaborate on that as well. Thank you.

15 MR. SALAMY: Hi, this is Jerry Salamy. J-E-R-R-Y S-A-  
16 L-A-M-Y. We, as Chris mentioned, we performed the requisite  
17 surveys for CEQA where we sent qualified archeologists out  
18 in the field to survey the project site. There were a few  
19 parcels that, as mentioned by the staff, had vegetation on  
20 them, so ground visibility was limited to zero, so we're  
21 going to go back out and conduct additional surveys to  
22 close that data gap. The results of these surveys are  
23 historic research or architectural research that we can  
24 conducted indicated that there were no significant impacts  
25 expected from the three projects.



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1           COMMISSIONER GALLARDO: Does that conclude the  
2 response?

3           MR. SALAMY: Correct. Alright.

4           COMMISSIONER GALLARDO: And then is it possible to get  
5 a little bit more information about those jobs that you  
6 mentioned that are going to tribes being targeted for  
7 tribes?

8           MS. KNAPP: Certainly. This is Alicia Knapp. I did not  
9 spell my name earlier. So it is A-L-I-C I-A K-N-A-P- P, and  
10 the engagement with tribes, part of that is understanding  
11 what may be some of the perceived barriers to the jobs, the  
12 230 jobs that my colleague Dan mentioned earlier, that we  
13 have on site right now and how to remove those barriers or  
14 facilitate people gaining the skills that they need to do  
15 the jobs on the site, including in the tribal communities  
16 around the site. And so that's the first step is  
17 understanding what would that barrier maybe be right now  
18 and how do we create the connections with the Imperial  
19 Valley Community College and some of the programs that we  
20 have there to make sure that our tribal communities are  
21 also included in that training and given those  
22 opportunities and really the same preference for jobs on  
23 site as the rest of the local community. So really being  
24 aware that that may have been a barrier is the first step.  
25 And now we're in the process of working on ways to improve

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1 with our current operations as well as potential future  
2 plants. And I would invite Bari, who's been quite involved  
3 in our tribal engagement plan to add more there.

4 MS. BEAN: Sure. Bari Bean, B-A-R-I B-E-A-N. So we've  
5 been collaborating in both Coachella Valley as well as the  
6 Imperial Valley region to build relationships with the  
7 tribes that are in this area. Some of the conversations  
8 we've had have been on sharing opportunities for renewable  
9 development and where that interest is for partnerships. We  
10 absolutely want to be a partner and provide those  
11 opportunities. We've also been starting to partner with  
12 AISES, American Indian Science Engineering Society and  
13 that's something that we along with some of our other BHE  
14 colleagues participate in. We'll be attending that and  
15 that's an opportunity where we're able to network with  
16 other American Indian students as well as create mentorship  
17 opportunities. We do have a mentorship program within the  
18 BHE operations and so we extend that to American Indian  
19 students who are interested in being a part of that with  
20 our teams. So we look forward to attending that this fall  
21 as well as we've extended those opportunities for  
22 scholarships to the local tribes here in this area to be  
23 able to attend and have travel scholarship opportunities to  
24 be at that conference and at that event.

25 COMMISSIONER GALLARDO: All right, just one more

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1 question on that note. Thank you for that insight. I was  
2 curious if, do you know if any members of tribes are  
3 enrolled in the current program at the Imperial Valley  
4 College? I know at least one of the courses is moving  
5 forward and that might be a better question for  
6 (indiscernible) who I heard was in the room, but I was just  
7 curious if you're aware, it sounds like you're trying to  
8 make sure that they're accessible, but if there's any other  
9 type of movement to support and make sure that they're  
10 aware.

11 MS. BEAN: So we are additionally creating  
12 scholarships for those programs at IVC. We're going to be  
13 offering ten, one thousand dollars scholarships that will  
14 cover almost the entire cost of that tuition, which is  
15 \$1,500 for the year. And we'll be extending that  
16 opportunity as soon as the scholarships are available to  
17 all of the tribes in the area to participate in those  
18 certificate programs.

19 COMMISSIONER GALLARDO: Thank you. And those are  
20 specifically for members of tribes?

21 MS. BEAN: Correct.

22 COMMISSIONER GALLARDO: Okay, appreciate that. I do  
23 have one more question. I think you mentioned at the  
24 beginning, sorry, I lost the generation will power 265,000  
25 homes. I think I also saw 250,000 homes, but we get the

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1 picture. So can you elaborate a little bit more on that and  
2 what that actually means?

3 MR. TRUJILLO: I guess just to maybe make sure to  
4 clarify. Yeah, what we're looking at here is actually a  
5 reference to baseload power from CAISO, so 750 homes per  
6 megawatt. And you're exactly right, the picture there is  
7 just on the rounding between 2500200- 265,000. It's our  
8 attempt to make megawatts sound tangible to someone who's  
9 not living and breathing those in the place, living and  
10 breathing that every single day. And so really it may be  
11 different than that solely based on of course house usage  
12 but also if there are industrial customers from utilities  
13 or other types of power consumers that are not homes. So I  
14 hope that answers the question. Happy to clarify if there's  
15 more there.

16 HEARING OFFICER LEE: Yeah, can I ask a follow up on  
17 that? Do the applicants can intend to use this for  
18 baseload? Is that the foreseeable usage of these projects?

19 MR. TRUJILLO: We intend to deliver this power to  
20 CAISO to, California Independent System Operator, and serve  
21 it as based load, yes.

22 MR. ELLISON: And actually I'm going to take an  
23 opportunity to say something related which is that to get  
24 the power to the CAISO once we deliver it to IID's grid,  
25 there are some significant upgrades necessary from that

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1 point to get to the CAISO and Berkshire has at least in  
2 discussions, been willing to privately fund that and to be  
3 in charge of developing a major transmission line to the  
4 ISO that will serve not only our own projects but other  
5 people's projects as well. And the tax benefits, job  
6 benefits and everything that we've talked about don't  
7 include that separate project. It's not in front of this  
8 Commission, it's permitted separately and so we typically  
9 don't discuss it. But it's necessary for the region and we  
10 are actively participating and anticipate funding it.

11 COMMISSIONER McALLISTER: I appreciate that foray and  
12 the transmission. Has that project been discussed within  
13 the latest CAISO transmission plan?

14 MR. TRUJILLO: It is within Imperial Irrigation  
15 District's balancing authority. So it would deliver to a  
16 CAISO point. So we have had some discussions with CAISO but  
17 I couldn't answer that specifically.

18 COMMISSIONER McALLISTER: But it's on the radar  
19 between balancing authorities

20 MR. TRUJILLO: Certainly.

21 COMMISSIONER McALLISTER: Yeah, any additional  
22 information you can sort of give 'em status update on that,  
23 that'd be helpful.

24 MS. KNAPP: We don't have anybody here from the  
25 transmission team today because we were focused on the

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1 application before us today, but certainly we can get that  
2 additional information.

3       Could I also, I think just to close out on  
4 Commissioner Gallardo's question regarding the numbers,  
5 just add a little bit more clarity. The numbers that we  
6 were presenting were intended to give perspective on how  
7 much energy we're generating from the geothermal plants and  
8 so to say the plants are generating enough energy to power  
9 approximately 250,000 homes. That is I think was shown in  
10 one part of the presentation that's using a net generation  
11 number. And then the 265,000 was using a gross generation  
12 number. So apologies that might've been a little confusing,  
13 but that's what it was intended to convey.

14       CHAIR HOCHSCHILD: Commissioner Gallardo, I had one  
15 additional question, if that's okay. I just wanted to ask  
16 about the prospect.

17       And this is for you, Ms. Knapp, of lithium production  
18 co-located with the geothermal. I know that's not announced  
19 within the scope of this, but you did receive a grant from  
20 the California Energy Commission to do a pilot project  
21 around lithium production. I know you've been looking at it  
22 closely. Could you just speak to the likelihood of that  
23 activity occurring ultimately on site at these three  
24 facilities?

25       MS. KNAPP: I certainly can. And I would start with,

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1 thank you. I know Commissioner Gallardo was very involved  
2 in the Lithium Valley Commission and certainly for the  
3 California Energy Commission funding, the \$6 million grant  
4 for the lithium demonstration project, lithium recovery  
5 demonstration project that we're undertaking. And that is  
6 separate from the geothermal projects, as you know. And the  
7 stage of that project is we are testing technology to  
8 recover lithium from the brine right now and it, it's very  
9 much an information gathering stage right now. And so to  
10 know that we can produce lithium from the brine is one  
11 thing, but to know that we can do it in a way that's  
12 environmentally friendly and sustainable and economically  
13 feasible is another. And that's the effort that we're  
14 undertaking. And so I can't give you a likelihood of  
15 success on it. We don't have enough information yet. The  
16 stage that we are in right now is testing the technology to  
17 recover lithium from the brine and the second stage will be  
18 then to convert that product that we're recovering into  
19 battery grade lithium.

20 And so we really have a lot more work to do before we  
21 can assess the level of certainty that we'll be able to do  
22 that in a commercially feasible and environmentally  
23 friendly manner. We certainly expect to be able to, and  
24 that's why we've undertaken the project, but definitely  
25 need to complete the work and prove that not just to

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1 ourselves but to many of the people in this room and to  
2 yourselves within the commission that that's a project that  
3 we can move forward. So we have a lot more work to do  
4 before we can put odds on that.

5 CHAIR HOCHSCHILD: Thank you.

6 HEARING OFFICER LEE: Okay, that concludes discussions  
7 with the parties. And can I see the next slide please?

8 So we're moving on to public question and answer. And  
9 we want to open the floor to the public to ask questions  
10 and we'll see if somebody here, some d a staff or applicant  
11 can answer those. So if you're in the room, I think the  
12 best way to handle this is to just go ahead and line up at  
13 the podium. And if you're on Zoom you can use your raise  
14 hand feature now the open palm or if you're on Zoom on the  
15 phone, that's star nine. And the way to do it is to limit  
16 questions to two per person and if you have more questions  
17 than that you can finish your questions and then if we have  
18 time at the end we can circle back and if we have time for  
19 more questions and eventually we're going to have to move  
20 on to public comment. But do we have any questions in the  
21 room?

22 Yeah, we're going to run question and answers separate  
23 from public comment to distinguish it. Questions and answer  
24 will be a time where you can ask questions and we'll try  
25 and get the answers for you and eventually we'll be taking



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1 a public comment and that's where you can officially put  
2 your comment on the record of this proceeding. So let's  
3 start.

4 Yeah, and please if you speak, don't forget to say and  
5 spell your name for the record. Please go ahead.

6 MS. COYLE: Thank you very much. My name is Courtney  
7 Coyle, C-O-Y-L-E. I have two questions, one about  
8 alternatives and the other about cultural resources. I'll  
9 go first with the alternatives, kind of expanding on the  
10 data requests. Number 16 from today from staff wanting to  
11 understand what factors or criteria drove the siting of  
12 these three facilities on the site visit today. Each of  
13 them was very close to cultural features within the Lake  
14 Cahuilla cultural district and we're very concerning and  
15 just wanting to understand how much flexibility you might  
16 have in the siting to increase the buffers to these  
17 locations. And of course we'll continue with our  
18 consultation with the CEC staff but just wanting to  
19 understand that and that a robust alternatives analysis  
20 will occur in the environmental review that staff is doing.  
21 So that's my question number one.

22 HEARING OFFICER LEE: Okay, why don't we take that one  
23 first and I think probably applicant would be in the best  
24 position to answer that.

25 MR. TRUJILLO: The primary reason for the location of

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1 these facilities is the geothermal resource itself. Our  
2 evaluations on where the highest efficiency of production  
3 would occur as well as trying to minimize the impacts of  
4 both environmental and cultural. Is

5 MS. COYLE: That all that I'm going to get? That's not  
6 really criteria, it's kind of very general statement. Is  
7 there anything more detailed?

8 CHAIR HOCHSCHILD: Could I intervene? what is the  
9 distance for, is it Black Rock that was adjacent to  
10 Obsidian Butte? Exact distance? What is the buffer today?

11 MR. TRUJILLO: We don't have - Just double checking.  
12 Yeah, we don't have the exact distance but we can certainly  
13 get back to you on that.

14 MR. ELLISON: And if I can add data request was just  
15 filed today and we haven't seen it so we'll be responding  
16 to it in due course and perhaps can provide additional  
17 information then, but we can't really tell you more than we  
18 just did.

19 CHAIR HOCHSCHILD: Okay. Yeah, if you could respond  
20 with the current buffer that would be helpful.

21 HEARING OFFICER LEE: This does staff have anything  
22 they can add to that question?

23 MR. KNIGHT: I think Gabriel Roark is going to come to  
24 the mic here in a second. Maybe they answer the question  
25 about distance (indiscernible) view, but maybe the basis

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1 for the question, obviously CEQA a requires that there be a  
2 consideration of alternatives to the project and to its  
3 location. If the location of the proposed site is an issue,  
4 there's a significant impact that might be mitigated by  
5 moving the project to a different location, reconfiguring  
6 it. So I guess we were trying to understand the factors  
7 that went into the decision to locate it where it did. So  
8 if there's information that we would know that would speak  
9 to the feasibility of relocating certain elements, we would  
10 know that information.

11 MR. ROARK: Hi, this is Gabriel Roark from CEC staff,  
12 G-A-B-R-I-E-L R-O-A-R-K. The Black Rock project site is  
13 within a couple hundred feet of Obsidian Butte, a couple  
14 hundred east of Obsidian Butte.

15 HEARING OFFICER LEE: Thank you.

16 MS. COYLE: I'll just look forward to seeing that  
17 analysis and hoping that the alternatives will consider the  
18 cultural resource buffering.

19 My second question related to what I heard from Mr.  
20 Salamy about the additional work that might be happening  
21 for archeology. Will there be qualified Native American  
22 monitors on that, wasn't a hundred percent clear to me if  
23 those were on the prior archeological surveys. And also  
24 noting that I don't think there have been any tribal  
25 cultural resource analyses done for the features within the

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1 district. That's different than archeology. And noting that  
2 the information requests for today mention that there'd be  
3 33 to 50 foot transects. That's really, really wide. You're  
4 going to miss a lot of potential resources there. Five foot  
5 is probably more appropriate, but just wanting to  
6 understand the criteria for that future work. Thank you.

7 MR. SALAMY: This is Jerry Salami, J-E-R-R-Y S-A-L-A-  
8 M-Y. We would likely not use tribal monitors for this work.  
9 What we would be looking for is any type of archeological  
10 or cultural resource material - stone flakes, things of  
11 that nature. And they're going to be, the surveys are going  
12 to be in existing ag fields. So that's primarily the reason  
13 why we didn't cover them the first time.

14 MS. COYLE: Right. I just know that that doesn't  
15 really answer my second question. In California it's common  
16 and, in fact it's usually required to have qualified tribal  
17 monitors whenever you have archeological folks out there on  
18 the ground. So I would encourage you to revisit that issue.  
19 And yes, it might be disturbed ag land, but that doesn't  
20 mean that there aren't archeological and tribal cultural  
21 resources there. They often occur in disturbed context in  
22 Southern California. So I would just ask that you consider  
23 that. Thank you.

