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CALIFORNIA ENERGY COMMISSION

In the matter of:

Willow Rock Energy Storage Center) Docket No. 21-AFC-02
_____)

SITE VISIT AND INFORMATIONAL HEARING

ROSAMOND COMMUNITY SERVICES DISTRICT BOARD ROOM
3179 35TH STREET WEST
ROSAMOND, CALIFORNIA 93560

HYBRID VIA IN-PERSON AND ZOOM

WEDNESDAY, NOVEMBER 6, 2024

3:00 P.M.

Reported by:

Elise Hicks

APPEARANCES

HEARING OFFICER

Renee Webster-Hawkins, Hearing & Advisory Unit

COMMITTEE MEMBERS

Andrew McAllister, Presiding Member, Commissioner

Noemi Gallardo, Associate Member, Commissioner

COMMISSIONER ADVISORS

Maggie Deng, Presiding Member's Office

California Energy Commission (CEC) STAFF

Leonides Payne, Siting, Transmission, and Environmental Protection Division (STEP)

Eric Knight, STEP

Patrick Riordan, STEP

Gabriel Roark, STEP

Erika Giorgi, Chief Counsel's Office, Advisory & Compliance Unit

PUBLIC ADVISOR'S OFFICE

Mona Badie, Public Advisor

Armand Angulo, Manager, Equity and Public Participation

APPEARANCESAPPLICANT

Curtis VanWalleghem, Gem A-CAES LLC / Hydrostor

Curt Hildebrand, Gem A-CAES LLC / Hydrostor

Victor Grille, Gem A-CAES LLC / Hydrostor

Samrat Mohanty, Gem A-CAES LLC / Hydrostor

Laurel Lees, Gem A-CAES LLC / Hydrostor

Jeffery Harris, Ellison Schneider Donlan & Harris LLP

Samantha Neumyer, Ellison Schneider Donlan & Harris LLP

INTERVENORS

Tara Rengifo, California Unions for Reliable Energy

Zeynep Graves, Center for Biological Diversity

LOCAL AGENCIES

Lorelei Oviatt, County of Kern

STATE AGENCY

Carli Sullivan, Assemblymember Lackey's Office

SPANISH INTERPRETER

Franchesca Leighty

APPEARANCESPUBLIC COMMENT

George Hodgkinson, Mojave Chamber of Commerce

David Smith, Mojave Air and Space Port

Richard Chapman, Kern Economic Development Corporation

Anthony Myers, Safe Haven Kid's League

Sam Rade, Holliday Rock

Joel MacKay, Rosamond Municipal Advisory Council

Jane Williams, Desert Citizens Against Pollution

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P R O C E E D I N G S

5:23 p.m.

WEDNESDAY, NOVEMBER 6, 2024

HEARING OFFICER WEBSTER-HAWKINS: Welcome. The time is 5:23 p.m. on November 6th, 2024, and this is the informational hearing for the Willow Rock Energy Storage Center.

I'm Renee Webster-Hawkins, the Hearing Officer for the Committee that the Energy Commission assigned to oversee this proceeding. Specifically, this proceeding is to review the application for this project as docketed at 21-AFC-02. I will hereby open the informational hearing on the Application for Certification, or AFC for short, as noticed in the docket for this proceeding pursuant to CEC regulations section 1709.7.

For everyone's awareness, this event is being recorded and all statements made are being transcribed by a certified court reporter. The recording and transcription will be available in the docket following the event.

I would like the record to reflect that we just concluded a site visit for the parties and public to view the proposed site for the project north of Dawn Road and between State Route 14 and Sierra Highway within unincorporated Kern County, California. The tour also included viewing at the Holliday Quarry, and also the 19-

1 mile route for the generation tie, or gen-tie, leading to
2 the Southern California Edison Whirlwind Substation located
3 at the intersection of 170th Street West and Rosamond
4 Boulevard.

5 We thank the Applicant for hosting the tour and
6 providing the ground transportation for the members of this
7 community to see where the project and its related
8 facilities are proposed to be located.

9 Today's informational hearing is being conducted
10 both in person and remotely with the assigned Committee,
11 representatives of the parties, staff from the Public
12 Advisor's Office, and the Hearing Officer appearing in
13 person here at the Rosamond Community Services District
14 Boardroom. And the public is participating both in person
15 and remotely via Zoom.

16 We thank the community of Rosamond and President
17 Byron Glennan of the Rosamond Community Services District
18 for hosting the California Energy Commission at this event
19 today.

20 I also want to thank our Office of the Public
21 Advisor, Energy Equity, and Tribal Affairs, our CEC
22 Information Technology Division, Z-Axis Images, and the
23 Legal Support Unit of the CEC Chief Counsel's Office for
24 dedicated attention to the countless details to arrange
25 this event.

1 Before we get started, I do want to quickly
2 affirm that, as noted in the pre-hearing slide loop, we are
3 offering Spanish interpretation here in the Boardroom and
4 on Zoom. If you are in person and need a headset to hear
5 the interpreter, please visit the interpreter's table in
6 the room over here to the right side of the dais. If you
7 are in Zoom, you may also listen to the Spanish
8 interpretation.

9 May I kindly ask the interpreter to approach the
10 podium to provide the instructions in Spanish on how to
11 access Spanish interpretation in the room and on Zoom? Is
12 Francesca available?

13 UNIDENTIFIED FEMALE: She's in a separate room.

14 HEARING OFFICER WEBSTER-HAWKINS: Wonderful.
15 There she is.

16 Welcome, Francesca. Thank you.

17 SPANISH INTERPRETER: So the introductions?

18 HEARING OFFICER WEBSTER-HAWKINS: This would be
19 on page five --

20 SPANISH INTERPRETER: Okay.

21 HEARING OFFICER WEBSTER-HAWKINS: -- under slide
22 two.

23 (Instructions are translated from English to Spanish.)

24 SPANISH INTERPRETER: I'm sorry, what does AFC
25 stand for?

1 HEARING OFFICER WEBSTER-HAWKINS: Yes, sure.

2 COMMISSIONER GALLARDO: Sorry, this is
3 Commissioner Gallardo. I think it's just the instructions
4 for how someone who is Spanish speaking can access the Zoom
5 channel for Spanish. So the instructions are above here on
6 the slide. I think it's just these instructions above.

7 HEARING OFFICER WEBSTER-HAWKINS: Oh, I didn't
8 see this.

9 COMMISSIONER GALLARDO: She doesn't have to do
10 it. She's got it.

11 (Continued instructions are translated from English to
12 Spanish.)

13 HEARING OFFICER WEBSTER-HAWKINS: So I will be
14 reviewing the agenda for this informational hearing in more
15 detail in just a little bit. However, I did want to
16 display it briefly right now. So you can see where we are
17 at in the schedule for this evening. You will see the
18 agenda displayed from time to time. And the red arrow in
19 the left margin and blue highlighting will help orient us
20 to where we are at.

21 As a bit of housekeeping for people who are
22 speaking here in Rosamond, you will see that we have some
23 fixed microphones, including at the podium. For the formal
24 presentations, public Q&A, and public comment, we will be
25 asking speakers to use the podium to address the Committee.

1 For the more interactive aspects of the agenda,
2 including discussion with the Committee and responses to
3 the public's questions, we have a floating microphone if
4 you don't have one in front of you right now. And we will
5 also bring the floating microphone to any attendee that
6 would like assistance to access that mic. We ask that you
7 wait until you have a microphone before speaking.

8 And for everyone's benefit, including those
9 listening on Zoom and the court reporter, anytime anyone
10 speaks, we ask that you state your name clearly each time
11 before speaking.

12 So turning now to the welcome and introductions,
13 on behalf of the Committee, we want to officially welcome
14 all participants. And first, we want to introduce key
15 participants who are convening here today.

16 The California Energy Commission, or CEC, is led
17 by five Commissioners appointed for five-year terms to
18 guide and oversee energy policy for the state of
19 California.

20 The proceedings for the Willow Rock AFC are being
21 managed by a Committee of two of our five Commissioners
22 appointed by the CEC. And the Committee is joining me on
23 the dais today, including Presiding Member and Commissioner
24 Andrew McAllister, and his advisor Maggie Deng, who's also
25 in the Office, and Associate Member and Commissioner Noemi

1 Gallardo.

2 Also in the room today, I will first turn to the
3 Applicant to introduce the members of your team, stating
4 your names, titles, and organization.