24 MR. SALAMY: Will do. Thank you.

25 HEARING OFFICER LEE: Yeah, thank you. And for the

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1 next person, please stand up to the podium and remember to  
2 state and spell your name for the record and state any  
3 affiliation. And also I would like to again kind of  
4 distinguish between the question and answer period and the  
5 comment period. So you can ask your question, we'll give  
6 you the best answer and if you have some comments on that,  
7 you can go ahead and bring that up again at the comment  
8 during the public comment period. Please go ahead.

9 MR. MEZA: Hi, my name is Hector Meza, H-E-C-T-O-R M-  
10 E-Z-A. I'm a resident of Brawley, journeyman electrician  
11 and a union rep for IBW 569. And my question is to BHE, I  
12 want to know if there's a project labor agreement, a  
13 maintenance agreement with the building trades and if not,  
14 what's stopping them from signing one?

15 MS. KNAPP: Thank you for your question. We are in the  
16 process of negotiating project labor agreement and so there  
17 is nothing in the way of signing one other than completing  
18 that process.

19 MR. MEZA: Including a maintenance agreement.

20 MS. KNAPP: That's part of the negotiation.

21 MR. MEZA: Okay, thank you.

22 MS. KNAPP: Thank you.

23 HEARING OFFICER LEE: Next question, please.

24 MR. BLAIR: Hello. James Blair. J-A-M-E-S B-L-A-I-R.

25 And yeah, my question is about the number of jobs. So I

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1 know that there's been mentioned roughly 200 jobs or so,  
2 but I noticed that in the state tax exclusion incentives,  
3 BHE listed 25 jobs. So I was curious why there's that  
4 disparity and whether it includes more permanent  
5 maintenance jobs, too.

6 MR. TRUJILLO: So, I assume, Mr. Blair, you're  
7 referring to our most recent CAEATFA award for the Elmore  
8 North project.

9 MR. BLAIR: Sorry. Yeah, so what was reported was  
10 around \$20 million of tax incentives that BHE was awarded.  
11 I thought it was for all three, but I could be mistaken, so  
12 please correct me if wrong.

13 MR. TRUJILLO: Sure, yeah. So we filed, were awarded  
14 roughly, and these are using the sales tax percentages for  
15 Imperial County, approximately \$14.6 million for the Black  
16 Rock project last year in 2022. And this year \$18.6  
17 million. The differential being the state average is higher  
18 than Imperial Counties for the sales tax, \$18.5 for the  
19 Elmore North project.

20 And so I believe the 25 jobs that you're referring to  
21 are specifically with that application for the Elmore North  
22 project. That only accounts for about 50% of the equipment  
23 in the project itself. From the application there is a cap  
24 that you had mentioned there and that's related to that  
25 state average that results in a \$20 million sales tax

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1 exemption.

2 So essentially what we're doing is that 25 jobs  
3 multiplies. On each one of the applications here we have 61  
4 listed and really what the difference there is primarily  
5 how those are calculated within these two different  
6 applications between the 50 and 61. But so we would expect  
7 that same ratios or similar ratios with both the Black Rock  
8 that was filed. It's actually a little bit different. I  
9 don't believe that we were had to divide the project in  
10 half because it's the smaller the three facilities.

11 MR. BLAIR: Thank you for clarifying.

12 MR. TRUJILLO: Sure thing.

13 MR. REYES: Eric Reyes, E-R-I-C R-E-Y-E-S. Executive  
14 director Los Amigos de la Comunidad, Inc Environmental  
15 Justice Organization here. My question is I want to thank  
16 the Commission for flagging a major issue of the water  
17 source and how will we continue. And then the question is  
18 have we factored in climate change, one and two existing  
19 permits, control thermal resources already has the 250  
20 megawatt permit that's going to use a tremendous amount of  
21 water. Has that been factored into where we're at and we  
22 were in a presentation at BHE with the California Natural  
23 Resources Agency, Wade Crowfoot and we all had the same  
24 issue. Our industrial water cap by the Imperial Irrigation  
25 District is already at its extreme point with the existing

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1 permitted projects that are coming forward. How is that  
2 factored into your calculations, not even discussing  
3 lithium extraction later? Thank you.

4 MR. TRUJILLO: Mr. Reyes, I would say that of the  
5 approximately 25,000 acre feet that are allocated in IID's  
6 industrial water supply that I know of, there's  
7 approximately 5,000. I'm using a very round number there. I  
8 don't have the exact number, but when you look at that,  
9 that leaves approximately 20,000. I apologize for using  
10 rough terms here, but what we're seeking is approximately  
11 13,000. So seeing additional space within that allocation  
12 for new projects. I can't speak to other applications or  
13 developers.

14 MR. REYES: Thank you. But like I said, that did not  
15 answer my question of there is already permitted  
16 allocations as well. Thank you.

17 MS. KNAPP: If I could just add, we're not aware of a  
18 project, 50 megawatt permitted project, where we would be  
19 able to look at an allocation to that project, so we can  
20 certainly take that away and see if there is such a project  
21 that's been permitted.

22 MR. BABULA: Mr. Lee, can I just say something before  
23 this person?

24 HEARING OFFICER LEE: Yes, please.

25 MR. BABULA: Yeah, this is Jared Babula, staff



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1 counsel. And I just want to let the people know that a lot  
2 of the questions and concerns you've raised.

3 (Technical difficulties.)

4 Okay, let's try that again. So a lot of the questions  
5 you've raised staff is raising and the applicant will be  
6 submitting detailed written responses (audio cut out)  
7 docket, so if you are not able to get, it may be submitted  
8 in the docket in response to staff's data request. So just  
9 keep that in mind. Thank you.

10 MR. ELLISON: And I would second that, but I'll also  
11 add that the Imperial Irrigation District is doing a formal  
12 water supply assessment and we are cooperating with them in  
13 that and I'm sure that they will take into account all of  
14 the various questions that have come up and that will be a  
15 very important filing in this proceeding to inform both the  
16 staff ourselves and any interested party what the water  
17 issues are.

18 HEARING OFFICER LEE: Yeah. Next question, please go  
19 ahead and state and spell your name and state any  
20 affiliation.

21 MR. OLMEDO: My name is Luis Olmedo, L-U-I-S. Last  
22 name is O-L-M-E-D-O. Is it restricted to just questions or  
23 can I also make a comment?

24 HEARING OFFICER LEE: We'll have a separate comment  
25 period. And for clarity of the record, we'd like to

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1 separate the questions from the comments.

2 MR. OLMEDO: Understood. My question is actually on  
3 the jobs, we're very much in support of labor agreements,  
4 we create good jobs, certainly unions have the expertise.  
5 And so my question is, because I'm from Imperial Valley,  
6 we've had friends and family often hired from contractors  
7 to do maintenance types of jobs, and I'm talking in large  
8 numbers. Does BHE will continue to hire contractors to do  
9 their annual or biannual, I don't know how many times it  
10 does, its maintenance from local companies that are not  
11 covered under labor agreements. And how many of those jobs  
12 factor into your overall jobs that BHE takes credit for  
13 creating? If that's not clear, I can maybe go a little bit  
14 further.

15 MS. KNAPP: No, thank you Mr. Olmedo. That is clear.  
16 The jobs that are reflected in our number are permanent  
17 jobs, and so it would not include the seasonal workforce  
18 that you're referring to that would oftentimes be  
19 contractors currently. And the split between contractors  
20 that may be non-union and union labor is part of the PLA  
21 negotiation. And so I can't speak to what that would be  
22 just yet, but we are certainly working with building trades  
23 on all of those details and look forward to completing that  
24 agreement hopefully soon. Thank you.

25 HEARING OFFICER LEE: Please go ahead.

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1 MR.MILANOVICH: Good evening. Sean Milanovich, S-E-A-N  
2 M-I-L-A-N-O-V-I-C-H. I am a member of the Agua Caliente  
3 Band of Cahuilla Indians. I am also the vice president for  
4 the Native American Land Conservancy. My question is these  
5 Geothermals projects are life-changing. They can bring a  
6 tremendous amount of energy to the community, but yet we  
7 don't have the community represented here. We do not have  
8 the tribal people here. Why were they notified at such a  
9 late time period? Why were they not brought in years ago?  
10 Because this project isn't anything new. It's been, I'm  
11 sure this project has been in review for years and just in  
12 the planning and making of it, but the tribes are not  
13 involved as of yet. I want to know why I think they should  
14 be. I'm a member of the tribe. I'm invested here in this  
15 land. This is my community, but yet we weren't notified. So  
16 that's what I want to know.

17 HEARING OFFICER LEE: Yeah, thank you. I think I can  
18 start addressing that. This application was filed with the  
19 Energy Commission in April and it went, underwent an  
20 initial review period for data adequacy that the Energy  
21 Commission just determined that the application was  
22 complete in late July. And so this is the first event of  
23 many events that will be occurring over the next year or  
24 so. And so you are in the right place to start engaging  
25 with the Energy Commission and the applicant and the

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1 parties about this project.

2 Would any of the parties would a staff like to respond  
3 to that?

4 MR. KNIGHT: I was going to ask Gabriel Roark, staff's  
5 assistant tribal liaison for the siting division to address  
6 that.

7 MR. ROARK: Sure, Sean. I can (indiscernible)  
8 committee parties, I can speak to that. Unfortunately, we  
9 did have a mix up with tribal letters after the  
10 applications achieved data adequacy. They did go out on  
11 August 18th, which relative to this date is a little bit  
12 later than we would've liked. It just so happens that the  
13 first batch of letters went to the wrong addresses. So on  
14 behalf of staff, I apologize for that happening. That's  
15 where we're -

16 COMMISSIONER GALLARDO: May I ask you a question? You  
17 were able to find out about the event, and I apologize that  
18 we didn't get, it wasn't wider spread the information. And  
19 as Gabriel said, that is on us, but I'm curious how you did  
20 find out if there is an effective mechanism that we can use  
21 more of that would be helpful to make sure that the tribes  
22 are informed.

23 MR. MEZA: Yes, my Aunt Carmen Lucas invited me.

24 COMMISSIONER GALLARDO: Got it. Okay. Thank you,  
25 Carmen, for doing that and thank you for speaking up and

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1 letting us know.

2 CHAIR HOCHSCHILD: Yeah, I'd just like to, I apologize  
3 you were not notified. That's something we actually try  
4 quite hard to do. We do have a tribal office in addition to  
5 Gabriel's work at the Energy Commission, but maybe Gabriel,  
6 could you just come back up and say which tribes you were  
7 reaching out to for this? Do you know off?

8 MR. ROARK: Let's see. There are several. La Posta  
9 Band of Mission Indians, Carmen Lucas of Laguna Band of  
10 Mission Indians, Agua Caliente, Torres-Martinez Quechan  
11 Indian Tribe, and let's see, Campo and maybe Sycuan.

12 CHAIR HOCHSCHILD: Okay. And then these are sending  
13 emails basically or phone calls?

14 MR. ROARK: No, these were sending letters.  
15 Letters. Okay.

16 Okay. Yeah, yeah. And again, the first batch which  
17 went out a week earlier, somehow they all ended up piling  
18 up on (indiscernible) One Drive. Thankfully they reached  
19 out and to me and let me know that they received everyone's  
20 letters and we had our mail room correct that and send out  
21 all 33 letters to the approximately 13 tribes that we  
22 contacted.

23 CHAIR HOCHSCHILD: 13 tribes.

24 MR. ROARK: Thereabouts. Yeah.

25 CHAIR HOCHSCHILD: That's helpful. Okay, thank you.

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1 MR. ROARK: You're welcome.

2 COMMISSIONER GALLARDO: One more thing Gabriel, are  
3 you able to clarify when comment is due? Do the tribes  
4 still have time to comment? May they request consultation?  
5 Apologies to put you on the spot, but I think it would be  
6 helpful to have that clarified a little bit.

7 MR. ROARK: Yeah, no problem. That was covered  
8 partially in the staff presentation, PA's presentation. We  
9 asked for an initial response within about 30 days of  
10 receiving the letter, so that would be about September  
11 18th. If tribes respond a little bit later, that's not a  
12 problem for us to bring them into the consultations, but we  
13 prefer to put a little bit of urgency to the matter so that  
14 we can have the maximum amount of consultation time with  
15 tribes.

16 COMMISSIONER GALLARDO: Thank you.

17 MS. KNAPP: Could I add to just a little bit to the  
18 respond to your initial question - questions. So don't go  
19 away. I was informed of the delay in some of those notices  
20 that went to the tribes today. And I understand that as it  
21 was so close to the event, our team was contacted to find  
22 out if there was room both in this room and on the buses,  
23 the tour buses today, for additional tribal members that  
24 had been notified late and said, "Absolutely". We'll  
25 certainly make sure that there's enough room. It is very

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1 important to us that the tribes are engaged in this process  
2 and as we talked about the timing constraints around the  
3 project a little bit early on, but I think it might be  
4 helpful to know that geothermal energy producing,  
5 developing new geothermal plants hasn't made economic sense  
6 in California. These plants haven't, for several years, and  
7 it was really the California Public Utilities Commissions  
8 determining that additional base load generation was needed  
9 in California that was clean and that happened in 2021 and  
10 that really created the opportunity for us to start to look  
11 at these projects and our ability to develop the projects  
12 by the original deadline, which was in the middle of 2026.

13 And that deadline was extended to 2028 in a subsequent  
14 order. And so these projects definitely were not in the  
15 process of being developed for years because they haven't  
16 made sense to develop. They've had to compete with solar  
17 generation for a long time and so they've not made economic  
18 sense. And so now that there is a recognized need for clean  
19 base load generation in the state, we have really kicked  
20 into action to explore the opportunity to develop the  
21 plants and work on developing the application and go  
22 through this process. But it is a very time constrained  
23 process. And so I don't want you to think that this is  
24 something we've been working on for years and years. We  
25 really are moving quickly now, but want to make sure that

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1 we take time to engage the tribes and make sure that you  
2 feel like you have a part in the process.

3 And so we'll certainly make sure to do that. But I  
4 know that our commissioners have already apologized for the  
5 oversight and staff has apologized for the oversight. But I  
6 would also say even though we were not responsible for it,  
7 we certainly regret that it occurred and want to make time  
8 for plenty of consultation with the tribes. So thank you.

9 MS. LUCAS: I appreciate your comments. I'm not sure I  
10 understand everything. Number one, lemme ask, can you all  
11 hear me without my yelling at you? This is really a  
12 horrible experience for me personally. I'm 88 years old, so  
13 I know that a hundred years isn't really all that long. My  
14 nephew and I are people of the earth here. When you come to  
15 Southern California, you come to California Indians, we  
16 were never ceded this land. We never ceded it. They hid our  
17 treaties and refused to acknowledge that we exist.

18 We've been lost in the (phonetic) and I apologize for  
19 my speech. I'm old and I'm tired and I have had to take my  
20 medication so I might sound a little bad. I want you to  
21 understand in the Kwaaymii people especially, there are 12  
22 tribes in San Diego, for the Cahuilla people, there's at  
23 least right off the top of my head, I'm thinking five or  
24 six tribes as well. We have not gone away and I refuse to  
25 have our history washed away. So that's what I am here and



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1 I'm going to wait this out. But I think it's important that  
2 you understand I'm not a fool. We've been dazzled by the  
3 best. We are here to protect our ancestral remains in our  
4 history and our culture. Thank you.

5 HEARING OFFICER LEE: Thank you. And can we have your  
6 name?

7 MS. LUCAS: Say again?

8 HEARING OFFICER LEE: Can we have your name?

9 MS. LUCAS: I hope so.

10 I thought I said it when we began. My name is Carmen  
11 Lucas.

12 HEARING OFFICER LEE: Missed it.

13 MS. LUCAS: C-A-R-M-E-N L-U-C-A-S. I am a Kwaaymii  
14 Indian from Laguna Mountains. Kwaaymii is my homeland, my  
15 ancestral land. I can look down here and see the Salton  
16 Sea. I have an ancient trail that I have walked with my  
17 father down here. I have seen the ancient waterline on the  
18 Tamborine Mountains over here. My father loved that and  
19 continued to talk about it. So this whole discussion this  
20 evening, I'm sorry, but I'm a little angry and perturbed  
21 because it's disgusting things of modern time and we're  
22 forgetting who we are as human people. We're forgetting  
23 that the animals have taught us so much. We're forgetting  
24 about this environment and I don't know what you're doing  
25 down here, but you're ruining the environment. It is

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1 horrible. So I'll have more to say later. Hopefully I'm not  
2 here all night.

3 HEARING OFFICER LEE: Do we have any more questions in  
4 the room?

5 MR. LAKIC: I do have it. My name is Nikola, N-I-K-O-  
6 L-A Last name Lakic, L-A-K-I-C. I hope that I'll be able to  
7 comment later on, but as a part of the question, question  
8 part before I ask you a question, I would like to say I'm  
9 inventory of several breakthrough technologies in energy  
10 industry, geothermal, solar, hydro, and I'm monitor of the  
11 proposal for the restoration, the Salton Sea that  
12 incorporate all those systems into feasible self sustain  
13 lake environment.

14 Question, how many of you knows about my proposal for  
15 restoration of the Salton Sea? Raise your hand a little  
16 bit. Maybe. you read it. All five segments. Okay. I thought  
17 nobody's going to raise hand. I was going to say you make  
18 my case, but I will say about that a little bit on the  
19 comment question, but I was going to ask, how many of you  
20 really knows about complete design of the, because what I  
21 have solve all those problems what you have, I heard some  
22 discussion about timing.

23 When you're going to find answer for the lack of  
24 water, you can have really a long time and you'll never get  
25 it because you need water, which we don't have, and that

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1 water is allocated. It's only inflow for South Sea and  
2 you're taking for plane, even if it's somebody said 0.9%  
3 for evaporation or the South Sea is about 1 million acres  
4 feet per year. If you're taking a hundred thousand, that's  
5 10%. You say 1%. I believe it's really more than 13,000,  
6 but still the lake is dying. We don't have water, but you  
7 are taking it. So why not work together? I have solution  
8 that you can continue. Oh, I'm going too far. Then we can  
9 really join and work together. But I'll share my comment.  
10 I'm sorry. I was going just to ask you, how many of you  
11 knows about my proposal, but Sorry about it.

12 HEARING OFFICER LEE: Yeah, I'd like to remind  
13 everybody that this is a time for questions and not  
14 comments, but we will take that comment under submission.  
15 No need to repeat it during the comment period, but before,  
16 let me ask the applicant's if they any response to that.

17 MS. KNAPP: I believe it was two hands were raised  
18 unless there were ones behind me that had read the proposal  
19 or familiar with the proposal. I think that was the  
20 question is how many people were familiar with the  
21 proposal? Yes. Two. Two. Thank you.

22 HEARING OFFICER LEE: Yes, thank you. Go ahead with  
23 your question.

24 MR. SEPHTON: Oh yes I do in fact have a question. My  
25 name is Tom Sephton, T-O-M S-E-P-H-T-O-N. I'm a Brawley

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1 resident and I do actually have actually read an older  
2 version of Nikolas's proposal completely, and I do want to  
3 recognize that the tribes have been here for thousands of  
4 years on the shores of ancient Lake Cahuilla and the Salton  
5 Sea is not an accidental sea that first appeared in 1905.  
6 It's been a place of water for many thousands of years and  
7 the tribes have been part of that. But I have a question  
8 that was raised by a member of the Energy Commission and  
9 that's about dispatchable power. And the answer to that was  
10 entirely true that the geothermal steam cycle really needs  
11 to run very continuously. You can't turn it on and off  
12 quickly, but what you can turn on and off quickly is the  
13 actual generator, the steam turbine and the generator that  
14 can come on and off quickly and sometimes you have to do  
15 that when there's a trip.

16 So the question is have you considered, and Eric Reyes  
17 brought this up, a challenge of water availability. Have  
18 you considered the possibility of at some times when there  
19 is low power demand switching off the generating cycle and  
20 using the steam cycle to purify, distill with the heat of  
21 the geothermal system, impaired water that's locally  
22 available here that would help provide water supply for  
23 your process, help add to that or be a part of that 13,000  
24 acre feet per year that you need and would give you a  
25 certain amount of dispatchable power. You could have mostly

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1 base load, but you could do some dispatchable as well if  
2 you considered that option. So the question is have you  
3 thought about that? And if so, and you eliminated it, why?

4 Thanks.

5 HEARING OFFICER LEE: Applicants.

6 MR. TRUJILLO: I would say that there's always more  
7 that can be considered when we look at what the  
8 requirements are for the CPUC eligibility for delivering  
9 geothermal power and other base load sources like that,  
10 part of that requirement is 80% availability. When you  
11 start to take into account any type of D rates or  
12 curtailments to the grid, you start to work down that  
13 number. And so that limits the amount of buffer per se,  
14 that we'd be able to divert based on I guess over capacity  
15 of the grid at that point. The other challenge that we do  
16 have with that is the designs themselves. Typically  
17 whenever you have to divert steam away from the turbine  
18 generator that has to be vented. There's limited  
19 availability to then abate that steam and gases from there.  
20 And so we want to certainly respect the air quality by  
21 abating whenever possible.

22 MR. SEPHTON: Sorry, the concept that I was referring  
23 to would essentially not vent the steam but put the steam  
24 into a distillation process where it would be condensed as  
25 it is in your condensing turbines, but in a parallel

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1 distillation process that would condense all of that steam  
2 and produce manyfold additional pounds of water per pounds  
3 of steam. So I don't know if you've thought through that  
4 completely, but I hope you do.

5 MR. TRUJILLO: Thanks. Thank you for the comment and  
6 question.

7 HEARING OFFICER LEE: Thank you. I'm not seeing  
8 anybody else in the room with a question. I would, I think  
9 that to be respectful to the people who'd like to make  
10 public comments. Why don't we move on to the public comment  
11 period now and if you have a question, you can go ahead and  
12 ask it as your comments. I'm going to pass this to our  
13 Public Advisor to go ahead and run the public comment.

14 MS. BADIE: Good evening, this is Mona Badie. Again,  
15 the Public Advisor for the Energy Commission. The Energy  
16 Commission welcomes public comment. At this time we're  
17 going to take public comment from folks in the room. If you  
18 have not already given me your blue card, please come up  
19 and give it to me or you can also give it to Camden who's  
20 behind me. And we will also call on folks that raise their  
21 hand on Zoom. So if you're on Zoom online, you'll use the  
22 raise hand feature. It looks like an open palm on your  
23 screen and if you're joining us by phone via Zoom, you'll  
24 press star nine to raise your hand. So what I'll do is I'll  
25 call your name, I'll state the affiliation that you've

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1 stated and we ask that you approach the podium to make your  
2 comment. We are asking for comments to be three minutes or  
3 less so that we can make sure to hear from everybody and  
4 I'll call two names so you know you're going to be next.

5 So first we have Carmen Lucas, a Kwaaymii Laguna Band  
6 of Indians, and then after her we'll hear from Courtney Ann  
7 Coyle. Is Carmen still in the room?

8 Okay, great.

9 HEARING OFFICER LEE: Are we starting with public  
10 officials?

11 MS. BADIE: Yeah, I have those in the front of the  
12 deck, yes.

13 HEARING OFFICER LEE: Okay. Correct. And I just want  
14 to emphasize we will not be limiting comment on public  
15 officials to three minutes.

16 MS. BADIE: Okay. Please, Carmen.

17 MS. LUCAS: Good evening. Again, I hope this thing  
18 isn't blaring you out of your seats. I was slow getting  
19 here and I'm slow bringing my thoughts together here. I've  
20 made some notes. I'd like you to remember this when you  
21 reach 88, okay. Life gets difficult. Whoever said your  
22 golden years or your best years didn't live long enough to  
23 know what that was about. So again, my name is Carmen  
24 Lucas. I am the great granddaughter (indiscernible). I'm  
25 the granddaughter of Maria Alto. Maria Alto cared so much

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1 about her culture. She had it recorded as the Legend of the  
2 Cuyamaca Mountains as early as 1914. That was long before  
3 green energy or tribal co-management and all the buzzwords  
4 that we used today. It was because she really cared that  
5 this dominant society understand the culture of San Diego  
6 Indians. I am also the daughter, excuse me, of Tom Lucas.  
7 Tom Lucas was the last of the Kwaaymii Indian full blood.  
8 As you notice, I'm not full blooded. However, my  
9 spirituality and my religious beliefs are to the core of my  
10 Native American heritage. That's very different from what  
11 the dominant society today, most of you people that are  
12 sitting here believe in.

13         So we have very different philosophies. We want to do  
14 development because we have more people here. We have  
15 become such a spoiled society that if we were forced to do  
16 without electricity, we'd have to start building insane  
17 asylums because most people couldn't handle that  
18 emotionally. I'm dead serious on that. So we continued to  
19 impact the earth and the environment without regards to  
20 really thinking it through what are the long-term  
21 consequences from this? What do we learn from the past?  
22 Have we learned anything from the past? I don't know. I do  
23 know that I returned to my ancestral home in Laguna  
24 Mountains in June of 1976. I had retired from the Marine  
25 Corps in 1974. I stayed at Twentynine Palms and attended



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1 the College of the Desert there.

2       When I return to my home in Laguna Mountains, we don't  
3 have electricity and I have to pump my water and sometimes  
4 I feel sorry for myself because I have to walk down to the  
5 spring and carry a generator, fill water bottles. But I  
6 remind myself of my grandmother who had to do that with an  
7 noria. I remember my twin and I used to have the duty of  
8 carrying water by the bucket back up the hill and it was  
9 only half full by the time we got up there. So we had to go  
10 back and do it again. So I understand how precious these  
11 things are. I'm telling you this not because I want you to  
12 think anything other than the fact that if you were to give  
13 me a million dollars today in a nice home, do you think I'd  
14 take it? You bet your life I would.

15       I'm a product of my time just like you are. But I also  
16 understand that sometimes the creator puts us in positions  
17 where we have to do what we have to do whether we like it  
18 or not, nor we're very often forced to make decisions that  
19 are very difficult to make. And I don't want to babble on  
20 here. I just want you to understand we Indians of Southern  
21 California still own this land. You may think you do, and I  
22 would say one thing with my reservation, the United States  
23 government has never terminated it yet. I've been paying  
24 property taxes. My father's been paying property taxes  
25 since 1949. If I ever get the United States government to

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1 say, yeah, we never did terminate you, I want the county of  
2 San Diego to give me back every cent I've spent on taxes. I  
3 just think that's fair. But I want to say to you, I'm going  
4 to try and read this, but I'm going to warn you, I am a  
5 student of San Diego educational system in 1940, 1950s, I  
6 flunked second grade because I was sick, my twin and I.

7 So we had to do it over and in those days you sat in  
8 the back of the classroom, particularly if you were Indian  
9 and the teacher helped the smart kids. And so I often say  
10 today I went to school to eat my lunch and play with the  
11 boys. So if I stumble through my own writing, please bear  
12 with me. But I want you to understand it's a different  
13 philosophy, but please understand we're talking about the  
14 world, we're talking about this little ball. It's called  
15 the world. The universe belongs to all of us. Every half  
16 inch around this world belongs to all of us. When you drive  
17 the freeways of Los Angeles and all you see is cement,  
18 think about that. Where did that cement come from? How many  
19 scars have we left in this earth? Is there ever any  
20 compromise? Is it always about money?

21 I don't understand that concept and I don't think I  
22 have to apologize for that. It's just a sense of insanity.  
23 I don't understand why the dominant society has to continue  
24 to do that. So I would like to say here that we live in  
25 times that scientific studies explain everything. The

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1 intellectuals among us tend to believe all the black and  
2 white rationale that a scientist tells 'em. So you were  
3 saying earlier that you want to do a cultural survey at  
4 intervals of, what was it, 30 feet. I've read archeological  
5 reports that say we did an intensive cultural survey at 15  
6 meters. That's a long distance. If you're looking for  
7 ancestor remains, cremated remains, you're not going to see  
8 'em because they're small. So that's not proper. It's not  
9 adequate. Please rethink that.

10 I would like to say that the American Indian, in spite  
11 of all the scientific studies, I know we have an  
12 archeologist here who won't agree with me. They think we  
13 came across the Bering Strait. I can still see my father  
14 picking up the dirt and saying we came from here. So in  
15 spite of those scientific studies, we Indians have always  
16 had a legend that tells us we have been and we have been  
17 created and we come from this earth. And so this is why I  
18 introduced my nephew with you that we are people of this  
19 earth and that includes here the ancient Lake Coya  
20 (phonetic). I can remember bringing my father to the date  
21 festival in India. He loved that. And one of the reasons is  
22 because we followed the highway on the Tamborine Mountains  
23 over there and you can still see the ancient watermark of  
24 ancient Lake Cahuilla.

25 We have legends where the Indians have seen the water

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1 fill and they move to the mountains. I am a Native American  
2 monitor. I've worked a lot out here in the desert with  
3 different companies and we found many trails that we follow  
4 and it shows that we go back and forth to those mountains.  
5 So I want you to know that we have this connection to Lake  
6 Cahuilla. We should not separate and think that Salton Sea  
7 is different from the ancient Lake Cahuilla. Indeed, it is  
8 not it a screwed up mess that manmade is a and sea is what  
9 that is. But the essence of our people and the essence of  
10 the ancient Lake Cahuilla remains. So with that, I'll try  
11 to continue. I know I can ramble and that doesn't make  
12 sense to you, but I'm hopeful that you understand. I'm  
13 talking about an essence of place. I'm talking about my  
14 history. It belongs to all of us. Please don't erase that.  
15 We understand that everything in this earth and the  
16 universe has a life of its own.

17 We know that Mother Earth is indeed a living organism  
18 and that we all carry all the minerals within that earth  
19 within our own bodies. So we are part of Mother Earth. We  
20 have been using this heat and this hot water in steams the  
21 saunas around the world, but for us Indians, we've been  
22 using it in our short lodges. This is our spiritual home.  
23 So when you're doing your geothermal thing, please think  
24 about that, that steam is the spiritual essence of the  
25 people of this earth. That is a healing, healing process,

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1 not an economical game thing. We understand that the mud  
2 pots, the mud and the energy that boils up out of that is  
3 the heartbeat of Mother Earth that belongs to all of us. So  
4 this is in the Lake Cahuilla where this wonderful example  
5 of the fire within this we're told by our ancestors that is  
6 the fire within it is telling you Mother earth has a heart.