5 Good evening. My name is Curt Hildebrand, Senior
6 Vice President with Hydrostor. We do have a number of
7 Hydrostor representatives here tonight. I will ask that
8 they raise their hand when I introduce them briefly, just
9 to try to keep this fairly concise.

10 I'll start with Curt VanWalleghem. He's our CEO
11 and Co-Founder. Victor Grille is our Construction
12 Director. Laurel Lees, behind me, is our Director of
13 Environmental and Permitting. Samrat Mohantny is our
14 Geotechnical Engineer. He's here to answer any subsurface
15 questions that folks may have.

16 We do have a number of other people. Again, I'm
17 not going to introduce everybody for interest of time, but
18 I will turn it over at this time to our lead counsel, Jeff
19 Harris, with the firm Ellison Schneider Donlan and Harris.

20 MR. HARRIS: Thank you, Curt. I'll be reasonably
21 brief, too.

22 I am Jeff Harris with Ellison, Schneider, Harris,
23 and Donlan. I'm counsel on this. I'm here with two of my
24 colleagues. Samantha Neumyer is behind me, I believe, and
25 Jessica Melms.

1 And before management gets excited, you're not
2 paying for three lawyers. We all wanted to be here today
3 because of the great educational opportunity we had to go
4 and see the site. We always say there's nothing like
5 seeing it and really appreciate the opportunity to go out
6 there and become educated.

7 And so, and finally, Hearing Officer, I will
8 guarantee you, this will be my best performance because
9 you're going to hear the least from me tonight, as you will
10 hear from the rest of the proceedings. So thank you for
11 the opportunity to introduce the folks.

12 HEARING OFFICER WEBSTER-HAWKINS: Absolutely.
13 Thank you.

14 And now I'll turn to the CEC staff to introduce
15 yourselves, please.

16 MR. PAYNE: Sure, I'll get this done. Leonides
17 Payne, staff Project Manager. We've got Eric Knight, who's
18 our Branch Chief, and Erika Giorgi, staff Assigned Counsel.
19 We've got some technical topic experts in the crowd, but
20 unless we end up doing questions to them as part of Q&A,
21 we'll have them introduce themselves then. But these
22 people are either in the crowd or online and available for
23 questions as needed.

24 Thanks much.

25 HEARING OFFICER WEBSTER-HAWKINS: Thank you, Mr.

1 Payne.

2 And now I'll turn to Intervenors, beginning with
3 CURE.

4 MS. RENGIFO: Good evening. My name is Tara
5 Rengifo with the firm Adams Broadwell Joseph & Cardozo, and
6 we represent California Unions for Reliable Energy, or
7 CURE.

8 Thank you.

9 HEARING OFFICER WEBSTER-HAWKINS: And Center for
10 Biological Diversity.

11 MS. GRAVES: My name is Zeynep Graves, and I'm a
12 Senior Attorney at the Center for Biological Diversity.

13 HEARING OFFICER WEBSTER-HAWKINS: Thank you.

14 That includes all of the parties to this
15 proceeding, but I would also like to take the opportunity
16 to recognize representatives of state and local governments
17 and organizations, as well as California Native American
18 tribes and other public officials. If you could just each
19 raise your hand or approach the podium and introduce
20 yourself. We do want to get your voice on mic. Thank you.

21 MS. OVIATT: Hi, thank you. I'm Lorelei Oviatt.
22 I am the Kern County Planning and Natural Resources
23 Director, here representing the Kern County Board of
24 Supervisors.

25 Thank you.

1 HEARING OFFICER WEBSTER-HAWKINS: Okay. Seeing
2 no others approaching the mic -- oh. I'm sorry. Is
3 that -- is there a mic that you can -- there's a floating
4 mic. Thank you so much.

5 MS. SULLIVAN: I'm Carli Sullivan with
6 Assemblyman Lackey's office.

7 HEARING OFFICER WEBSTER-HAWKINS: Thank you. So
8 thank you all. We look forward to hearing from you this
9 evening about the Willow Rock Energy Storage Center.

10 And lastly, but certainly not least, I want to
11 thank the team that's worked to make this event happen.
12 Mr. Armand Angulo with us today from the CEC Public
13 Advisor's Office. And the actual Public Advisor herself,
14 Mona Badie, is participating remotely. Wendi DuBose and
15 Blanca Camberos from the CEC Chief Counsel's Office Legal
16 Support Unit. Kevin Williams from our I.T. Support
17 Division. Where's Kevin? I don't even see him.

18 (Colloquy)

19 HEARING OFFICER WEBSTER-HAWKINS: Okay. All
20 right. He's behind the scenes making all of this work, as
21 well as Dave Saltman and David Strausberger from the Z-Axis
22 Images. And then Elise Hicks, our Court Reporter, and
23 Francesca from our court -- our Spanish interpretation
24 team. So thank you all very much.

25 So now that we have set the stage, I would like

1 to turn the hearing over to the Commissioners leading the
2 review of this Application for Certification to provide
3 opening remarks, starting with Presiding Member and
4 Commissioner McAllister.

5 COMMISSIONER MCALLISTER: Well, thank you, Renee,
6 really appreciate it. And all the work, just would
7 reiterate all the thanks, including to you for all the work
8 leading up to this moment. You know, we've been iterating
9 this project right for a number of years now. And so it's
10 really nice to have the opportunity to come here and be
11 with all of you and to really get calibrated and sort of
12 see the status of everything going on and be able to ask
13 all the deep and probing questions. I guess that's a bad
14 pun in this case, but really happy to be here. I've
15 enjoyed the site visit and really looking forward to
16 digging into that again. Sorry.

17 But I really want to thank everyone for coming,
18 for coming, particularly members of the public and just the
19 interest who are linked to this place. Because this, you
20 know, the nature of these proceedings, and you know,
21 Commissioner Gallardo will talk about it, she leads our
22 siting work and I'm sure will talk a little bit about that,
23 but the context, you know, within what we're doing in
24 California, we've got a big project to transition our grid
25 to a green grid.

1 We're installing a lot of new technologies. We
2 need innovation. And we really want to kind of encourage
3 all the flowers that are going to bloom to bloom. And so,
4 obviously, that's not to prejudge this proceeding, but I
5 think it's gratifying to really have all of you in the room
6 to be able to hash out, figure out what the path forward is
7 here. And there's nothing like doing that in the community
8 that's going to be affected, getting everybody in the room
9 to really participate wholly and with their full selves and
10 really get that record developed so we can make decision.
11 The lifeblood of good decisions is participation from the
12 public. So I really want to just thank, again, you all.

13 So, again, I think there's a lot of interesting
14 and innovative components to this project, but the siting
15 process is very rigorous and, you know, there are no
16 corners to be cut here. So we really have to put it
17 through its paces and, you know, we'll be asking a lot of
18 questions to the Applicant and all the partners and trying
19 to get a handle on just all the issues that this brings up
20 as the Energy Commission figures out how to use our
21 authority in this siting process.

22 And so I want to just thank just the staff and
23 the public. And I also want to acknowledge Lorelei Oviatt,
24 just you've been a steadfast local partner in all this and
25 just, you know, the depth of knowledge you have about the

1 county and processes and just sort of the various issues
2 that come up, it's just that depth of experience and
3 knowledge is really just priceless really.

4 So, I think, so I think I'm -- that's all I want
5 to say to kick off, but really looking -- you know, we
6 will -- we're here today, but there will be, you know, an
7 agenda and a schedule that sets the course ahead. We are
8 under a timeline, so we do have statutory obligations to
9 get this done in a reasonable time frame and we're serious
10 about doing that.

11 So really looking forward to all the engagement
12 from the Applicants, the Intervenors, and all the different
13 stakeholders involved in the process. So really appreciate
14 everyone being here and I think we're getting off to a nice
15 first step here, so thanks.

16 I'll pass it over to Commissioner Gallardo.

17 Oh, and I did want to actually say one other
18 thing. (Speaking Spanish.)

19 COMMISSIONER GALLARDO: Gracias. (Speaking
20 Spanish.) Greetings. Good evening everybody. Despite it
21 being windy and a little cold out, I felt the warm welcome
22 from Kern County. So thank you so much for your
23 participation. As Commissioner McAllister was saying, we
24 value that so much.

25 So I'll be quick. I do oversee the siting

1 proceedings at the Energy Commission, which includes the
2 Applications for Certification, which focus on thermal.
3 It's our traditional program that we've had, and also our
4 newest Certification Program, which is Opt-In, that focuses
5 on clean energy generation facilities. So if you do have
6 any questions about that, I'd be happy to stay after and we
7 can talk more about that. We also have our experts here in
8 those realms as well.