7 You go to your own doctor and you ask for an echogram  
8 and you watch that. You go out and watch this mud pot  
9 blurp, blurp is the same thing. It's the heartbeat of  
10 mother earth. The steam that comes up out of that earth is  
11 the breath of Mother Earth. We believe this. We understand  
12 this. It's not an economical game thing. It is part of the  
13 living earth. It is part of our universe. It is part of the  
14 essence of who we are. So please remember that within the  
15 Lake Cahuilla and the Salton Sea, as you call it, is the  
16 ancient volcanic corridor that gives us change in the  
17 landscape every now and then. Every now and then we have an  
18 earthquake and things move and things change. And out of  
19 that came these five obsidian buttes here in the Lake  
20 Cahuilla. Thanks to the Imperial Valley and the IID over  
21 many years of development, they have ruined four of those  
22 Obsidian Buttes.

23 There is only one, only one still standing and that's  
24 Obsidian Butte. And the site that we went to today was  
25 standing right on it. The site we went to see another site

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1 was at the mud poles. The old mud pots right there. It's  
2 entirely too close. So my desire would be, if you must  
3 develop this area, can you please move it further east? Get  
4 it away from this example that tells us yes, the earth is a  
5 live living organism. We have no business interfering with  
6 that process.

7 So as a Native American monitor, I'd like to just add  
8 one more thing here. I have done a number of pedestrian  
9 surveys with many of the archeologists and I've been to  
10 walk this land from Lake Cahuilla all the way to the shores  
11 of La Jolla on the Pacific Ocean to Tijuana and the border  
12 field to Carlsbad where the 5 or 10,000 year old ancient in  
13 nations of our people all along the way in the  
14 archeological deposit, which is the evidence of our  
15 ancestors, homes and dwellings and activities, I have found  
16 Obsidian Butte obsidian.

17 This is a really unusual obsidian in the sense that a  
18 scientist would tell you, well, it doesn't make good tools.  
19 It's got little white inclusions in them. Well, that's what  
20 makes it beautiful and unique for US Indians here in  
21 Southern California because we understand the legend of the  
22 black and white serpent who blew itself up in Southern  
23 California and spread its knowledge across the landscape.  
24 So when I see this black and white flakes of black and  
25 white obsidian from Obsidian Butte, I make the connection

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1 that yes, this is part of our legends, part of our history,  
2 and yes indeed it belongs to all of us and it's our  
3 history. It should not be erased and taken away. I am so  
4 tired of the process for the last 300 years of the genocide  
5 for California Indians and I'm asking you please, we're  
6 asking that we be able to put the Obsidian Butte or the  
7 fire within, if you will, on the national register.

8 It has to be the active volcanic corridor. Courtney,  
9 my attorney is here today and I think she'll do a better  
10 job of explaining that to you. I just thank her more than  
11 you'll ever know. It takes more than one person to do this  
12 kind of work and to understand the basic evidence and  
13 essence of us. We're all part of the human spirit. We have  
14 to understand we cannot continue to erase these things that  
15 have taught us so much. You have absolutely hit my core in,  
16 I want to say sadness because I'm afraid of what you're  
17 going to end up doing and the populace here has a right to  
18 know that by the time you're finished you're going to have  
19 an industrial area here that is so ugly and brings so much  
20 fill to an area that doesn't deserve that you have a unique  
21 history. You should celebrate that and that's what I'm  
22 asking you to do this evening. I hope all of that makes  
23 sense. If you have any questions, I'm happy to answer your  
24 questions, but I will warn you, I'm tired. Perhaps we can  
25 have this conversation another time. Thank you.

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1 HEARING OFFICER LEE: Thank you for your comments. I  
2 would just say -

3 MS. LUCAS: I'm sorry,

4 HEARING OFFICER LEE: Let me address this to the  
5 Public Advisor, our Public Advisor.

6 Thank you for your comments. If we have patience to  
7 hear, we hear good things, but we do have to be respectful.  
8 It's my understanding we have 30 people in the room who  
9 would like to make comments, so I would ask that we do  
10 start using the three minute timer and see how that goes.

11 MS. BADIE: Okay, next we have Courtney Ann Coyle, and  
12 after Courtney, we'll hear from Reuben Perez.

13 MS. COYLE: I would like to defer until after other  
14 public officials provide their testimony. Thank you.

15 MS. BADIE: Great. Reuben Perez with Assemblymember  
16 Eduardo Garcia's office.

17 CHAIR HOCHSCHILD: I'll just add we will stay for as  
18 long as it takes to hear everybody who has something to  
19 say. Okay.

20 MR. PEREZ: Good evening, California Energy  
21 Commissioners and community members. My name is Ruben  
22 Perez, spelled R-U-B-E-N P-E-R-E-Z, and I'm joined by my  
23 colleague Guillermo, who introduced himself and spelled his  
24 name for the record earlier in the meeting. We work for  
25 Assemblymember Eduardo Garcia, who has been instrumental in



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1 spearheading and fast tracking what is Lithium Valley. It  
2 is an honor and pleasure to be here on his behalf.

3 Our office previously submitted letters of support on  
4 behalf of the three proposed projects and the  
5 Assemblymember asks that we reiterate our support here  
6 tonight in person. The Assemblymember believes that these  
7 projects will be transformational not only for Imperial  
8 Valley and our region, but the entire state and the nation.  
9 Thank you for your time.

10 COMMISSIONER GALLARDO: Thank you. Next we have Gina  
11 Dockstader from Imperial Irrigation District Director and  
12 after that we'll hear from Maria Nava-Froelich, City of  
13 Calipatria Mayor.

14 Good evening once again. My name is Gina Dockstader G-  
15 I-N-A. Last name D-O-C-K-S-T-A-D-E-R. Again from the  
16 Imperial Irrigation District, division three, I'm a  
17 director. This is my area. I'm fourth generation farmer.  
18 Grew up here. I have a lot of roots here too. I actually  
19 live on Young Road outside of Calipatria. Young is my  
20 maiden name. So I'm very proud that I live on my road.

21 As far as Imperial Irrigation District is concerned. I  
22 would like to express my support for the project. I do want  
23 to make a few points just again to reiterate, it is green  
24 energy. We are building transmission. It supports  
25 California renewable goals is such an important aspect,

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1 aspect for our environment, aspect for climate change and  
2 BHE renewables has been a very good community supporter  
3 where they've supported not just our local community but  
4 our entire region, our Imperial Valley.

5 Also in your docket, I know I'd submitted not until  
6 after three o'clock today we're all been busy. We haven't  
7 been able to see that. But again, just because Jon didn't  
8 exactly have the numbers, so I was writing it down. Excuse  
9 me. That is correct. We have 225,000 acre feet that is set  
10 aside for water availability that is not agricultural  
11 purposes. So we right now currently have an open balance of  
12 19,629 acre feet. So we do have enough in that particular  
13 queue for this particular project. Thank you very much and  
14 thank you for coming to Calipatria. Go Hornets.

15 MS. BADIE: Thank you. Next we'll hear from Maria  
16 Nava-Froelich and after Maria we'll hear from Ryan Kelly.

17 MS. NAVA-FROELICH: Sure. Maria Nava-Froelich. M-A-R-  
18 I-A N-A-V-A Hyphen -F-R-O-E-L-I-C-H. I'm the mayor pro tem,  
19 excuse me. I'm the standing mayor of the City of  
20 Calipatria. I also have the honor of being a school  
21 district employee. I've been here for 41 years. I am  
22 director of the Calipatria-Niland Family Resource Center.  
23 Our school district serves, we have three schools here in  
24 Calipatria and we have one school in Niland. So I am a  
25 former Niland resident, so anything that happens in the

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1 north end of Calipatria-Niland, of course, is very special  
2 to us. We are here to support the project. Our city of  
3 Calipatria did submit support for the three projects. We  
4 believe that by generating the geothermal energy 24 hours a  
5 day, 365 days a year, that the Black Rock and the Morton  
6 Bay, along with the Elmer North Geothermal Project, they  
7 will all provide critically needed new renewable baseload  
8 generating capacity to support the grid reliability and the  
9 state's transition to clean carbon-free electricity.

10 We understand, and this is one of the main reasons for  
11 us also supporting the projects. Black Rock will provide  
12 426 much needed construction jobs and 61 permanent jobs.  
13 The Morton Bay Project will have 560 construction jobs and  
14 61 permanent jobs and also the Elmore North Geothermal  
15 project will provide 636 construction jobs and 61 permanent  
16 jobs. So I want to say that a lot of my family members,  
17 brother-in-laws have worked at Cal Energy, they - Cal  
18 Energy and Berkshire Hathaway have been good partners in  
19 our community. Our school district has benefited a great  
20 deal from their support within our community and our school  
21 district. Working at the resource center, a lot of people  
22 have a lot of needs. They need clothing, they need food. We  
23 are at 85% poverty rate. Our unemployment rate here in  
24 Calipatria is 13% plus.

25 And so for that said, we really support these

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1 projects. If you can allow me to say this in closing, on  
2 behalf of the City of Calipatria, we are here today to  
3 respectfully request to the California Energy Commission,  
4 CEC, to approve the proposed three new BHE Renewables,  
5 geothermal plants near Calipatria. Those will be known as  
6 Black Rock, Elmore North and Morton Bay. We are confident  
7 that these new developments will positively impact economic  
8 opportunities for businesses and communities across the  
9 Imperial Valley. Also, I want to say it in Spanish if I  
10 may.

11 (MS. NAVA-FROELICH SPEAKS STATEMENT IN SPANISH.)

12 And thank you for your attention and we're looking  
13 forward to working with the Energy Commission and we thank  
14 you for visiting our city of Calipatria and go Hornets.

15 MS. BADIE: Thank you. Next we have Ryan Kelley,  
16 County of Imperial, and after Ryan, Courtney Coyle, if you  
17 want to come up.

18 SUPERVISOR KELLEY: Good evening, this Ryan Kelly, R-  
19 Y-A-N K-E-L-L-E-Y. If you knock the E out of Kelley, I'll  
20 knock the hell out of you.

21 So this is kind of reminiscent of, I was on the  
22 Lithium Valley Commission. I remember the first four  
23 meetings were all about process, about Bagley-Keene and  
24 then the fifth meeting we actually got to business. So I  
25 respect what you're having to do and I know why you're

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1 doing it. But truly, I am an Imperial County supervisor.  
2 This is my district, this is my home. I live in Brawley.  
3 I'm a Wildcat.

4 And also a very close to my heart is the needs of this  
5 community. So I understand reservations about  
6 sensitivities, but this is an area that needs specific  
7 focus. It has been underserved, undelivered for a long  
8 time. That's in the entire county and specifically these  
9 areas that are of direct impact around the proposed  
10 applicant's sites, where they will see benefit in fostering  
11 new growth and opportunity. So Imperial County has  
12 submitted a letter in support of the applicants and we see  
13 this, as I shared with Commissioner McAllister earlier,  
14 that this is the starting gate. The horses are coming in  
15 and this is the race of beginning Lithium Valley. So thank  
16 you very much.

17 MS. BADIE: Thank you. Next we have Courtney Coyle and  
18 then we'll hear from Efrain Silva. Just a reminder to spell  
19 your name for the record before you begin.

20 MS. COYLE: Good evening. My name is Courtney Coyle,  
21 C-O-U-R-T-N-E-Y C-O-Y-L-E, attorney for Carmen Lucas.  
22 Today's tour and hearing were so important that both Carmen  
23 and I changed prior commitments to be here today. My  
24 comments apply to all three projects. Nearly 25 years ago,  
25 one of the first places Carmen took me was to Obsidian

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1 Butte. She wanted to show me the sacred place that meant so  
2 much to her and her people. The fact that this was among  
3 the very first places she took me to teach me about her  
4 culture speaks volumes about its ongoing cultural value.  
5 While we were there, she also expressed how concerned she  
6 was about how that sacred area was being treated by its  
7 current owners, with the obsidian rock being extracted and  
8 used for road development in Imperial County, not an  
9 appropriate way to care for a sacred area.

10 About 15 years ago when new geothermal development was  
11 being discussed, Carmen took her concerns about the sacred  
12 area to CEC staff. To their credit, the product was an  
13 ethnographic report about Obsidian Butte. Carmen asked that  
14 the next steps be taken so that this area could be listed  
15 on the national register of historic places to afford it, a  
16 level of protection for reasons that were unclear to her  
17 that did not happen. Now there is an interest in more  
18 plants and in lithium brine locating such facilities in  
19 this area has rekindled concerns about appropriate  
20 treatment in the sacred area. Carmen and other affiliated  
21 tribes have voiced concerns about the siting of all such  
22 facilities and their impact on the Southeast Lake Cahuilla  
23 active volcanic cultural district. From today's site  
24 visits, it appears little effort was made to avoid effects  
25 on the district. To be clear, this is not just a KGRA, but

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1 also and firstly, this area is a tribal cultural resource,  
2 cultural landscape and a traditional cultural property  
3 under CEQA and the National Historic Preservation Act.

4 It's not just about one volcanic plug or about the  
5 presence or absence of archeological sites or materials. It  
6 is a living, breathing, connected and dynamic historic  
7 property. We've made an effort over this last year to  
8 productively engage with Berkshire Hathaway. Unfortunately,  
9 the last several months have felt like a deferment in which  
10 they have so far not chosen to be a partner in resource  
11 protection. We hope that this will change. We understand  
12 the Native American Land Conservancy has tried over the  
13 last several months to engage IID, the owner of much of the  
14 land within which the district sits. Sadly, apart from one  
15 sit down meeting, IID is not followed up on providing  
16 pertinent information or coordinating tribal access to  
17 certain properties so that we could identify tribal  
18 cultural resources. We hope this too will change. We are  
19 here today trusting that the CEC will bring discussions and  
20 solutions concerning the sacred area so that it can be  
21 finally acknowledged and respected in a way that it  
22 deserves and that direct, indirect and cumulative effects  
23 from these projects will be considered and mitigated in a  
24 way that is meaningful for affiliated tribal peoples.

25 Thank you very much for your attention and

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1 consideration.

2 MS. BADIE: Thank you. Next we have Efrain Silva from  
3 Imperial Valley College and after Efrain will hear from  
4 Oreda Chin from San Diego State University.

5 MR. SILVA: Yes, good evening. Efrain Silva, E-F-R-A-  
6 I-N, Silva, S-I-L-V-A. I'm the Dean of Economic and  
7 Workforce Development at Imperial Valley College. Let ask  
8 you a question that was asked earlier in terms of the  
9 demographics and the makeup of our students right now. So  
10 IVC began our new lithium related training program back in  
11 the fall semester with two cohorts. So we are at capacity  
12 with 60 students. Very excited students looking for those  
13 opportunities that will come up hopefully in a year's time.  
14 I don't have individual demographics of the student  
15 population. I'll be happy to provide that, but in spite of  
16 the demographics, I will tell you that they're all very,  
17 very excited to be in our training program. IVC fully  
18 supports the proposed projects by BHE for the following  
19 reasons. One, geothermal operations tend to hire  
20 individuals with the technical skills from programs tied by  
21 IVC.

22 The expansion of operations is likely to result in  
23 hundreds of new high wage, high growth positions that will  
24 be filled by local Imperial County residents. BHE continues  
25 to be an exemplary partner with I D C and played a critical



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1 piece in the development of three new technical programs  
2 connected to the lithium and geothermal industries. BHE  
3 also has been a financial supporter of the college  
4 providing resources for the acquisition of instructional  
5 equipment. BHE also has been a critical partner in the  
6 completion and submission of federal grants that if funded  
7 will be extremely important for the success of our  
8 programs.