9 But again, I'm really happy to be here, excited
10 to learn more about this particular project, and happy to
11 be the Associate Commissioner here alongside Commissioner
12 McAllister to make, you know, the very important decisions
13 on this proceeding.

14 I'll end it with that so we can move forward.
15 Thank you.

16 HEARING OFFICER WEBSTER-HAWKINS: Thank you,
17 Commissioners.

18 COMMISSIONER GALLARDO: Oh, one more thing,
19 sorry. I see people standing. And I'm all about
20 hospitality and I want to make sure if folks -- is there
21 anyone who wants a chair that's standing right now, could
22 you raise your hand? Because there are extra chairs and we
23 can -- and there are seats open. So before we move
24 forward, anyone? Please feel free to come in.

25 If there are seats next to you, if you're

1 sitting, please let them know so they can easily find it.
2 So over here on this side, too. Okay. Everybody else,
3 you're good? Okay. I'll treat you like adults. You
4 decide. Thank you.

5 HEARING OFFICER WEBSTER-HAWKINS: Thank you,
6 Commissioners.

7 So before we begin the presentations, I do want
8 to provide a roadmap of today's agenda.

9 For the presentations, I'm going to present first
10 as the Hearing Officer and I'll begin by describing the
11 CEC's permitting authority and this Application for
12 Certification and the process. I will outline a few of the
13 rules applicable to these proceedings and also briefly
14 introduce the Willow Rock AFC.

15 After that overview, Mr. Angulo from the Public
16 Advisor's Office will discuss opportunities for public
17 participation in the Willow Rock AFC and share general
18 information on tribal consultation and participation.

19 Following that, we will have a brief public
20 comment period. For all CEC hearings and meetings and
21 workshops, as you see on this agenda, we offer public
22 comment typically at the end of the program after
23 participants have had the opportunity to hear about the
24 project. We will be doing that tonight as well. But since
25 the program could run long, we are also offering an earlier

1 public comment period for individuals who cannot stay until
2 the end and would like to have their opinions heard and
3 considered.

4 So after the first public comment period, we will
5 have presentations from each of the parties to the AFC for
6 the Willow Rock Energy Storage Center, beginning with the
7 Applicants, and then the Intervenors, CURE and the Center,
8 followed by CEC staff who will describe its role and
9 responsibilities in reviewing the AFC for Willow Rock,
10 including engaging with other agencies, the public, and its
11 tribal consultations to date.

12 Following those presentations, if there are any
13 representatives from state or local agencies or California
14 Native American tribes, we would like to invite you to do
15 so at that time, if you choose.

16 Following those presentations, the Applicant will
17 be given an opportunity to respond to the presentations and
18 issues raised by the parties.

19 Following the Applicant's response, the Committee
20 will engage the parties in further discussion on the key
21 issues.

22 Then, towards the end of the agenda, we will have
23 a public question and answer period during which any
24 attendee will be allowed to address questions to the
25 Applicant or Energy Commission staff. And then, we will

1 take public comment one last time.

2 And finally, after the last public comment, we
3 will have Committee's closing remarks before we adjourn.

4 We also plan to take a ten-minute break somewhere
5 around the 90-minute mark. We don't know exactly where
6 that will fall right now. But just so you all are aware,
7 that is our intention, probably about an hour from now.

8 So before we proceed, do any of the parties have
9 any questions about the agenda? Seeing none.

10 Okay, then what I would like to do is ask Mr.
11 Angulo from the Public Advisor's Office to describe how
12 everyone here in the room and on Zoom can sign up for
13 either the first or second public comment period.

14 Mr. Angulo?

15 MR. ANGULO: Thank you. Good evening, everyone.
16 I'm super excited to be here today. My name is Armand
17 Angulo with the Energy Commission's Office of the Public
18 Advisor, Energy Equity and Tribal Affairs. Today, as Ms.
19 Webster-Hawkins has described, we'll have some
20 informational presentations, an initial scheduled
21 accommodation public comment period, more informational
22 presentations, and our main public comment period.

23 I wanted to mention at the beginning of our time
24 together a few instructions regarding our blue cards and
25 the initial public comment period. This is the blue card

1 I'm talking about, and it's on the table back there, and
2 there are some pens and so forth provided, so if you'd like
3 to comment, you'd fill one of these out. Some of you have
4 already done that, and I appreciate it, but if there's any
5 more, just feel free to complete that and hand that to me.

6 You can hand over your -- please make sure you
7 indicate on the blue card what you -- who you represent,
8 like California Native American tribe, or if you're here
9 from another governmental entity or the legislature. We'll
10 reserve time at the beginning of each comment period for
11 your comments before transitioning to general public
12 comment.

13 Please also indicate on the blue card if you
14 cannot stay for the duration of the event and would like an
15 accommodation to make your comments during the initial
16 public comment period. If you do not require this
17 accommodation, we ask that you reserve your comments for
18 the main public comment period later in the program.

19 For our Zoom online and phone attendees, we'll
20 ask you for your virtual raised hands to indicate that you
21 would like to comment. You can raise your hand for the
22 initial public comment period if you are requesting to make
23 your comment during this initial public comment period to
24 accommodate your schedule. If you're staying with us for
25 the main public comment period, we ask that you wait and

1 raise your hand during that time to make your comment.

2 We plan to hear from everyone who would like to
3 comment today. It is very important to us.

4 Thank you, and now I'll turn it back over to Ms.
5 Webster-Hawkins.

6 HEARING OFFICER WEBSTER-HAWKINS: Thank you, Mr.
7 Angulo.

8 So now I'll be moving on to the presentation
9 portion of the hearing, and I will begin by sharing the
10 purpose of today's proceedings, the Energy Commission's
11 role, and describe the Application for Certification
12 process.

13 So about an hour ago, we concluded the site visit
14 of the proposed project site as described in the
15 supplemental Application for Certification for the Willow
16 Rock Energy Storage Center and the gen-tie leading to the
17 Southern California Edison Whirlwind Substation, and this
18 is the informational hearing for the supplemental AFC. Its
19 purpose is to provide the public with an overview of the
20 regulatory process the Energy Commission follows to review
21 the AFC, to hear about the Willow Rock project proposed in
22 the supplemental application, to outline the revised
23 project review schedule, to discuss any outstanding issues
24 to date, and to provide an overview for your opportunities
25 for public participation and to allow attendees to ask

1 questions.

2 As noted before, the Energy Commission is the
3 state's primary energy policy and planning agency and is
4 leading California's goal to achieve 100 percent clean
5 electricity by 2045. The Committee appointed by the
6 Commission is conducting today's informational hearing to
7 discuss the supplemental application filed by the Applicant
8 for the Willow Rock project.

9 The application is before the Energy Commission
10 because the Warren-Alquist Act gives the Energy Commission
11 the exclusive jurisdiction to license or, as we say,
12 certify new thermal power plants that generate 50 megawatts
13 or more of electricity. The Commission's certification
14 takes the place of other licenses or permits that would
15 otherwise be needed to build or operate a power plant.

16 The Commission is also the lead agency for this
17 project under the California Environmental Quality Act, or
18 CEQA, and conducts an environmental review under our
19 approved Certified Regulatory Program implemented in Title
20 20 of the California Code of Regulations.

21 Under this Certified Regulatory Program approved
22 by the Secretary for Natural Resources, the Energy
23 Commission will review the potential environmental impacts.
24 The Commission will also assess the project's design,
25 including the engineering, safety, and reliability of the

1 proposed project. The Commission will also review the
2 project for compliance with state, local, or regional laws,
3 ordinances, regulations, and standards, which we often call
4 LORS for short.

5 During the project review, the Commission
6 coordinates with local, state, and federal agencies to
7 ensure that their usual permit requirements are
8 incorporated into the Commission's final determination.
9 The Commission's staff and Tribal Liaison also engage in
10 tribal consultation, which you will hear more specifics
11 about later from the Public Advisor's Office and CEC staff.

12 So this slide provides a visual roadmap for the
13 Energy Commission's review and determination on an AFC. As
14 Commissioner McAllister said, it is a rigorous process, but
15 we're hoping to demystify it a little bit here. The
16 bubbles in purple on the left represent the steps in the
17 process that are driven primarily by the Commission or the
18 Committee, and the bubbles in blue represent the steps that
19 are driven primarily by CEC staff, and the green bubbles
20 indicate the formal periods for public comment. However,
21 the public can participate and provide comments into the
22 docket and in other public events like today throughout the
23 life of an AFC proceeding.

24 So for thermal power plants, the CEC's proceeding
25 starts when the applicant files its Application for

1 Certification of the proposed project, and right away the
2 Commission assigns a Committee to manage the proceeding,
3 and Energy Commission staff begins reviewing the
4 application to determine if the application is complete
5 according to our regulatory requirements.

6 Upon staff's recommendation that it is complete,
7 the Commission determines that the application is complete,
8 which is what formally starts what we call the discovery
9 phase and the review of the project by CEC staff, any
10 intervenors, and other state and local agencies. Tribal
11 consultation is also initiated during this phase as well.

12 During the discovery phase, the CEC staff and
13 other parties, like Intervenors Cure and the Center for
14 Biological Diversity, can ask the Applicants for more data
15 or other information about the project to better analyze
16 it.

17 The Energy Commission staff's goal is to analyze
18 the project's environmental impacts, safety, reliability,
19 and compliance with laws, and publish its findings in a
20 report we call the staff assessment. Staff will publish a
21 preliminary staff assessment, which will be circulated for
22 public comment, and based on comments received, staff will
23 publish a final staff assessment.

24 At that point, the process does shift over to the
25 Committee. The Committee reviews the staff assessment and

1 holds an evidentiary hearing to formally accept staff
2 assessment and other evidence from the applicant and
3 parties into the formal hearing record.

4 The Committee will take the hearing record and
5 use it to write a report called the Presiding Member's
6 Proposed Decision, which is a recommendation to the full
7 five-member Commission about whether to certify or reject
8 the proposed project and what conditions of certification
9 might be appropriate for the construction and operation of
10 the power plant. This written document will contain the
11 analysis and conclusions the Committee has made about the
12 factual and legal questions presented during the
13 evidentiary hearings.

14 Ultimately, the Energy Commission will review the
15 Presiding Member's Proposed Decision and the public comment
16 on it, and then vote at a public business meeting on a
17 final decision about whether to approve or deny the
18 certification of the proposed project. If the Energy
19 Commission grants an Application for Certification, the
20 project's applicant may begin construction and operation of
21 the power plant subject to the adopted conditions of
22 certification, which can include mitigation measures and
23 other requirements.

24 The Energy Commission's ultimate decision must be
25 based on evidence in the record because project review of

1 an AFC is subject to an administrative adjudicative process
2 under the California Government Code. This makes the
3 Energy Commission's AFC process different from many other
4 state and local agencies who conduct CEQA and permitting
5 review of projects.

6 To make matters slightly more confusing, the
7 legislature recently gave the Energy Commission the
8 authority to issue certain permits for other types of power
9 plants and facilities that don't follow this process. But
10 for AFC projects, like Willow Rock, however, the state law
11 and Energy Commission's regulations require that we follow
12 the Administrative Procedures Act and ensure a fair hearing
13 and process for everyone who participates in this
14 proceeding.

15 So one important way that we ensure this fair
16 process is through the ex parte rule, which states that
17 parties to a proceeding and interested persons, which is to
18 say the general public, everyone here today, are prohibited
19 from communicating with presiding officers about anything
20 that may be in controversy or in dispute unless notice is
21 given that allows an opportunity for all other parties to
22 participate in that communication or the communication is
23 in a writing shared with the public and the parties. And
24 the preferred way is to submit written communication by
25 filing it in the docket for this proceeding. Prohibited

1 communications can include voicemail messages, text
2 messages, emails, letters, phone calls, and in-person
3 discussions, essentially any form of communication.

4 And so, in this proceeding, the presiding
5 officers are the members of the Committee, Commissioner
6 McAllister and Commissioner Gallardo, and any of their
7 advisors. It also includes the other three members of the
8 Commission and their advisors. And it also includes myself
9 and Hearing Officer Ralph Lee for this proceeding.

10 Ex parte communications are also prohibited with
11 individuals assisting these presiding officers, which for
12 this proceeding includes anyone serving as an advisor to
13 the Commissions and any attorney or other expert assisting
14 the Committee or Commissioners with this proceeding.

15 So it is also important to remember that CEC
16 staff is considered an independent party under the
17 evidentiary process for the review of an AFC. So even
18 though the CEC staff and the Committee members are all part
19 of the California Energy Commission, the staff functions
20 independently from the Committee, just like any other party
21 to this proceeding. So the ex parte rule is applicable to
22 communications from the CEC staff to Presiding Members,
23 just like all other parties and members of the general
24 public.

25 So turning to the application at issue in this

1 proceeding, the Willow Rock Energy Storage Center
2 application was initially filed on December 1st, 2021 by
3 Gem A-CAES LLC. The project proposed an advanced
4 compressed air energy storage facility to be located at
5 8684 Sweetser Road, northwest of Rosamond. Many of us here
6 were present in this boardroom on August 11th, 2022, for
7 the site visit and informational hearing on that original
8 application.

9 After significant discovery and data exchanges
10 between the Applicant, CEC staff, Intervenor CURE and other
11 public agencies, and further geotechnical and biological
12 studies, the Applicant determined that the original site
13 could not be optimized for construction and operation. So
14 without objection by the Applicant, the Committee suspended
15 the discovery phase for the Willow Rock AFC on August 11th,
16 2023.

17 Beginning March 1st, 2024, the Applicant began
18 submitting documents for the supplemental AFC for the
19 reconfigured project located at the new site we visited
20 earlier today. The supplemental AFC proposes a relocated
21 and reconfigured Willow Rock project as a nominal 520
22 megawatt gross, or 500 megawatt net, and 4,160 megawatt
23 hour gross, or 4,000 megawatt hour net, compressed air
24 energy storage facility using Hydrostor's A-CAES technology
25 and related accessories, including, without limitation,

1 eight electric motor-driven air compressors configured in
2 four trains, four air-powered turbine generators with 100-
3 foot-tall air vent stacks, thermal storage systems
4 including six 100-foot-tall hot water spherical storage
5 tanks, a 21.5-acre, 577-acre-foot hydrostatically
6 compensated surface reservoir with liner and interlocking-
7 shaped floating cover, and a 900,000-cubic-yard underground
8 compressed air storage cavern, all associated operational
9 and safety equipment and piping.

10 The new location is an 88.6-acre portion of the
11 approximately 112-acre parcel that we visited north of Dawn
12 Road in between State Route 14 and Sierra Highway within
13 the unincorporated area of Kern County, approximately four
14 miles north of Rosamond.

15 Energy stored at Willow Rock would be delivered
16 to the Southern California Edison Whirlwind Substation that
17 we visited, located southwest of the site at the
18 intersection of 170th Street W and Rosamond Boulevard via a
19 new approximately 19-mile 230-kilovolt gen-tie line.
20 Willow Rock would be capable of operating on a 24-hour
21 basis, 365 days a year, with an approximately 50-year
22 lifespan.

23 So upon staff's recommendation, on July 16th,
24 2024, that the supplemental AFC was complete, the Committee
25 terminated the suspension of the AFC and restarted the

1 discovery process anew.

2 On August 30th, 2024, the Committee granted the
3 petition to intervene filed by the Center for Biological
4 Diversity.

5 And although the Committee encouraged the parties
6 to meet and confer on a proposed schedule for the remainder
7 of the supplemental AFC, there were some differences of
8 opinion that led to separate proposed schedules, and so on
9 September 9th, 2024, the Committee issued a Revised
10 Scheduling Order taking into consideration the proposals
11 submitted by the parties.

12 So this slide shows the key dates according to
13 the revised schedule for the proceeding. More detail about
14 the rationale for the schedule are included in the findings
15 and orders published by the Committee on September 9, 2024,
16 but in general, the Committee has ordered the close of
17 discovery on January 13th, 2025, the preliminary staff
18 assessment to be filed 90 days later on April 14th, 2025,
19 and the final staff assessment to be filed 45 days after
20 public comment on the preliminary staff assessment, but no
21 later than July 14th, 2025. As is usual for AFCs, the
22 evidentiary hearing and decisional documents will follow
23 based on the sufficiency of the evidentiary record and the
24 number of issues remaining in controversy.

25 Because this is an additional informational

1 hearing and the Revised Scheduling Order was already
2 published, there will be no Scheduling Order following
3 today's informational hearing. The Committee acknowledges
4 that the Applicant submitted a letter response to the
5 revised Committee's Scheduling Order and appreciates the
6 information provided about the Applicant's desire for an
7 expedited schedule.