9 Also, BHE has committed to hire our IVC graduates and  
10 also has committed to provide paid internships to IVC  
11 students as they go through their academic program. We  
12 support and we're confident that these projects will result  
13 in new employment and professional opportunities for  
14 residents of the Imperial Valley and IVC is prepared to  
15 continue to work with BHE to ensure that our residents are  
16 trained and prepared to take on these opportunities. Thank  
17 you so much.

18 MS. BADIE: Thank you. Next we have Oreda Chin. Just a  
19 reminder to spell your name for the record.

20 MS. CHIN: Good evening. My name is Oreda Chin, O-R-E-  
21 D-A C-H-I-N. Thank you so much and good evening to the  
22 panel. I am the Associate Director of Development for San  
23 Diego State University right here in Imperial Valley. I  
24 stand here representing our Dean who, Gina Nunez, who was  
25 not able to come today. We would like to personally thank

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1 BHE for today's tour. It was very interesting. I've lived  
2 here eight years and didn't know any of that existed, so  
3 thank you for the educational piece that I had today.

4 I would also like to thank BHE for the continued  
5 support you have shown our community, you have really  
6 contributed items, things, your time, money, relief, all  
7 things that have helped organizations in our valley with  
8 resources and continue what we do to help the community. We  
9 thank you very much for that. We also, at our university in  
10 Calexico, we're starting a STEM building. We're building an  
11 \$80 million building, STEM building, and we are excited  
12 about all of these things that are coming up in our  
13 community that our students will be able to enjoy and have  
14 jobs for. And working with IVC, it has come to our fortune  
15 that we will be able to provide educational experiences  
16 with what you're doing out in the valley. So without any  
17 further ado, as a representative of San Diego State  
18 speaking for Gina Nunez and our staff, we wholeheartedly  
19 and enthusiastically support the Black Rock Project, the  
20 Morton Bay Project, and the Elmore North project that BHE  
21 is starting in our valley.

22 We thank you once again for the opportunity to speak  
23 in front of the audience and to speak to you to let you  
24 know that we are supportive. We have signed the letter and  
25 return it and thank you for all that you have done for our

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1 community.

2 MS. BADIE: Thank you, Oreda. Sorry that I  
3 mispronounced your name. Next, we have Ramrio Urias from  
4 the Chamber of Commerce for Greater Brawley, and then after  
5 Ramrio we will hear from Sara Griffen, Imperial Valley Food  
6 Bank. Just a reminder to spell your name for the record  
7 before beginning your comment. We're asking for comments to  
8 be three minutes or less and there's a timer on the screen  
9 to your left.

10 MR. URIAS: Good evening Ramiro, R-A-M-I-R-O U-R-I-A-  
11 S. My name is Ramiro Urias, Chief Executive Officer for the  
12 Chamber of Commerce for Greater Brawley. As a voice of  
13 business, our Chamber is the largest business organization  
14 in the northern Imperial County. Sorry about that. The  
15 Chamber of Commerce is dedicated to promoting the growth  
16 and prosperity of our local businesses and community. We  
17 believe that supporting sustainable and innovative  
18 initiatives such as a proposed geothermal projects, Morton  
19 Bay, Elmore North, and Black Rock Geothermal Projects are  
20 crucial for the long-term success and development of our  
21 region. The potential job opportunities that these projects  
22 can bring are of great importance to our community and will  
23 contribute to the overall economic growth and stability of  
24 Northern Imperial County. Additionally, these projects will  
25 generate increased tax revenue for our local government

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1 that can be utilized to fund essential public services,  
2 infrastructure improvements and community development  
3 initiatives. Finally, we would like to highlight the  
4 significant contributions that BHE has made to our  
5 community. Their commitment to giving back through various  
6 initiatives demonstrates their dedication to the wellbeing  
7 and prosperity of the people they serve. For these reasons,  
8 the Brawley Chamber of Commerce fully supports the Morton  
9 Bay, Elmore North and Black Rock Geothermal Projects. Thank  
10 you.

11 MS. BADIE: Thank you. Sara Griffen with Imperial  
12 Valley Food Bank is next and then we'll hear from Andrew  
13 Graff.

14 MS. GRIFFEN: Hello, name is Sara Griffin. S-A-R-A G-  
15 R-I-F-F-E-N. I'm the executive director of the Imperial  
16 Valley Food Bank. We serve the lowest income people in our  
17 county. We monthly serve 25,000 people. I am not here to  
18 support this project because as a nonprofit I'm not able to  
19 do so. Our focus is strictly on fighting hunger, but I am  
20 here to give credit and merit to the corporate partnership  
21 that we have with Berkshire Hathaway Renewables Energy. BHE  
22 has been a welcome corporate partner to us as they moved  
23 into the valley, but I would also say the predecessor Cal  
24 Energy has been supportive of the food bank for the 13  
25 years I have been associated with it. There is a culture

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1 there of giving back to this community that we don't  
2 necessarily see at the level having much smaller companies  
3 and corporations in the valley.

4 Having a national partner of this magnitude has made a  
5 great difference in philanthropy in this county. I believe  
6 that they have funded over 80 projects this last year. I  
7 would also say that as a food bank, I am very interested in  
8 shortening our line. There are too many people here who  
9 need our services. We very much want those people to have  
10 good homes and good jobs and to move out of poverty into  
11 some semblance of a middle class. And we are very  
12 interested in seeing more jobs here that would move people  
13 into better education, into better jobs and housing and a  
14 better quality of life for everyone in Imperial Valley.

15 Thank you.

16 MS. BADIE: Thank you. Next we have Andrew Graff with  
17 Intervenor CURE.

18 MR. GRAFF: Good evening presiding member and  
19 commissioners and Officer Lee. My name is Andrew Graff, A-  
20 N-D-R-E-W G-R-A-F-F. I am here on behalf of California  
21 Unions for Reliable Energy, or CURE, and we've intervened  
22 in this proceeding. I just have really brief comments on  
23 the schedule. We intend to submit written comments, but I  
24 wanted to note that we generally support staff's proposal,  
25 especially the 45 day comment period on the staff analysis

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1 and then we would also support a staggering release of the  
2 staff analysis for each of the projects. And lastly, we  
3 would note that I believe in applicant's proposal they have  
4 a shortened comment period for the Morton Bay and Black  
5 Rock proceeding. So we're just make there at least the  
6 compliant with the regulations, but we would really support  
7 a 45 day comment at minimum for the BSA. Thank you.

8 COMMISSIONER GALLARDO: Thank you. Next we'll hear  
9 from Sean Milanovich with the Native American Land  
10 Conservancy and member of Agua Caliente Band of Cahuilla  
11 Indians . And after Sean, we'll hear from Anne Irigoyen.

12 MR. MILANOVICH: Sean Milanovich. BHE and California  
13 Energy Commission has not done enough to protect our  
14 cultural sites. If these geothermal plants go in, they will  
15 desecrate our land. This area that to our north is  
16 extremely sacred. It's a confluence. You have the Salton  
17 Sea, you have the mud pots, you have the geothermal  
18 reserve. Deep in the ground, the fault line, you have the  
19 volcanoes. This is an extremely sacred energy and our  
20 medicine people tapped into that energy. This is where we  
21 came to pray. This is where we came to learn and this was a  
22 spiritual area. It was so intense that you just could not  
23 come here by yourself. I'm 54 years old and I haven't been  
24 allowed to come over here because this land is so sacred. I  
25 had to wait until I was invited by my elder Carmen Lucas.

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1 Even though I knew about the area, you just can't go to  
2 these places. They're so sacred and that's how we treat  
3 them. There was an incomplete tribal cultural resources as  
4 admitted by the applicant. The survey was incomplete and  
5 tribal consultation has been little, if any. I'm requesting  
6 right now for these three informational meetings that we  
7 start all over again and we do one informational session  
8 for each of the three proposed sites, each of those  
9 proposed sites, Black Rock. Why is it called Black Rock?  
10 It's for Obsidian Butte. Obsidian Butte is an extremely  
11 sacred site. Why? Well, we need to talk more about that.  
12 Elmore North, what's right there? You have Red Hill. That's  
13 an extremely sacred site. Morton Bay, you have Mullet  
14 Island right there.

15 We are evading the question of culture resource  
16 protection. We are avoiding the question. We are not  
17 identifying the actual culture resource. If we do not  
18 identify it, we don't have to address it. We're avoiding  
19 the issue. There's cultural resources out here. Why are we  
20 just going to just let it go? We've done this for  
21 generations and generations. I'm tired of it. I want to  
22 protect our land. I want to be able to bring my children  
23 here, my grandchildren, teach them about the songs right  
24 here. Teach them why these mud pots are so important.  
25 Auntie was talking about that. It's our breath.

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1           It's not our breath. The earth is breathing. It's  
2 creator's breath. It's we would go to the mud pots, we  
3 would consume the minerals that come up. You eat those.  
4 That's medicine for your body, for your mind, for your  
5 spirit. We haven't had access to these areas for  
6 generations, for eight generations. We were put on  
7 reservations. We were told to stay there. People came in  
8 and they received grants for public property. They bought  
9 property, but we weren't able to buy property. We weren't  
10 able to sell property. We weren't able to have a voice in  
11 any of the transactions going on here in California. And  
12 now all this land around us is being developed and there's  
13 just a few sacred spots left. We want to keep it like that.  
14 I want to save it. I am completely opposed for these  
15 renewable projects. I haven't been consulted on it before  
16 and so this is just all thrusting on me and now you want me  
17 to be reasonable and quiet. I'm tired of being quiet. None  
18 of you have done your work, none of you.

19           We are still facing genocide. We are still being  
20 pushed to the rocks and to the corners of our lands. We are  
21 not being taken seriously. We are not being heard. I  
22 understand that this area is home to many, many families  
23 and people have been here for generations. But as a  
24 community, we all have to come together and we all have to  
25 share these resources around us. We have to work together



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1 and we have to teach one another about why the land is  
2 important. Why is it sacred to us? And so I'm asking you,  
3 I'm telling you, I'm here to share my knowledge with you  
4 and you just don't get that from a native. They're not just  
5 going to tell you, but I'm telling you now that I will  
6 share that with you. If you come and ask me, my Aunt will  
7 share it. A lot of times this information is just, it just  
8 doesn't get shared. But we want to protect our sites. We  
9 want to protect our communities. We're talking about ho  
10 hova is the Cahuilla word for wellbeing. We have been here  
11 since the beginning of time, since the day the sun rose up.  
12 We have been here that long.

13 I love this place. I love this land. I don't want to  
14 see anything that happened to it. This is all every  
15 mountaintop dad said from as far as you can see from  
16 mountaintop to mountaintop. This is all of our land. I want  
17 to protect what's left, but I want to work with you all too  
18 at the same time. Thank you.

19 MS. BADIE: Thank you. Next we'll hear from Anne  
20 Irigoyen and after Anne we'll hear from Rick Dannis.

21 MS. IRIGOYEN: I bet nobody wanted to go next. So I'm  
22 up. My name is Anne Irigoyen. A-N-N-E I-R-I-G-O-Y-E-N. I'm  
23 originally from Los Angeles, but I'm celebrating my 30th  
24 year as an Imperial Valley resident. This October, I didn't  
25 put the titles of some of the stuff that I wrote down on my

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1 thing, but I'm the immediate past president of the Imperial  
2 Valley Regional Chamber of Commerce. I'm the immediate past  
3 chair of the Imperial Valley Community Foundation. I am on  
4 the board for Imperial County Office of Education  
5 Foundation. I'm on the Imperial Valley Regional Occupation  
6 Program Foundation. I'm their event coordinator. I'm a  
7 junior fair board advisor and I'm the president of MTC. We  
8 do a summer arts program for kids. BHE Renewables has  
9 brought a great deal to our valley already in a very short  
10 period of time, not just money, but for that we're very  
11 grateful obviously, because it has impacted each of these  
12 organizations and each of these organizations that I  
13 brought up to you impact our entire Imperial Valley.  
14 They're not specific to an area in the Imperial Valley.

15 My job, I'm actually, I'm a small business owner,  
16 three small businesses. I have anything from selling hay to  
17 having a dance studio and they're spread out all over. I'm  
18 a mom and I'm involved in my community. What I appreciate  
19 about having BHE renewables here, and I know many of these  
20 organizations we have written letters of support for the  
21 projects is for me it's about the children of Imperial  
22 Valley. I have worked with Efrain Silva on several  
23 committees on IVC and we've done internships with many of  
24 the different organizations here for our kids. Our kids,  
25 our generation of children, are the ones that are going to

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1 be taking care of us. So I believe firmly that we take care  
2 of them. Now, if they don't appreciate us, they're not  
3 going to take care of us and that's something to think  
4 about.

5 I'd like to suggest that there are options in  
6 everything. I feel strongly from most of the information  
7 that I've received, that BHE Renewables is very  
8 responsible, but I also feel that they're open to  
9 understanding that there may be other areas that they need  
10 to look at. So I'm not necessarily, I'm one person, but I  
11 sit on many different boards affected by many different  
12 people, and I just would like you to encourage to really  
13 work on seeing this happen. The job opportunities are  
14 critical. The education in our schools will keep our  
15 children here. I have one daughter here who graduated  
16 college and lives here by the grace of God and has her own  
17 business and the other one lives on the East coast because  
18 what she wants to do is not available in Imperial Valley.  
19 She loves the Valley, but her passion and what we have  
20 available right here, she could not work here with projects  
21 like this. Maybe she could come home. It's always a hope.  
22 Thank you very much.

23 MS. BADIE: Thank you. Next we have Rick Dannis and  
24 after Rick, we'll hear from Stephen Benson. We're asking  
25 for comments to be three minutes or less and there's a

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1 timer that's screened to your left. Thank you.

2 MR. DANNIS: Good evening. My name is Rick Dannis, R-  
3 I-C-K D, as in David, A-N-N-I-S. I'm here and I'm pretty  
4 excited to be here. I'm here to show my support for the  
5 project at Cal Energy. All three projects that Cal Energy  
6 is planning and proposing to do. I'm the vice president of  
7 operations for a small company called Kenai Drilling. We're  
8 a California owned and operated company that has had at  
9 least one rig in the valley here operating with Cal Energy  
10 and several other geothermal companies for at least the  
11 last six years. But what does this project really mean? As  
12 a lot of people have said, it means a lot of good job  
13 opportunities for the community, for us and for Cal Energy.  
14 These aren't just good jobs. They're good paying jobs that  
15 will employ people from this specifically. And the good  
16 thing too is the money that they earn will stay here in the  
17 community as well. Again, as I said, we work for Cal Energy  
18 and several other geothermal producers in this area for  
19 many years, and I'm telling you that you won't find another  
20 company putting on a project of this magnitude that is  
21 willing to keep in mind the things that are important to  
22 us, which are being safe, being conscious of the community  
23 and environment and helping to create new jobs all while  
24 producing clean and efficient energy. Thank you for your  
25 time.

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1           COMMISSIONER GALLARDO: Thank you. Next we have  
2 Stephen Benson from Benson Farms Landowner, former IID  
3 director. And after Stephen, we'll hear from Sean Wilcock.

4           MR. BENSON: Good evening, California Energy  
5 Commission. My name is Stephen Benson. I'm a former IID  
6 director of this region. Currently serve as board member  
7 and former president of Imperial Valley Economic  
8 Development Corporation, a board member treasurer of  
9 Imperial Valley Vegetable Growers. Also chairman of IVH20,  
10 a landowner's advocacy group focused on Imperial Valley  
11 water issues. So I'm very familiar with water issues here.  
12 I'm also former president of the board for Imperial Valley  
13 Boys and Girls Club, and I have four small children. Today,  
14 in the audience, I'm represented by my mother, Carolyn  
15 Benson, resident of Brawley, and my sister Laura Benson and  
16 up high in the sky, John Benson, my dad born in 1938 in  
17 Brawley and my grandfather Jack Benson, who came to the  
18 Imperial Valley in 1932 in the depth of the Depression. Now  
19 we run our family farm, my mom and I. It's over 90 years  
20 old and we're very happy that it's here in Imperial Valley.

21           All Imperial Valley residents and California residents  
22 will benefit from this project. I am in support of this  
23 project and all of California should be in support of this  
24 project. This project will bring economic prosperity to a  
25 distressed region. It will bring tax increment financing to

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1 our county. It will bring electrical certainty to  
2 California. Something that was not known this week prior as  
3 the grid was cycling and I was getting alerts to shut off  
4 my power. Not only that, but it'll also fight climate  
5 change and the potential of minerals and things for  
6 California for the future, which is great. This project  
7 will use a small amount of water compared to what the  
8 region uses and will not impact local farming or the  
9 region. Currently, Imperial Valley farmers can conserve  
10 annually over 500,000 acre feet. That water is transferred  
11 to the Metropolitan City regions similar to this geothermal  
12 power, our valley powers and waters, the cities as my  
13 former Boy Scout troop member and fellow Eagle Scout, Ryan  
14 Kelley in the back also supervisor, said this project will  
15 be an essential step in building upon the future of Lithium  
16 Valley.

17 No one asked me to come here today. I know everyone  
18 here. I just think it's important that you understand that  
19 our valley is a hundred percent behind this and I think  
20 it's important to also encourage this committee to tell  
21 staff and Berkshire to stay on schedule to get it built and  
22 don't delay. I thank you for your time and appreciate your  
23 visit to our region and such a beautiful day. You should  
24 have been here yesterday when the Under Secretary of  
25 Commerce was in the same room and the EDA was here talking

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1 about ways to fund infrastructure development in our  
2 community. And there's other, the great things happening in  
3 our region, I won't bore you with, but one thing that this  
4 project will do, we will stress our housing situation in  
5 the community, but I think there's solutions to that and  
6 people are working on it. Berkshire's been very proactive  
7 in trying to get that done up ahead of time, so I just want  
8 to let you know they are working ahead of schedule and  
9 ahead of this committee, and I think it behooves you to do  
10 the job to stay on track. I used to be a former home  
11 builder. I know what delays cost and you don't want to  
12 delay this project. Thank you very much.

13 MS. BADIE: Thank you. Next we'll have Sean Wilcock,  
14 IVEDC. Reminder to spell your name for the record. And  
15 after Sean, we'll hear from James Blair.

16 MR. WILCOCK: Good evening commissioners. My name is  
17 Sean Wilcock. S-E-A-N W-I-L-C-O-C-K. I represent Imperial  
18 Valley Economic Development Corporation. And typically in  
19 this setting, me and my colleagues, we would talk in favor  
20 of the project. We would talk about the economic impact,  
21 the tax increment, the job creation, and all the other  
22 things that my friend Steve Benson just mentioned. But I do  
23 want to take a different turn tonight and I want to talk  
24 about the kids. Anne Irigoyen brought it up. Mr. Winters  
25 touched on it, and I want to talk about something that

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1 we're doing with the Imperial County Office of Education,  
2 specifically with the geothermal industry and the lithium  
3 industry. Currently, we're putting kids, mostly STEM  
4 students in a classroom. We're having industry come in, do  
5 a presentation about the company themselves, job  
6 opportunities for children from entry level kids that don't  
7 have the capacity to go to two and four year colleges.

8       And then we're also talking about career opportunities  
9 for kids that want to go on and get higher education. We're  
10 talking about the technologies that we see in these  
11 companies, and then we put 'em on a bus and we take a full  
12 facility tour at the geothermal facilities and we talk to  
13 them about what we saw in the classroom. We revert back to  
14 the career opportunities that we covered. I tell you the  
15 excitement that we see on these kids' faces when they  
16 realize that there's something to go to right here in  
17 Imperial County. I mean, it's one of the most rewarding  
18 things I've ever seen. Also, we are working with Berkshire  
19 Hathaway, Efrain Silva mentioned the programs that they've  
20 put in place. And IVEDC has assisted IVC to bring industry  
21 in so that industry can voice what their workforce needs  
22 are so that Imperial Valley College can do a better job at  
23 training our local workforce.

24       And so BHE has been integral in performing those  
25 activities and helping our local educators in streamlining



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1 their processes. Also, as the current president of the  
2 Imperial Valley College Foundation Board, I would also like  
3 to touch upon the fact that BHE has been a long time  
4 contributor to the foundation, and that foundation provides  
5 scholarships and covers cost of books and things of that  
6 nature for our local student body. So they have been  
7 significantly impactful to our community. And I'll close  
8 with just that. We highly support this project and we urge  
9 you to move this forward. Thank you very much.

10 MS. BADIE: Thank you. Next we have James Blair with  
11 Cal Poly Pomona. And after James, we'll hear from Tom  
12 Baker.

13 MR. BLAIR: Hello. Thank you. Yeah. My name is James  
14 Blair, J-A-M-E-S B-L-A-I-R. I'm a associate professor in  
15 geography and anthropology at Cal Poly Pomona. I'm also the  
16 project lead for the Lithium Valley Equity Technical  
17 Advisory Group, which is supporting the Lithium Valley  
18 Community Coalition and Comite Del Valle. I'm also serving  
19 on the academic task force for Imperial County on the  
20 specific plan and the programmatic EIR for Lithium Valley.  
21 So again, thank you for giving us the time. I've been very  
22 moved today by some of the words from my associates here.  
23 People like Carmen Lucas, Sean Milanovich, and Courtney  
24 Coyle. I think they make really powerful important points  
25 that really need to be considered really seriously. If we

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1 think about in comparison what's happening around the  
2 country, you look at other examples and look at things like  
3 Chaco Canyon, for example, Chaco Canyon.

4 There was recently a buffer zone established for oil  
5 and gas drilling. That buffer zone is 10 miles, 10 miles  
6 from sacred sites. So if we're thinking about some of these  
7 places that are part of this Southeast Lake Cahuilla active  
8 volcanic cultural district, and if we think about and  
9 appreciate them as sacred sites, then we really need to  
10 think about how to mitigate the proximity of just a couple  
11 hundred feet. I also really appreciate the focus on water  
12 resources and some of the points made about water. I'm sure  
13 folks are in touch with IID about that.

14 But I also wanted to raise the question of solid  
15 waste, in particular solid waste streams. This isn't  
16 something that we've talked about much today in the  
17 presentation from BHE, there was a mention of sand, but  
18 we're talking here about silica, we're talking about iron  
19 silica that has lead, that has barium, that has strontium,  
20 that has arsenic, right? So there's been a lot of talk and  
21 enthusiasm about extracting lithium, zinc, manganese, but  
22 what's going to happen with all this, these other chemical  
23 materials, some of which are hazardous, right? They may go  
24 to the landfill if they're not diluted with that water. And  
25 so what I would really urge for the good of this community,

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1 it's environmental justice for indigenous sovereignty  
2 because some of that silica may end up at a hazardous waste  
3 facility over in Yuma. We haven't heard from Kusan folks  
4 today, right? But that's their territory too, is really to  
5 think about how to make this a closed loop system, right?  
6 It's meant to be closed loop. Closed loop should include  
7 the solid waste streams too. So we should really think  
8 critically about how to make this zero waste, how to make  
9 it cradle to cradle. And if you look around the world,  
10 places like Iceland, they're doing that. Silica can have  
11 other uses for chemical feedstock for second life, and I  
12 think that's something that really needs to be looked at  
13 and considered really seriously. Thank you.

14 MS. BADIE: Thank you. Next, we'll hear from Tom Baker  
15 with Ancon Services.

16 MR. BAKER: Good evening. First off, Tom Baker, T-O-M  
17 B-A-K-E-R. First off, I want to thank you for giving us  
18 this panel to talk about this. I had a whole list of things  
19 that I wanted to talk about tonight, but after listening to  
20 everybody speak, I've learned so much and I respect  
21 everybody's opinion that's here tonight that had a chance  
22 to speak. But I have to speak about the opportunities for  
23 the people once these plants are built, because I truly  
24 believe that they will be built and Ancon supports these  
25 plants.

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1           We support BHE. We've been a partner BHE since 2002. I  
2 can say that I've been working in Imperial Valley since  
3 Christmas of 1991, and that was back when BHE wasn't even  
4 here. It was Red Hill geothermal, and throughout all the  
5 iterations of these geothermal plants in Imperial Valley,  
6 BHE came in and they have been the greatest steward of the  
7 environment of any geothermal that is here in the Valley.  
8 We do work for geothermal facilities, California, excuse  
9 me, Nevada, Oregon and Hawaii BHE has the most stringent  
10 environmental rules and regulations of any facility that we  
11 work at.

12           I know that BHE will be a great partner. They'll  
13 listen to everyone's concerns here, address all those  
14 concerns. So I have no doubt that this will a success.  
15 Whatever we can do to support that success, we're here.  
16 Thank you.

17           MS. BADIE: Thank you. Next we'll hear from Tom  
18 Sephton and after Tom, we'll hear from Nikola Lakic.

19           MR. SEPHTON: Hello again. Tom Sephton, T-O-M S-E-P-H-  
20 T-O-N, speaking on behalf of the EcoMedia Compass. I'm a  
21 board member, current president and it is a 501(C)3  
22 nonprofit based here in the Imperial Valley with ecological  
23 focus and focus on top of that, on Salton Sea restoration.  
24 And we do support these projects because we have seen over  
25 the years that BHE Renewables and Cal Energy before it has

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1 done a pretty good job of protecting the environment while  
2 providing clean renewable power to the region. And we just  
3 ask that BHE renewables continue to do everything possible  
4 to protect the environment, continue to provide benefits to  
5 the community, which we've seen you do. And we look forward  
6 to you doing that continuously and more and do the best you  
7 can to protect the cultural sites that are very close to  
8 your plants.

9 I have seen today and do very much appreciate the bus  
10 tour and the opportunity to see where these sites are going  
11 to be. And they are for the most part disturbed land, their  
12 current or previously agricultural. That said, Obsidian  
13 Butte in particular used to be a place where arrowheads and  
14 spearheads and all kinds of things were made and  
15 distributed all over the area. And I hope that you will do  
16 everything you can to protect what's left of that resource  
17 and a step beyond that.

18 You actually have the resources and capability to do  
19 more than just minimize impact, but to actually make a  
20 benefit to the environment, the extra heat that you've got  
21 that goes up into the air and drifts away is actually an  
22 opportunity to recycle and restore water resources that can  
23 help to restore the local environment right around your  
24 plants and provide an actual benefit, an actual ecological  
25 benefit. And on top of that, I strongly believe you can do

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1 that at a profit. So take a serious look at that and we do  
2 support these projects going forward and BHE renewables has  
3 been a pretty good steward of the environment. Thanks.

4 MS. BADIE: Thank you. Next we have Nikola Lakic and  
5 after Nicola we'll hear from Victor Nava. Just a reminder  
6 that we're asking for comments to be three minutes or less  
7 and there's a timer to the screen to your left.

8 MR. LAKIC: Thanks. Thank you. Let's see, 11, 10  
9 seconds. So the pause, can you start again? My name is  
10 Nicola, N-I-K-O-L-A, L A K I C. I am respectfully asking  
11 commissioners to not to issue you certificate until all  
12 proposals are reviewed. Truly. Why? Because you'll have  
13 applicants, you'll have difficulty providing answer on the  
14 previous question. Where are you going to find water? That  
15 water that you're counting 11- 13,000 acre feet is already  
16 allocated. It's influenced South Sea and Central Sea is  
17 shrinking already, so will be even more. Also, current  
18 course of action is based on smaller lake perimeter slash  
19 brine lake analysis. So we have to review that. I do, I'm  
20 engineer, I'm architect. I work 10 years on this project. I  
21 have over 40 patents around about 10 on geothermal issue.

22 I know this issue very well, but I doubt that you do  
23 because there is no reason to continue with that. If you  
24 know what I'm doing. What I'm proposing is dividing Lake on  
25 three sections. Why? So from Colorado River, we have only

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1 for farmland and Salt Lake and farmland North and North  
2 Lake. And that will be in accordance with quantification  
3 settlement agreement, central part, big part of the lake.  
4 We can import water from Long Beach, one pipeline and one  
5 from Sea of Cortez. And then we can have fuller lake and  
6 then we can do this desalinization. My system, not reverse  
7 osmosis expensive one, my system using solar and  
8 geothermal. And in five, six years we can equalize salinity  
9 or the Salton Sea with salinity of the ocean. And then I'm  
10 connecting 11186 with 1 112 places. We repeat restaurant,  
11 restaurant. We can compete with Newport Beach. Huntington  
12 Beach.

13 So I'm not against projects, but they need just to be  
14 radically changed. Please review my proposals. It's 120  
15 slides, five segments for importing seawater. Oh, therefore  
16 another thing is I'm asking Commissioners to get engaged.  
17 Not just California Energy Commission, but California  
18 Natural Resources, EPA because I'm providing new water. We  
19 are talking about clean air. We are talking about energy.  
20 So to put that in different segment, it's wrong. We have to  
21 make some mechanism to deal with this issue together. EPA,  
22 national EPA, California Energy Commission and first one,  
23 National Renewable Energy Association. Okay, together to  
24 make that together to work. Otherwise, oh, otherwise it's  
25 gone.

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1           But I hope that I didn't make petition to be  
2 interfere, but I would like to do that if it's not too  
3 late. But on that, I did include myself in that group.  
4 Interfere, interfere, opposition. So thank you very much. I  
5 hope that we can work together on this one because it's  
6 really good, but I doubt that you know details of that  
7 because we have California University. Santa Cruz, they  
8 mess up. They didn't review my proposal. They rejected to  
9 review. They didn't see it. There is no scientific answer.  
10 It's too complicated. It's not. It's very simple, but thank  
11 you very much.

12           MS. BADIE: Thank you. Next we have Victor Nava with  
13 GAFCON Inc. And after Victor, we'll hear from Ross Smart.

14           MR. NAVA: Good evening commissioners. My name Victor  
15 Nava, V-I--C-T-O-R N-A-V-A. I'm the director of strategy  
16 development and partnerships for Gafcon. We've been around  
17 for over 30 years and have provided successful value added  
18 project management services to deliver complex projects  
19 that power vibrant communities. We have many projects  
20 throughout the Imperial County. We believe development  
21 brings development and I'm here today to express our  
22 support for the three new geothermal projects in the  
23 Imperial County. And we have also submitted letters of  
24 support. These projects will bring economic development,  
25 tremendous job opportunities and needed educational



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1 pathways for high school and higher education students. I  
2 have a special connection with geothermal. My father and  
3 uncles helped build and had long careers with existing  
4 geothermal plants. Names like Red Hill geothermal and  
5 Magnum Power are very close to me. They have been around  
6 for the last 30 years.