8 That said, all parties should consult the Revised
9 Scheduling Order, which does direct parties who seek relief
10 from the schedule to first use best efforts to meet and
11 confer with all parties to resolve the concern, and then,
12 failing that, to file a motion asking for modification of
13 the schedule.

14 So as I conclude my Hearing Officer presentation,
15 I do want to give the parties and the public some
16 additional guidance. Let's see, is there an additional
17 slide? Possibly not. What's the next slide? Okay. No?
18 Okay.

19 You're going to be hearing throughout this
20 presentation of other resources on the CEC website, of how
21 to follow our events, subscribe to the docket. And do
22 recognize that if there are any meetings or public events
23 for this proceeding, the law says that the CEC must give
24 the public at least ten days notice of the date and time of
25 the meeting. So even if there's going to be an event

1 that's not listed in the Scheduling Order or listed, you
2 will get separate notice of the individual events when they
3 are about to happen.

4 And also for documents, the CEC will provide
5 notice when they're ready for your review and the deadline
6 to submit any comments you may have on them.

7 So now I will invite Mr. Angulo from the Public
8 Advisor's Office to present on the public and tribal
9 participation opportunities in the CEC's review of the
10 Willow Rock project.

11 MR. ANGULO: Thank you. I'm Armand Angulo with
12 the California Energy Commission.

13 Next slide, please.

14 I work in the Energy Commission's Office of the
15 Public Advisor, Energy Equity and Tribal Affairs. Mona
16 Badie from our office is also joined virtually. Welcome,
17 Mona. Part of our mission is to facilitate public
18 engagement in the Energy Commission's programs and
19 policies. We are a free resource available to any member
20 of the public that wants to engage in our siting
21 proceedings. I'll be sharing our contact information on my
22 last slide of this presentation.

23 Next slide, please.

24 I want to take a step back and briefly introduce
25 the California Energy Commission. The California Energy

1 Commission, also referred to by our acronym, the CEC, was
2 created by statute in 1974. The CEC is the state's primary
3 energy policy and planning agency. We have a variety of
4 functions and work closely with other energy-related
5 agencies like the California Public Utilities Commission
6 and the California Air Resources Board.

7 Our primary functions include formulating state
8 energy policy, energy innovation investments, developing
9 and promoting renewable energy resources, preparing for
10 energy emergencies, promoting energy efficiency measures,
11 clean energy transportation, developing our energy
12 infrastructure, and intergovernmental collaboration.

13 Next slide, please.

14 Now I'm going to talk about different ways to
15 participate in an Application for Certification, or an AFC
16 for short.

17 Just to recap on what is an AFC, in order for a
18 developer to build certain types of power plants, they have
19 to get the CEC's permission first. You might hear this
20 being described as project approval or a license or a
21 certification. This process starts with an AFC and so the
22 proceeding and the process associated with it is often
23 called the AFC process or an AFC proceeding.

24 There are multiple ways to participate in the AFC
25 process such as these four ways. The first is to follow

1 the proceeding, secondly is to comment in the proceeding by
2 submitting comments, third is to become an Intervenor in
3 the proceeding, and the fourth option is open to California
4 Native American tribes, which is a tribal consultation.

5 Next slide, please.

6 One of the most popular ways to participate in
7 our proceedings is just to follow them. I will now go into
8 more detail on how to follow this proceeding.

9 You can follow proceedings by reviewing materials
10 we post on our website, signing up for email updates, and
11 by attending events like the one here today. Our website
12 is a great resource because we post a lot of information
13 there. Our website has a specific page for each proposed
14 project.

15 On the left side of my slide you will see the web
16 page. For the proposed Willow Rock project, it has
17 information on the proposed project and project status. It
18 has a place where you can subscribe for free email updates
19 on this project under subscribe. It also has a link to the
20 project proceeding docket, which I'll explain in a moment/
21 And there is a place where you can submit a written comment
22 to the docket.

23 I'll now talk a bit about our dockets. The CEC
24 has publicly-accessible online dockets for its proceedings,
25 and this is basically a place where application materials,

1 public comments, notices, agendas, and other documents are
2 filed and available online.

3 On the right side of my slide you will see the
4 docket for the proposed Willow Rock project. With few
5 exceptions, all materials in the docket are linked and
6 available for anyone to download and view for free.

7 You can also follow the proceeding by attending
8 public events like the one you are right now. The CEC
9 website has our calendar of events and our events are
10 noticed via our dockets and email to all related email
11 subscription lists. Our events are almost always hybrid or
12 fully virtual via Zoom so the public can attend our events
13 from anywhere with a phone or internet connection.

14 Next slide, please.

15 The other way to participate is to comment on a
16 proceeding. As in all CEC programs and policies, any
17 person can comment verbally at a CEC event or in writing.
18 Please note that comments will become part of the public
19 record with access available via internet search engine.
20 To comment verbally just attend the event and wait for the
21 instructions during the public comment period to make your
22 comment. For hybrid events you can comment in-person or
23 via Zoom online or by phone.

24 The CEC also welcomes written comments. As I
25 stated before, on the CEC website we have what is called a

1 docket for each project proceeding. The docket for this
2 proceeding is, again, 21-AFC-03 and is linked on my
3 previous slide. Written comments can be submitted to the
4 docket for the proceeding at any time but the most
5 effective time to do so is during the announced public
6 comment periods.

7 CEC provides notices when specific documents are
8 available and open for public comment. On our website you
9 can submit a comment electronically by just typing it into
10 our e-comment page or uploading a document such as a
11 letter. We also have an email and paper mail options to
12 submit a comment that are detailed in the notice for
13 today's event.

14 If you need assistance commenting you can contact
15 the Office of the Public Advisor, Energy Equity and Tribal
16 Affairs. I'll have our contact information on our last --
17 on my last slide.

18 Next slide, please.

19 And yet another way to participate in the
20 proceeding is to intervene in it. To intervene you must
21 apply to become an intervenor by submitting a petition to
22 intervene to the docket. The deadline for these petitions
23 is seven days after CEC staff docket its final staff
24 assessment report. Then, the CEC Committee will approve or
25 deny your petition. If a petition is granted, you will be

1 an Intervenor in the proceeding and have the same rights
2 and responsibilities as other parties in the proceeding.

3 Next slide, please.

4 And the fourth way to participate is available to
5 California Native American tribes. The CEC invites tribal
6 consultations in this and other siting proceedings. Tribal
7 consultation letters went out from the CEC in July of this
8 year with electronic copies sent out in August. Gabriel
9 Roark from the CEC's Siting Division is a point of contact
10 for consultations on this proceedings. Gabriel or members
11 of his team are attending virtually today.

12 The next and final slide, please.

13 Thank you for attending this event and your
14 interest in this proceeding. Here is my office contact
15 information as I previously mentioned I would share. If
16 you have any questions or need any assistance participating
17 in this proceeding, please reach out.

18 That concludes my presentation. I'll turn it
19 back over to Ms. Webster-Hawkins. Thanks.

20 HEARING OFFICER WEBSTER-HAWKINS: Thank you very
21 much.

22 And so here we are on the agenda and we have
23 arrived now at the first public comment period, which is
24 intended for people who cannot stay till the end and make
25 their public comment then.

1 So with that, I am going to toss it right back to
2 Mr. Angulo to facilitate the public comment.

3 MR. ANGULO: Hi everyone, again. For the record
4 I'm Armand Angulo with the Energy Commission's Office of
5 the Public Advisor, Energy Equity and Tribal Affairs.

6 The CEC welcomes public comment at this event.
7 This initial public comment period is to accommodate
8 speakers who cannot stay for the duration of the event and
9 would like to make their comments before leaving early from
10 the event today. We ask that if you are staying that you
11 reserve your comments for the main public comment period
12 later in the event. Please be assured that we plan to hear
13 from everyone who would like to comment at today's event.

14 First we'll hear from California Native American
15 tribes or other governmental entities and any legislative
16 offices, then go to general public. We'll start with the
17 blue cards in the room from the speakers who have indicated
18 they are here to speak on behalf of the California Native
19 American tribe or other governmental entity or a
20 legislative office, then transition to Zoom. If you
21 haven't filled out a blue card and would like to comment in
22 the room please do so now and hand it to me.