7 This is proof that projects like these make long-term  
8 positive impact for those that live, work and recreate in  
9 the Imperial County. The projects will also generate much  
10 needed tax revenue, support our local communities with  
11 services, infrastructure, and important initiatives to  
12 support and sustain our continued growth. In addition,  
13 these projects will support local economy through our  
14 direct purchase of services, supplies and materials from  
15 local small businesses and regional companies. So for these  
16 reasons, I support Morton Bay, Black Rock, Elmore North  
17 geothermal projects and I look forward to the support and  
18 approval of the project by the California Energy  
19 Commission. Thank you.

20 MS. BADIE: Thank you. Next we have Ross Smart, and  
21 after Ross, we'll hear from Christian Froelich. Okay, I  
22 don't think we have Ross anymore and we don't have, do we  
23 have Christian Froelich, North End Action Council.

24 MR. FROELICH: Hello commissioners. Thank you for  
25 setting this up. Christian Frolic, C-H-R-I-S-T-I-A-N F-R-O-

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1 E-L-I-C-H. A lot of good comments today. I'm the president  
2 of the North End Action Council, which is essentially five  
3 members of the North End who were appointed by our county  
4 supervisors and we hold monthly town hall meetings to have  
5 discussions on different issues, share information, collect  
6 input, and just basically work to have a better north end.  
7 I was thinking about Commissioner McAllister's opening  
8 comment about how this is what it's about, how it really is  
9 the opportunity for us to all share. I just wanted to share  
10 a couple of points from the three letters that we had  
11 submitted. I think the CEC does a great job with projects.  
12 I learned how documents that are submitted need to be  
13 scannable. I changed them so it was scannable and by so  
14 doing, people can get the gist of things whether you can  
15 attend the meeting or not. But I'll just read a few bullet  
16 points from the letter for those who may not have the  
17 technology to go online or the time to go through all the  
18 comments that will be published.

19       Basically, as has been said, global warming, I think  
20 most people believe is real and it's also real urgent. And  
21 I believe the state through the Energy Commission and  
22 others is making an effort to expedite solutions and  
23 renewable energy, baseline renewable energy is definitely  
24 one of the solutions. So for that reason, the North End  
25 Action Council supports the project and also for the jobs

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1 that it brings, have several brethren in-laws who have had  
2 jobs with Cal Energy, provided them good standards of  
3 living, kept them out of the lines at the food bank and  
4 it's what the community would really hope for. There's a  
5 lot more to say, but a lot more people to say it. And thank  
6 you for your time.

7 MS. BADIE: Thank you. Next we have Armando Rojas with  
8 Nalco Water. After Armando, we'll hear from Tony Gallegos.

9 MR. ROJAS: Good evening. I'm Armando Rojas, Imperial  
10 County resident and I'm heavily involved with the  
11 community, mainly coaching our kids, baseball, football,  
12 you name it, keeping busy and out of the house, right? So  
13 with Nalco Water, we've been partnered with BHE Renewables  
14 for the past 30 years providing engineer solutions and  
15 chemical applications to make sure that the geo power is  
16 being generated efficiently. I'm here, as we all know,  
17 these projects are going to create really well paid jobs,  
18 but one thing that we're missing and it being echoed by a  
19 lot of people here is that our kids are looking into the  
20 future now with the STEM projects. When they hear about  
21 these type of projects, it sparks their curiosity. And when  
22 I'm coaching those kids, they're asking Coach, how do you  
23 get into that job? So they actually are asking those type  
24 of questions. I'm coaching kids from seven all the way to  
25 12 years old.

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1           So when you hear that it's very grateful. And when you  
2 talk to 'em about three schools going to college, what they  
3 can do with sports to get a career and come back because  
4 our goal is to keep our talent inhouse, right? So one of  
5 the biggest highlight that I have, we've been working with  
6 Barry, it started last year, but one of the biggest  
7 highlight that I want to share is the job that they did on  
8 our baseball fields. It started out our Brawley baseball  
9 fields. Those, the job that they did this past year allowed  
10 the City of Brawley to host the sectional 10 U All Stars  
11 this year. And we're hoping to host a sectional 12 U All  
12 Stars. As you all know, California won the Little League  
13 World series. So by nurturing those kids and showing 'em  
14 what we have in the valley, not only have our kids who work  
15 in our valley, but bring talent to our valley as well. So  
16 with that, I want to, that's my closing statement and thank  
17 you for your time. Thank you guys.

18           MS. BADIE: Thank you. Next we'll hear from Tony  
19 Gallegos with Brawley American Club and after Tony, we'll  
20 hear from Hector Meza. Tony, are you still with us?

21           MR. GALLEGOS: Yeah, I'm Tony Gallegos, G-A-L-L-E-G-O-  
22 S. I represent the Brawley American Citizens Club that  
23 started back in 1943 when my uncles and my father and  
24 everybody came from World War ii and the club got started  
25 by, they couldn't join the American Legion in those days,

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1 which is different now. So we started that club, so to help  
2 the betterment of the Mexican-American people we're very  
3 involved in politics, but we submitted three letters  
4 supporting the deal, the geothermal deal, sorry, I've had -  
5 I'm full of steroids and I have bad asthma and with this  
6 weather here, but I'm here in support of the three projects  
7 also. It'll create a lot of work for a lot of the people,  
8 especially people in the Mexican-Americans where the good  
9 paying jobs are not available other than farming and a  
10 little bit, they add the prisons and stuff, which has  
11 helped a lot.

12 I would like to say that I also served on the Imperial  
13 District two terms, eight years and president twice. And  
14 the reason they got me out of bed. My oldest says, you  
15 better get out of bed and go talk about Cal Energy. Because  
16 Cal Energy has been one of our biggest supporters,  
17 especially when we give 300 backpacks to the kids in  
18 school. And last year we gave 479 kids Christmas gifts and  
19 we raffled 50 bikes. As you know with kids, you don't give  
20 them anything under \$25 to throw them back at you and it  
21 costs a lot of money thanks to Cal Energy. They've been  
22 good to us. We also do Mother's Day and this year Bari was  
23 there. We had almost 300 women that we had to give presents  
24 to and she was a great help. Cal Energy also helps us a lot  
25 with that and we're real involved in the community and

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1 politically also, we try to help people get elected that  
2 represents all of the community, not only one entity. So  
3 like I said, I'm full of steroids right now, so I just, I'm  
4 here because I want to support Cal Energy and not only  
5 that, they were talking about water. I think Gina's here,  
6 well she's still here and I think the industrial and the  
7 residential I think only used 1.58% of the total use of  
8 water. The other 98% isn't farming. So I don't think the  
9 water problem is going to be too much for the geothermal  
10 plants. Thank you very much.

11 MS. BADIE: Thank you. Next we'll hear from Hector  
12 Meza, IBEW 569. And after Hector, we'll hear from Jerry. I  
13 said that right.

14 MR. MEZA: Hi again, my name is Hector Meza. H-E-C-T-  
15 O-R M-E-Z-A. I'm a representative for the International  
16 Brotherhood of Electrical Workers Local 569. Thank you  
17 Energy Commission for and staff for allowing us to speak on  
18 these items. I want to let staff and the community know the  
19 importance of a building trades PLA for the plants and for  
20 the seasonal outage support, also known as maintenance  
21 shutdowns. It's important to have a PLA with a maintenance  
22 agreement in order to create and grow a skilled and trained  
23 workforce in the valley. A local workforce that will join  
24 the middle class of the Imperial County through local  
25 apprenticeships. We don't want the work to be outsourced to

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1 a cheaper workforce of other states like Texas. I hope you  
2 guys are serious about the seasonal outage and support and  
3 signed with the building trades a PLA. That includes a  
4 maintenance agreement. Thank you.

5 MS. BADIE: Thank you. Next we'll hear from Jerry  
6 Samaniego with CFM and after Jerry will be Diana Juarez.

7 MR. SAMANIEGO: My name is Jerry Samaniego and that's  
8 Jerry with a J. And Samaniego is S-A-M-A-N-I-E-G-O. And I  
9 work for a company called CFM, which is Controls For  
10 Measurement. And I'm here in total support of the project.  
11 And I do that because I have firsthand experience. I go  
12 back to Unical geothermal when it was just unit one. I've  
13 seen unit one, unit two, unit three, I've seen them all.  
14 I've seen Unical become Red Hill, become Magma, become Cal  
15 Energy, become BHE. So I was 30 years old. I was in my  
16 thirties when I started. I'm in my seventies now, so I'm  
17 not even going to see these projects when you flick the  
18 switch. So I'm still here to support because firsthand I've  
19 been able to see the responsibility that BHERW I've seen  
20 the responsibility that they've been able to show not only  
21 to the community, to the people and to their employees.

22 So I've seen firsthand people that I used to go in and  
23 they were the gatekeepers, they were the receptionists that  
24 become department heads, technicians and mechanics that  
25 become general managers of the plant. So I've seen the fact

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1 that the opportunities are not just talked about, they're  
2 actually exposed to the employees. So it's been a very  
3 passionate part of my life and I live in Carlsbad by the  
4 way. So I still have a three hour drive home, but I wasn't  
5 going to not come up here and at least say that on the  
6 other hand, unbelievable. Unbelievable. That was very  
7 moving. We can't ignore the reality of what was expressed  
8 here. You just can't make words for that. But I'm also here  
9 to say that I've worked with these people over here and I  
10 know that they are responsible and I know that they care  
11 enough to where that's going to work.

12 We're going to make it work, we have to make it work.  
13 And I think they deserve the consideration that they've  
14 expressed. So I'm here to say that it's a wonderful  
15 project. It's real when it comes to what it does for the  
16 community, it's real in terms of what it provides for the  
17 employees. It's very, very necessary when all of this talk  
18 about green power, et cetera, et cetera. They're clean,  
19 they're reliable, they're mainstream, they don't shut down.  
20 I was coming down from the mountains, coming from San Diego  
21 and none of the turbines were working. Why? I don't know.  
22 And other than that, I used to come to the valley and my  
23 wife and I would come in April and we'd see all the desert  
24 flowers. Now you have nothing but half of the Imperial  
25 Valley with the Dock Vader Black solar thingies and they're



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1 only good for 30% efficiency. So I'm here to support the  
2 project. I'm also here to thank all of you to hang in there  
3 and I think you'll express your responsibility, your care.  
4 And like they say, no one caress how much you know until  
5 they know how much you care. So I think that we can all  
6 share in that and I hope that this project goes through.

7 MS. BADIE: Thank you. We have five more in-person  
8 commenters. If anyone else has blue cards, please bring  
9 them up to me.

10 Next we'll hear from Diana Juarez and after Diana,  
11 we'll hear from Anna Garcia. Diana, please spell your name  
12 for the record before we begin your comment.

13 MS. JUAREZ: Yes, my name is Diana Juarez, D-I-A-N-A  
14 J-U-A-R-E-Z. And my comment is more personal. I live in  
15 Niland, which is eight miles north and I moved to Niland  
16 from Imperial. When I started kindergarten, we had a school  
17 that went from kindergarten to eighth grade. As I grew up,  
18 we had Boy Scouts, Girl Scouts, literally we had everything  
19 that the big cities have. We had bars, we had markets, we  
20 had gas stations. Our little town has gone down and down  
21 and down. As the years have gone by now there is maybe one  
22 gas station, one restaurant, a lot of empty homes, a lot of  
23 lots that are overgrown because people have left.

24 There's nothing there for them. With these projects,  
25 we are hoping that little town has hope that maybe we can

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1 thrive again like we did when I was growing up. Even when  
2 my kids were there, when I was raising my children, it was  
3 a thriving little town. We had PTAs, we had Boy Scouts, we  
4 had everything. Now we have nothing. And I am very grateful  
5 for the three projects. I personally am in favor. I belong  
6 to an organization that, excuse me, North End Alliance  
7 2011. And they have been more than generous with our little  
8 nonprofit. We just started it in maybe about a year, a year  
9 and a half. But we are there to help because we see the  
10 people we see that need the help are the seniors are  
11 homeless, and just people in general. We are there to,  
12 because we see them, we know who they are, they're our  
13 neighbors, we grew up with them, we know their parents. The  
14 way they are living now is just beyond comprehension. And  
15 with these projects, which I am a hundred percent behind,  
16 we're hoping that it will bring something to our little  
17 town. As a good friend of mine, Ali Perez and she's sitting  
18 back there, has said if these projects don't go forward and  
19 the lithium does not go forward, that is the end of that  
20 little town and we honestly believe that. Thank you for  
21 listening.

22 MS. BADIE: Thank you. Next we'll hear from Anna  
23 Garcia and after Anna, we'll hear from Eric Reyes.

24 MS. GARCIA: A little lower there. Good evening  
25 everyone. My name is Anna Garcia, A-N-N-A G-A-R-C-I-A. I am

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1 going to piggyback on Christian Froelich. I am part of that  
2 North End Action Council. We are under the direction of our  
3 supervisor, Ryan Kelley. We hold town hall meetings once a  
4 month and I want to thank B H E for always being present  
5 and not there to speak on anything on their behalf, but to  
6 listen to the needs of our community. I am also a part of  
7 NEA, which is the North End Alliance 111. We formed that  
8 group. There are four Niland childhood friends of mine,  
9 Nellie Perez, Diana Juarez, Irene Belong, and Gloria Sisa  
10 (phonetic). We are born and bred in Niland. We are Niland  
11 girls. We saw that community when it was at its best and  
12 now we see it when it's at its worst.

13 North End Alliance 111 represents the three  
14 communities that actually sit on Highway 111, which are  
15 Calipatria, Niland and Bombay Beach. And we have come to  
16 learn that BHE really does have a true heart in those  
17 communities. They came to us early on before we even  
18 established our nonprofit organization and were there  
19 willing to help. They've listened to the needs of our  
20 community. They've reached out and actually donated to our  
21 needs. Bombay Beach was without any emergency services.  
22 They have donated to them to begin an emergency rescue unit  
23 training. They have donated to Niland when the fire was  
24 there and the palm trees caught fire so easily.

25 They have actually donated money so that some of those

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1 trees can be trimmed and they are not a fire hazard. They  
2 have donated money to us for warm weather clothing and  
3 blankets, which we have distributed through Calipat, Niland  
4 and Bombay Beach. As we say, they are always present, they  
5 are always ready and they are, I believe, truly committed  
6 to making our communities better. As Diana was saying, we  
7 are from Niland. Our expertise should be, I should say, is  
8 our knowledge of our community and the trust that we have  
9 built with them. But BHE has helped us build that trust  
10 showing our communities that not only do they speak, but  
11 with their actions they are going to be around. So I  
12 personally, I do support these three projects. I do ask you  
13 to please allow this to happen because as Diana said, if  
14 those projects do not come, if lithium does not come, that  
15 hope that we are hoping for will no longer be there. So I  
16 want to thank you all for being here and allowing us this  
17 time. Goodnight.

18 MS. BADIE: Thank you. Next we have Eric Reyes and  
19 after Eric, we'll hear from Luis Olmedo.

20 MR. REYES: Eric Reyes, E-R-I-C R-E-Y-E-S, Executive  
21 Director Los Amigos de la Comunidad. So you've seen the  
22 overwhelming support from the community. They have laid a  
23 fantastic groundwork. They have a long history of having  
24 provided not just energy needed energy, but also good  
25 paying jobs in a community that has the highest

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1 unemployment rate and the lowest per capita income in the  
2 state of California and among the lowest, highest and  
3 lowest in the nation as well. So they have been part of the  
4 community for many, many years, right? So this is an issue  
5 that is ongoing state of California and the whole Western  
6 US does need energy. We need green renewable energy by  
7 policy mandated as well by the state of California. And we  
8 respect that. We as environmental justice organization  
9 support those type of renewable energy projects. We also  
10 respect and support what we call an equitable process.