23 If you're joining by Zoom and would like to speak
24 on behalf of a California Native American tribe or
25 governmental entity or any legislative offices, please

1 raise your hand on Zoom at this time by clicking the raise
2 hand feature on your screen. It looks like an open palm or
3 press star nine if joining by phone.

4 Please make sure to state and spell your name for
5 the record before beginning your comments.

6 Starting with representatives from the California
7 Native American tribes other governmental entities and
8 legislative offices, I'll go ahead and start the blue cards
9 now.

10 Lorelei?

11 UNIDENTIFIED FEMALE: She's going to wait.

12 MR. ANGULO: Oh, you're going to wait? Okay.

13 Carli Sullivan with the Assembly. Please
14 approach the podium to make your remarks. Please spell
15 your name for the record before beginning.

16 Afterwards, we'll hear from Ted Hodgkinson.

17 Go ahead Carli.

18 MS. SULLIVAN: Hello, I'm Carli Sullivan,
19 C-A-R-L-I S-U-L-L-I-V-A-N, Field Representative with the
20 Office of Assemblyman Tom Lackey.

21 The Assemblyman is fully supportive of
22 Hydrostor's Willow Rock Energy Storage Center project in
23 East Kern County. This innovative project will
24 significantly boost California's energy grid reliability
25 and drive economic growth in our region. By supporting

1 renewable energy storage, Willow Rock will enhance grid
2 stability, especially during low renewable output, helping
3 California meet its energy goals.

4 Lastly, with an investment bringing \$500 million
5 to the region, creating 700 peak construction jobs, 40
6 full-time positions, and generating \$18 million in tax
7 revenue, this project will have lasting economic benefits
8 for East Kern County. Assemblyman Lackey is thrilled to
9 see these jobs coming to our community.

10 Thank you.

11 MR. ANGULO: Thank you.

12 COMMISSIONER MCALLISTER: Thanks for being here
13 and give the Assemblyman our regards, as well. Thanks.

14 MR. ANGULO: Next, we'd like to hear from Ted.

15 MR. HODGKINSON: I'm going to go ahead and
16 reserve my comments to the end of the meeting.

17 MR. ANGULO: Okay, no problem.

18 Now I'd like to invite David, David Smith, member
19 of the public, who's taking advantage of the initial public
20 comment period.

21 DR. SMITH: Dr. David Smith, D-A-V-I-D S-M-I-T-H,
22 the CEO of Mojave Air and Space Port.

23 So I speak not as the CEO but as a citizen of
24 Aerospace Valley here. Mojave Air and Space Port is where
25 imagination flies, where Burt Rutan built an airplane that

1 flew unrefueled non-stop around the world, where at Edwards
2 Air Force Base, William J. "Pete" Knight flew higher and
3 faster than any other human on earth. That record broken
4 at Mojave Air and Space Port.

5 This is the hub of innovation, not only in
6 aerospace but in delivering energy to our community. It is
7 fitting that this Aerospace Valley is the place for this
8 kind of innovative technology. I believe it is part of our
9 human drive and interest to see us move forward on multiple
10 fronts. We at Mojave Air and Space Port will fly higher
11 and faster and do things unheard of in aerospace. Our
12 partners doing this unique technology on the ground is
13 absolutely essential to the growth of our society.

14 So I speak in favor of the project as a citizen
15 from the Aerospace Valley.

16 MR. ANGULO: Thank you. Any other comments from
17 in the room?

18 (Off mic colloquy)

19 MR. ANGULO: Again, if you are joining by Zoom
20 and would like to speak on behalf of a California Native
21 American tribe or other governmental entity or any
22 legislative offices, please raise your hand at this time by
23 clicking the raise hand feature on your screen, it looks
24 like an open palm, or press star 9 if joining by phone.

25 Mona, please identify any comments on Zoom.

1 MS. BADIE: Good evening. This is Mona Badie
2 with the California Energy Commission. I'm not seeing any
3 raised hands on Zoom for this initial accommodation public
4 comment period for California Native American tribes, other
5 governmental entities or the legislature.

6 So I'm going to hand it back to you, Armand, to
7 facilitate any accommodation requests from the general
8 public via blue cards, and then I'll come back on to check
9 Zoom for that category. Thank you.

10 MR. ANGULO: Okay. Thank you.

11 I'd like to call up Richard, Richard Chapman.

12 MR. CHAPMAN: Good evening, Commissioners. My
13 name is Richard Chapman, R-I-C-H-A-R-D C-H-A-P-M-A-N, and
14 I'm the President and CEO of the Kern Economic Development
15 Corporation, and our organization promotes and cultivates
16 the county's boundless opportunities for business. We're a
17 185-member-strong coalition of business, government, and
18 education.

19 And our limits test whether to support projects
20 or not are threefold. Does the project create capital
21 investment? I think the number I've seen is \$1.5 billion,
22 which is incredibly robust for this region, as well as
23 jobs, high-wage jobs, we've heard the job numbers, and
24 public revenue. So those are the three legs of the stool
25 that we look for.

1 And we strongly support this project. It brings
2 new money into the economy, new money that would not be
3 here otherwise, as we took the tour today, looking at the
4 best use for that region, looking at our workforce, the
5 transferability of skill sets, as well as the geography,
6 topography. Just an ideal, in my opinion. I'm not a
7 scientist, but as an economic developer, I'm thrilled
8 because Kern County is truly the energy capital of
9 California, and we are the third most diverse economy. And
10 number four for STEM jobs, so what an ideal location.

11 In addition to being a top 15 region for oil and
12 gas, we are actually the renewable capital of not just
13 California, but the U.S., and we have, just down the road,
14 the largest in the world, BESS, which the acronym means
15 Battery Energy Storage System, Terra-Gen, Edwards, one of
16 the nation's largest solar farms, and the nation's largest
17 wind project.

18 So this project, in my opinion, will add to our
19 extremely dynamic and diverse energy portfolio. In fact,
20 the energy evolution is happening right here in Kern
21 County. I'm really proud to be part of this, part of a
22 coalition that supports projects like Hydrostor's, and I
23 respectfully request that you do support this critical
24 economic development project.

25 Thank you.

1 MR. ANGULO: Thank you.

2 Are there any further general comments from the
3 public in the room? Not seeing any. If there are no
4 further comments in the room, we'll transition to Zoom.

5 Mona, please identify anyone on Zoom.

6 MS. BADIE: Thank you. This is Mona Badie again
7 with the California Energy Commission. If there are any
8 members of the public who would like to comment and use
9 this initial accommodation public comment period, please
10 use the raised-hand feature on your screen, or star nine if
11 joining by phone.

12 And I am not seeing any raised hands for this
13 initial public comment period, so I will hand it back to
14 Renee Webster-Hawkins, the Hearing Officer. Thank you so
15 much.

16 HEARING OFFICER WEBSTER-HAWKINS: Thank you,
17 Public Advisor.

18 So returning to our roadmap and the agenda for
19 this evening, we can see that now we are going to hear
20 formal presentations from the Applicant, the Intervenors,
21 and CEC staff about the Willow Rock Energy Storage Center.
22 I want to thank everyone for providing your slides in
23 advance so that we could collate them in this slide
24 presentation.

25 And so, for this segment, we're going to ask each

1 presenter to address the Committee from the podium. Please
2 remember to identify yourself for the record before you
3 begin speaking. And then additionally, if anyone happens
4 to have a colleague participating remotely who is part of
5 your formal presentation, please let us know at the
6 beginning so that our Zoom caretakers can prepare to open
7 their line when you are ready for their contributions.

8 So with that, we will begin by inviting the
9 Applicant and your representatives to the podium to begin
10 your presentation to the Committee. Welcome.

11 MR. HILDEBRAND: Good evening. My name is Curt
12 Hildebrand, Senior Vice President with Hydrostor. It's our
13 pleasure to be here tonight to share additional information
14 in connection with our proposed project.

15 I'd also like to thank members of the public.
16 This is great to see the level of interest in our project,
17 and we do very much appreciate your time and interest as
18 well.

19 Next slide, please.

20 I'd like to begin with a brief outline of our
21 presentation this evening. We'll begin with an
22 introduction of Hydrostor, and also a discussion of our
23 advanced compressed air energy storage technology. We do
24 have Curtis VanWalleghem, our CEO and Co-Founder, with us
25 tonight, so nobody better to talk about our history and our

1 technological evolution than Curt.