11       And that's what I asked you to continue here where we  
12 would never oppose a project as this. We do ask you to  
13 uphold them to the most stringent requirements that you  
14 can. One, you do allow each project to be staggered and  
15 sent out separately. So those who do oppose are equitably  
16 able to answer, ask the questions and have it posted.  
17 Having them all together is not equitable. It's not fair to  
18 those who do it. Alright, so give them that time I you to  
19 stagger that and you continue on your policy as you've had  
20 with others. So I appreciate that. I appreciate the issues  
21 you have brought forward and I didn't see under the other  
22 issues out there. I'm sure there were others and that were  
23 not flagged as major, but you follow those, I'll look them,  
24 make sure I know who they are and you follow them up  
25 through with the company to make sure they are at the most

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1 stringent point.

2 And for development, we always support best available  
3 control measures "BACM" for any project. And here it's more  
4 critical in a community that is already a non-attainment  
5 for PM 2.5, 2.10. Ten that is in our lungs causing the  
6 highest asthma rate nation. As you saw Mr. Gallagos with  
7 his issues in our children highest cancer rate from  
8 pesticides, the agricultural community, high wind, and our  
9 receding Salton Sea. So we need each project to be the most  
10 stringent and we don't want them just to mitigate if they  
11 are going to be great storage, which they have. We hope you  
12 also initiate and be a model of going above and beyond.

13 Thank you.

14 MS. BADIE: Thank you. Next we'll hear from Luis  
15 Olmedo and after Luis, we'll hear from Sherry Cowie.

16 MR. OLMEDO: Long day and long evening. My name is  
17 Luis Olmedo. I'm the Executive Director of Comite Civico  
18 del Valle. L-U-I-S. Last name is O-L-M-E-D-O. We'll submit  
19 written comments so my comments now won't be substantive.  
20 Excuse my accent. I can't ever say that word. Like I do any  
21 business in the Imperial Valley. I wish them success. I  
22 wish them to operate in a sustainable way and to manage our  
23 natural resources responsibly. I wish BHE success, they've  
24 been in our community for a long time. That is not a sign  
25 of support necessarily. We will submit our comments in

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1 writing, but I do take the opportunity to ask the  
2 Commission to assure that you are doing due diligence and  
3 assuring that any environmental impacts are mitigated to  
4 assure that there are labor agreements. Today we saw a  
5 display of privilege and a display of poverty in our  
6 community.

7 We're desperate for jobs and some are desperate for  
8 more wealth, but in reality we need to be responsible in  
9 the way we develop our community. We can no longer operate  
10 in the way that we have. We have a drought, we have a  
11 climate crisis, we have a Salton Sea. The metric for  
12 success isn't dropping donations, but creating a community  
13 benefits agreement that is written is clearly stated and  
14 that benefits all. It breaks my heart to see that while I'm  
15 enthusiastic of their donations, we forget of the more most  
16 impoverished workforce. And that's the campesinos. The farm  
17 workers, the campesinos, the farm workers, they're so  
18 easily ignored. If they were getting more donations, they'd  
19 probably fill this room.

20 So I encourage BHE to do a benefits agreement and help  
21 the most impoverished. Some of them were here, some you  
22 probably might want to rethink in how you invest. Finally,  
23 I would like to express to Berkshire if it's appropriate,  
24 I'm not a fan of the sales pitch because it really hits a  
25 lot of our vulnerabilities and it's sort of a rerun, a

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1 replay of what's always been served to us. It's the jobs,  
2 it's - you're going to get all these promises. It's an old  
3 rerun. I appreciate the expert panel because that's really  
4 what it's about. It's about the substantive and it's  
5 assuring that we have environmental compliance and that  
6 they operate sustainably and that they operate  
7 successfully. So I wish BHE success. I wish the  
8 commission's success in your deliberation. Thank you.

9 MS. BADIE: Thank you. Before we hear from Sherry, I'd  
10 like to just put a call out to our Zoom attendees. If you  
11 want to make a public comment, you can start raising your  
12 hands. It's the open palm on your screen, and if you're  
13 joining by phone, press nine. And in the room, if you're  
14 still with us, please approach the podium and please spell  
15 your name for the record before making your comment.

16 MS. COWIE: Hi, Sherry Cowie, S-H-E-R-R-Y C-O-W-I-E.  
17 So I am here on behalf of the Imperial Valley Regional  
18 Chamber of Commerce. We are dedicated to serving Imperial  
19 Valley businesses and promoting community prosperity  
20 through advocacy, economic development, connectivity, and  
21 business education. Our chamber is comprised of business  
22 leaders from across the Imperial Valley who are passionate  
23 about advocating for business success for both small  
24 businesses as well as large scale economic development in  
25 the region. BHE Renewables has been a supporter of our



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1 community via other generous sponsorship of our teacher's  
2 appreciation events, which provide 2,500 bags to our  
3 teachers, and we fill those bags with goodies to welcome  
4 them back to school. They have also provided three dream  
5 classrooms for teachers in Brawley, Imperial, and El  
6 Centro.

7 While the Morton Bay geothermal, Black Rock and Elmore  
8 North projects are estimated to bring in \$750 million and  
9 \$1.3 billion to the local economy, which will create 560  
10 construction jobs and 61 permanent jobs to support  
11 maintenance and operation of the facility, the project will  
12 also create an opportunity to strengthen our local  
13 community college and university by giving them the  
14 opportunity to develop certification courses and other  
15 programs that they can offer to individuals and graduating  
16 high school students who typically leave our community for  
17 better opportunities. I am one of those people. I left the  
18 Valley, I got both my bachelor's degrees, my master's  
19 degrees out in San Diego, did a lot of corporate work and  
20 then came back to help out my community. I'm also a real  
21 estate agent. I own a real estate company that is primarily  
22 female. And from a real estate perspective, there will be  
23 an increase, an anticipated increase in demand for housing  
24 due to the influx of new businesses and employees that are  
25 associated with Lithium Valley and the various housing

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1 options to accommodate the different income levels and  
2 lifestyles. That being said, on behalf of the Imperial  
3 Valley Regional Chamber of Commerce, we are in support of  
4 the three projects. Thank you.

5 MS. BADIE: Thank you. And we will go to our Zoom  
6 attendees next. If there are public comments from Zoom, and  
7 I'm just giving this a moment again, if you're on Zoom and  
8 you want to comment, we'd ask that you raise your hand to  
9 let us know. And if you're on the phone, press star nine to  
10 let us know. You'd like to make a comment.

11 I'm not seeing any raised hands on Zoom, so I'll turn  
12 it back to you, Ralph.

13 HEARING OFFICER LEE: That concludes public comment.  
14 The time is 9:26. The Committee will now adjourn to close  
15 session in accordance with

16 MS. NEUMEYER: Hearing Officer Lee.

17 HEARING OFFICER LEE: Yeah, excuse me. Let's first  
18 take closing comments from the committee members. Let's  
19 start -

20 Speaker 20: Hearing Officer Lee over here. Apologies  
21 Samantha Neumeyer with the applicant. I didn't realize it  
22 would come out in surround sound. I apologize for  
23 interrupting before we go to closing comments. In response  
24 to, I believe a comment from Mr. Graff with CURE, he  
25 referenced the schedule that we had proposed and there was

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1 an inadvertent error in our proposal. We are not proposing  
2 a shortened public comment period on the preliminary staff  
3 assessment. That was my error for not carrying through the  
4 30 days. So we just want to make clear, we do believe in  
5 the full comment period for each PSA even when they're  
6 staggered. So I apologize for interrupting. I'm sorry for  
7 the weird room dynamics and thank you.

8 HEARING OFFICER LEE: Yeah, thank you. Commissioner  
9 Gallardo. Oh, excuse me. Chair.

10 CHAIR HOCHSCHILD: Yeah, I just wanted to offer a note  
11 of thanks to everybody for staying so late. It's 9:30 and  
12 we had an incredible turnout. I especially wanted to thank  
13 Carmen Lucas and your family for coming. You're 88 years  
14 old and you drove an hour and a half to be here. I think we  
15 should give you a round of applause for coming and speaking  
16 from the heart.

17 And I just wanted to reflect back a few of the themes  
18 that I heard tonight. I mean from you and your family and  
19 really from all the tribes, the theme of stewardship of the  
20 land and how important that is and healing for all the  
21 damage that's been done in Mother Earth over the years. And  
22 just want to know we hear you and we thank you for that. I  
23 also heard a lot of themes around hope. Hope for the  
24 future, hope for the next generation and opportunities.

25 And I want to just name that and thank you for those

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1 of you who referenced young people tonight. That's always  
2 very much on our minds as well as we are. A lot of our work  
3 on the, we're in a power plant study hearing, but the other  
4 side of our work, we fund a lot of new clean energy  
5 industries around the state. And really as we try to move  
6 beyond fossil fuels, I wanted to just say one other bit of  
7 context, which is last month was the hottest recorded month  
8 in history. Over 2000 temperature records were broken. We  
9 had ocean temperatures off the coast of Florida that  
10 exceeded a hundred degrees, the temperature of a hot tub.  
11 And we have all lived through the wildfires and now that's  
12 spread to the rest of the country. And of course Hawaii  
13 now. And this urgency, I think we're all feeling around  
14 climate driven by pollution from fossil fuels.

15 So we're an incredible opportunity here in California  
16 to try and lead that transition. We are making progress on  
17 that. I do want to point that out. We have a very good shot  
18 by the end of this year to get to two thirds of our  
19 electricity coming from clean carbon free sources, solar,  
20 wind, geothermal and others. And last quarter we had 25% of  
21 new vehicle sales being electric. That's up from 12% a year  
22 and a half ago. And we're on track to be the first state in  
23 the country to get to 50% new vehicle sales being electric  
24 by 2026. So there's good momentum, but it's not happening  
25 fast enough. And I think that's the backdrop for all this

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1 geothermal procurement is part of the law requiring us to  
2 get to a hundred percent clean energy. And that law was  
3 passed in California, a lot of people mocked it and now  
4 it's law in 22 states. And President Biden has set it as  
5 the goal for the country. So that's kind of the backdrop.  
6 And I do want to kind of name that urgency on climate as  
7 well.

8 But really I just want to extend my gratitude. If we  
9 could do one other round of applause as well for the staff  
10 that organized this. Thank you for putting this together as  
11 well. Thank you so much to Commissioner Gallardo for  
12 leading us and these cases. And back to you commissioner.

13 COMMISSIONER GALLARDO: Alright. I also want to focus  
14 on gratitude. My team was trying to track all the comments  
15 that were coming through the written ones, and there were  
16 at least about 30 when we were able to get it. There  
17 might've been even more. So we value having those written  
18 comments. And then there are about 30 people who spoke  
19 today. So whether it's through in the room or Zoom, that  
20 information you share, your expertise, your insight, the  
21 stories, it gives us such a deeper and richer understanding  
22 of the context, the history, the impact, and that it's so  
23 important for us to be aware of as we're making our  
24 decisions and analyzing this and going through it. We take  
25 everything that you have shared with us very seriously and

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1 if there are additional written comments that come through,  
2 we will also be looking at those. And again, taking all of  
3 it very seriously. So my deepest appreciation to all of  
4 you, because the local voices really do matter and that's  
5 information we might not have otherwise. So you took your  
6 time, you're willing to share and that is deeply  
7 appreciated. So thank you.

8 COMMISSIONER McALLISTER: Well, not a lot to add, but  
9 I just want to thank everyone who came tonight and also  
10 just all of the local officials and local government staff  
11 that we met with over the last couple of days. And just  
12 feel like, not just tonight, but really during the whole  
13 time here, we've gotten a much better sense. I have gotten  
14 a much better sense of the context and will continue to do  
15 so. Every place has its people who love it and it's unique  
16 context and characteristics and that's just every project  
17 has to, if it happens, it has to reflect that and it has to  
18 conform to that context. And so we can't do that without  
19 all of your input and recognizing that you've got jobs and  
20 you've got things you got to do and families to attend to,  
21 and you just have lives that are complex and really just  
22 want to raise all of you up first.

23 Particularly those who have stuck it out to now. But  
24 it's not a small thing. And so I just want to, again,  
25 gratitude I think is the theme. I do actually on a daily

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1 basis think about the little marble that's floating out in  
2 the blackness, which is what we all share. And that context  
3 is kind of humbling and it's a little bit scary and this is  
4 the earth we've got and it's complicated and we're heating  
5 it up at this breakneck pace. So tradeoffs are kind of  
6 inevitable. But I think in California what we're trying to  
7 do is the chair says lead the way to find solutions. And we  
8 have to do that together. There's no other way to do it and  
9 we have to bring everybody along. We've heard a lot about  
10 poverty and just of the difficult circumstances here. If  
11 everybody doesn't come along with this project and benefit  
12 from it, then we failed.

13 That actually isn't inclusive enough. It has to be  
14 everybody. So I think that's why we listen and that's why  
15 we try to weigh everything and just really try to make  
16 grounded decisions. So as I said at the outset, the way we  
17 do that is by listening and the way you help that happen is  
18 by contributing your thoughts and your experiences. And so  
19 we've kicked off the process today and really looking  
20 forward to continuing along this route. And I want to just  
21 thank Ralph and the hearing office and all the staff that's  
22 been playing their critical role in vetting everything and  
23 just making sure that we're informed and making sure that  
24 we're running down all the details. So looking forward to  
25 next steps. Thank you. And thank you to Commissioner

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1 Gallardo for your leadership.

2 HEARING OFFICER LEE: Okay with that, the time is  
3 9:35. The committee will now adjourn to close session in  
4 accordance with California government code section 11126,  
5 Subdivision C three, which allows a state body to hold a  
6 closed session to deliberate on a decision to be reached in  
7 a proceeding the state body was required by law to conduct.  
8 Afterward we're going to return here, but only to state any  
9 reportable action made during closed session and then end  
10 the meeting. I don't anticipate that there will be any  
11 reportable action and if there were any, we would follow up  
12 in writing filed in the docket anyway.

13 So you're free to go if you like. With that, we're  
14 going to close session. Thank you.

15 (WHEREUPON THE COMMISSION ADJOURNED INTO CLOSE  
16 SESSION.)

17 (COMMISSION RESUMES MEETING.)

18 COMMISSIONER GALLARDO: All right. So this is  
19 Commissioner Gallardo. Commissioner McAllister is present.  
20 Chair Hochschild had to depart. We have returned from  
21 closed session. There are no reportable actions. We are  
22 also going to say this in Spanish. Do you want to interpret  
23 or do you want me to?

24 (COMMISSIONER GALLARDO CLOSED THE MEETING IN SPANISH.)

25 We are adjourned. Thank you.



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(WHEREUPON THE MEETING WAS ADJOURNED AT 10:08 P.M.)

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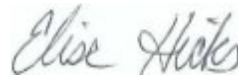
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CERTIFICATE OF REPORTER

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 2nd day of October, 2023.



ELISE HICKS, IAPRT CERT\*\*2176

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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.

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



MARTHA L. NELSON, CERT\*\*367

October 2, 2023