2 I'll next return to the podium to dig in a little
3 deeper, pardon the pun, on our Willow Rock project, talk
4 about our location, some of our details and renderings. We
5 drove the transmission line route for folks on the tour
6 today, but we'll talk about that in a little more detail,
7 discuss the overall development timeline, also get into
8 some more details on the economic benefits to the region
9 from the project, and finally talk about some of the
10 advantages of our optimized site that we toured earlier
11 today.

12 So, with that, I'd like to introduce Curt
13 VanWalleghem, again our CEO and Co-Founder of Hydrostor.

14 MR. VANWALLEGHEM: Thank you, Curt. Thank you,
15 the Committee, Commissioners, CEC staff, Intervenors, and
16 the public. Really excited and glad to see all the
17 interest. We really care very deeply about how the project
18 impacts the community, and so your input is extremely
19 welcomed for us.

20 I'll give you some background on Hydrostor, if we
21 could move to the next slide, please?

22 I guess I'll spell my name. Curtis, C-U-R-T-I-S,
23 last name VanWalleghem, V-A-N-W-A-L-L-E-G-H-E-M.

24 Next slide, please.

25 So a quick overview of Hydrostor. We were

1 founded in 2010. We built some pilot plants to prove out
2 this technology, patented it, and then we've started to
3 look, where could we build our flagship project? That's
4 what's brought us here to Kern County, where we secured the
5 interconnection and now seeking the CEC's support and
6 certification to go forward into construction.

7 We're really a technology company, but we're also
8 an independent power producer. We develop projects, we
9 fund them, we own them, and we operate them for the long
10 term along with different partners. That's kind of our
11 basic business model. We have one commercial operating
12 project, a much smaller scale in Canada, Ontario, at the
13 moment. It's been running for five years, supporting
14 reliability of the electricity grid there. We have this
15 project and a sister project in Australia we're working on
16 now, this one being by far the largest and the flagship
17 that we would look to bring customers from all around the
18 world to come see it as we look to roll this technology out
19 worldwide.

20 Our key investors are Goldman Sachs Asset
21 Management through their private equity group, as well as
22 the Canadian Pension Plan. They've collectively given us
23 over \$300 million and have recently committed to giving us
24 additional capital for this project, but also to grow the
25 business in general.

1 Next slide, please.

2 So this is, you know, a basic that you can see of
3 the technology. So underground, about 2,000 to 2,500 feet,
4 we hollow out the rock. I know in the visual it kind of
5 looks like there's something there. That's really just
6 meant to show it is a hole in the rock. We just mine out
7 the rock and bring it up to the surface. There's no
8 plastic or anything else kind of brought down there.

9 Then you see the power plant, as well as the
10 reservoir. I'll walk through on the next slide kind of how
11 it works so that everybody understands, but some of the big
12 advantages. It is proven, there are compressed air plants
13 around the world, albeit they had some drawbacks. They had
14 some emissions because they burn natural gas. And they
15 were limited. You could only build them where you had a
16 salt formation.

17 Our patents allow you to build it anywhere
18 there's competent rock and it eliminates the emissions
19 because we have no natural gas in our process and it makes
20 it a lot more efficient. That's why we're gaining the
21 investment and attraction of customers and investors.

22 It's meant for long-duration storage, so it
23 really doesn't compete directly with batteries. The bigger
24 we make the hole in the ground, the more hours you have.
25 And the cost of adding an hour is about one-tenth that of a

1 battery and it lasts much longer. So it's just a
2 complimentary tool in the toolbox in the energy capital of
3 California and the United States.

4 Flexible siting, a big advantage.

5 We can go.

6 Another technology we kind of compete with is
7 pumped hydro. Very difficult to find sites that have the
8 elevation and that amount of water, so the solution is
9 quite unique and brings something new to the table to
10 complement the other solutions out there.

11 Emissions-free, low cost, and it is a very long
12 life asset. You know, I believe it's closer to 100 years,
13 but we kind of cap it at 50, but it will be a long
14 contributor economically to the region.

15 Next slide, please.

16 So the basics on how our process works, very
17 simplistic kind of diagram, but when we want to charge, we
18 draw power from the grid. We turn on an electrical motor
19 that turns a compressor and that compressor draws air in
20 just from the atmosphere. That air then gets pressurized.
21 It comes out pressurized and hot, just like when your bike
22 pump, when you're pumping up your tires, it heats up just
23 by the physics.

24 We then take that hot air, run it through a heat
25 exchanger to pull the heat out of it. So the air comes out

1 about 200 degrees C. We run it through a heat exchanger,
2 cool it down to about 50, 40, 50 degrees C.

3 That heat we then store in the thermal tanks as
4 hot water. These look like LNG spheres. It's just got
5 water in it, keeps it under pressure as a liquid, wrapped
6 in insulation so it can last, you know, many days. There's
7 a little immersion heater there that stirs it, that allows
8 it to stay even longer.

9 Then the air gets sent down to the cavern and as
10 the air starts filling the top of the cavern, the water
11 that's otherwise in the cavern gets pushed down a gooseneck
12 and lifted up into the surface reservoir. Some people call
13 that pneumatic pumped hydro because we use air to lift
14 water. The big advantage is you're using so much less
15 space, about 1/20th the water as compared to a pumped hydro
16 plant.

17 And then a valve holds it in. The water that's
18 been lifted is now full in that reservoir and when the grid
19 needs power, it's not -- the sun goes down, it's not windy,
20 the valve opens, gravity pulls the water down, pushes the
21 air back up. It then goes back through that heat exchanger
22 and heats up close to 200 degrees C and then goes through a
23 turbine and spins a turbine, same as a steam turbine, and
24 the air goes back to the atmosphere.

25 So it's very simple. It only uses air, rock, and

1 water. All the components are proven. These caverns store
2 natural gas. There's dozens and dozens of them across the
3 United States. Here we're only storing air, so the
4 requirements are far less. If there's a little bit of a
5 leak, you know, it's just atmospheric air that comes up.

6 COMMISSIONER MCALLISTER: Curtis, can I ask just
7 a couple questions? Sorry.

8 MR. VANWALLEGHEM: Absolutely.

9 COMMISSIONER MCALLISTER: I'm sorry to interrupt,
10 just want to kind of while you're talking about the topic,
11 so just a couple questions.

12 Could you sort of describe the trade-off? So
13 you're using the static pressure of the water, right, to
14 compress the air. Could you talk about sort of any trade-
15 offs between sort of depth and volume of a cavity and sort
16 of how you approach that?

17 MR. VANWALLEGHEM: Exactly, that's a great
18 question, Commissioner. So if we doubled the depth, we
19 would need half as much space. So it is a linear
20 relationship, which means our surface reservoir would get
21 half the size as well. However, your compressors then need
22 to add another stage to them. So you can only compress air
23 so much in one compressor stage, and so we're using two-
24 stage -- or sorry, three stage compressors. If we added a
25 fourth stage, our cavern would have to go much deeper. It

1 would then get smaller.

2 COMMISSIONER MCALLISTER: Is there an efficiency
3 trade-off, sort of the round-trip efficiency?

4 MR. VANWALLEGHEM: It really is very marginal.
5 We're less than a percent in terms of efficiency. It's
6 more of a space thing. And the reason we stopped at this
7 depth is because if you look at the rock caverns that store
8 natural gas around the world in the United States, you
9 know, not too many are deeper than this. And so we didn't
10 want to be setting records on a -- you know, we've got
11 enough innovation happening on this project.

12 And the cost, the space is helpful, and it does
13 reduce costs, but you have to sink your shafts lower, which
14 costs more. So cost-wise, deeper is marginally better. We
15 decided to cap it here just for project finance risk
16 management purposes.

17 COMMISSIONER MCALLISTER: Okay. Thanks. That
18 makes sense. And that sort of leads into my second
19 question, which, hold on -- I guess I'm wondering -- oh,
20 let's see. I sort of lost my train of thought here, but
21 hold on one second. Well, I'll think of it again, sorry.
22 Yeah, go ahead.

23 MR. VANWALLEGHEM: So that's the basics of the
24 process. As I say, these compressors are used widely. The
25 turbines are used widely.

1 COMMISSIONER MCALLISTER: I remembered what it
2 is, sorry. Could you define competent rock?

3 MR. VANWALLEGHEM: Competent rock. Our
4 geotechnical engineer is probably best to field that
5 question, so if I may introduce Samrat Mohanty.

6 COMMISSIONER MCALLISTER: Thanks.

7 DR. MOHANTY: So, Dr. Samrat Mohanty, not the
8 medical kind.

9 HEARING OFFICER WEBSTER-HAWKINS: Sir?

10 DR. MOHANTY: -- S-A-M --

11 HEARING OFFICER WEBSTER-HAWKINS: Sir?

12 DR. MOHANTY: -- -R-A-T --

13 HEARING OFFICER WEBSTER-HAWKINS: Sir, could you
14 please spell your -- state and spell your name for the
15 record?

16 DR. MOHANTY: Yeah, Samrat, S-A-M-R-A-T, last
17 name M-O-H-A-N-T-Y.

18 So competent rock would be anything above 8,000
19 to 10,000 PSI in this context at this depth. Competency is
20 a function of depth as well, so as the depth increases, the
21 stresses on the subsurface structures, it gets higher and
22 higher because your rock load on top of the structure is
23 increasing with depth.

24 So, for example, the hydrocarbon facilities,
25 caverns that Curt alluded to, which are the most common

1 worldwide, they can get by with a lesser strength, 5,000 to
2 6,000 PSI, but they are also shallow, 500 to 600 feet, 800
3 feet of depth. So the depth that we are talking about at
4 that depth, competent would be 8,000 to 10,000 PSI. And as
5 I mentioned during the tour, our average is around 17,000
6 to 18,000 PSI.

7 COMMISSIONER MCALLISTER: Great.

8 DR. MOHANTY: Does that --

9 COMMISSIONER MCALLISTER: Yeah, thanks a lot. I
10 may have more questions, but, yeah, that's good.

11 MR. VANWALLEGHEM: If I may add a layman, a non-
12 geotechnical person, when miners are down there excavating
13 the rock, we want to be very safe that nothing would
14 collapse on them. You also need to keep the hole open, so
15 it needs to be competent enough to hold it open over a long
16 lifespan. And then you don't want it to be porous. You
17 don't want the air to be leaking out. So you want it to be
18 able to hold the air in and be safe for the workforce when
19 they're down there excavating it, and make sure roof
20 sloughs don't happen over the operating life.

21 So that's what I think of competency, and he's
22 given more of the engineering basis behind that.

23 COMMISSIONER MCALLISTER: Thanks a lot. I guess
24 I'm also kind of wondering, but we can talk about it later,
25 the sort of like the fracturing potential and sort of the

1 integrity of the holes themselves, and sort of, you know,
2 how do you know that they're going to -- how do you gauge
3 that integrity and test it?

4 But I don't know that we need to get in there
5 right now, but maybe we'll get there.

6 DR. MOHANTY: Is it very quick, since I'm here?

7 COMMISSIONER MCALLISTER: Okay.

8 DR. MOHANTY: So as you saw in the core boxes,
9 and also the cores that are laid out there, there are
10 already existing fractures. However, we -- once, the
11 stresses I was talking about, once the excavation is in
12 place, the stresses acting both laterally and vertically,
13 they tend to keep the blocks together. If you can imagine,
14 they basically clamp each other into place.

15 And how do we know that? Through the six deep
16 exploration boreholes that we have sunk, drilled at the
17 site, we have a pretty good accounting of how the fractures
18 are. The institute fractures, pre-mining fractures, how
19 they are, we have a pretty good accounting of that. There
20 are approximately three sets of fractures. They go in
21 different directions, and that's the topic I don't want to
22 broach now.

23 COMMISSIONER MCALLISTER: That's why I hesitated
24 to go here. I don't want to get too technical.

25 DR. MOHANTY: But once the excavation is created,

1 you're right, there would be de-stressing around the
2 opening, because the stresses that were holding the rocks
3 in place, they have been removed around the opening. So up
4 to five feet or ten feet, there would be some de-stressing,
5 so those blocks, they might loosen. But to keep them in
6 place, we'll have ground support in the form of rug
7 bolting. So we are talking about like 15, 20 feet long
8 bolts. The details are being worked out at the moment, but
9 that'll keep them in place.

10 COMMISSIONER MCALLISTER: That's super helpful.
11 Thank you.

12 DR. MOHANTY: Yeah.

13 MR. VANWALLEGHEM: So unless the Committee had
14 any other questions, that's a little bit about Hydrostor
15 and the technology.

16 And then I would invite Curt Hildebrandt to come
17 back up to start walking through the details of the
18 project.

19 MR. HILDEBRAND: Thank you, Curt.

20 Next slide, please.

21 As far as rocks, again, a layman, we have a box
22 of core samples back here. These were actually drilled at
23 our site. We drilled six boreholes to date to
24 approximately 3,000 feet. Those are from our approximate
25 cavern horizon depth. So feel free to make yourself

1 familiar with our core samples.

2 Moving into Willow Rock and our optimized project
3 location, for folks that weren't out of the tour today, we
4 are located just north of Rosamond proper, one exit up,
5 Dawn Road. We are located to the east of Highway 14, just
6 west immediately of Sierra Highway and west of the UP
7 Railroad tracks, south of Mojave.

8 Next slide.

9 Again, for folks that weren't out there today,
10 these are photographs taken at our site. And this is the
11 drill rig we had out there for the past year-plus drilling
12 our core holes, confirming the geology at the site.

13 Next slide.

14 This is a rendering of our overall project.
15 Today, for the site tour, we were actually on the lower
16 left corner of this slide. The four main power blocks that
17 you see in the center of the slide, those are 125 megawatt
18 compressor and turbo expander and heat exchanger trains.
19 Each one is capable of charging or discharging 125
20 megawatts net of load.

21 The facilities to the west of that are air-cooled
22 condensers, fin fan units, big radiators, if you will. And
23 the spherical tanks are water tanks that we store our hot
24 water in. That is our thermal storage system. So they may
25 look a bit mysterious, but they're just storing hot water.

1 And again, the railroad tracks to our east, Sierra Highway
2 to our east, State Route 14 to our west.

3 Next slide.

4 The transmission line route, we were not able to
5 take Dawn Road west over to Mojave Tropico Road. It's
6 impassable to buses. But our preferred transmission line
7 route does head west from our site and then south along
8 Mojave Tropico Road, looping around a little bit of the
9 western part of Rosamond, and then back down to Rosamond
10 Boulevard. And again, we took that route out to the
11 Southern California Edison Whirlwind Substation today.

12 Again, this will be a 230 kV single pole, single
13 circuit transmission line as currently configured.

14 Next slide.

15 Schedule, we've talked about a little bit. No
16 need to really dig into it too much more here. We are
17 looking at a busy 2025, getting through this process with
18 the Energy Commission and hopefully commencing construction
19 late next year and beginning full commercial operation in
20 2030. We'll talk a little bit about the construction
21 cycle. It is a very significant undertaking to build both
22 the surface and subsurface requirements for this facility.

23 Next slide.

24 Some of the economic and fiscal benefits, we do
25 expect a total capital cost of the project in excess of

1 \$1.5 billion. It will require a significant workforce.
2 And, again, this is an ideal utilization of a lot of the
3 expertise that Kern County currently has in place with the
4 oil and gas and energy industry in place, utilize some of
5 that talent for this project as well.

6 Average workforce of about 250 workers for four-
7 plus years. Peak workforce of 700 people. And a very
8 significant total man-hour requirement of over 2 million
9 man-hours to fully construct the facility. Once
10 operational, 20 to 40 full-time inside-the-fence positions.
11 And again, we expect very significant direct and indirect
12 economic benefits flowing to Kern County, East Kern County
13 specifically in a lot of regards, totaling well in excess
14 of half a billion dollars.

15 Property taxes, we are not subject to any
16 exemptions like some of the solar property or solar
17 developers, so we do expect to make significant property
18 tax payments and are working closely with the county on
19 other shared benefits moving forward. And we are excited
20 to be here advancing this project with the Energy
21 Commission as well.

22 Next slide.

23 Some of the benefits of our optimized site, we
24 drove by our prior site, we are confident this project site
25 is much less impactful to the local community. Our nearest

1 receptor will be almost a mile away from our project site.
2 We are not proposing any utilization of groundwater. Our
3 water supplier will be Antelope Valley-East Kern Water
4 Agency. Their 36-inch main pipeline runs virtually
5 adjacent to our site right along Sierra Highway. We'll be
6 interconnecting to that pipeline.

7 Access is outstanding to and from the site along
8 Highway 14. And again, given our six boreholes drilled to
9 date, we are extremely excited about the geologic results
10 we've encountered to date.

11 So we're ready to move this project forward and
12 happy to answer any questions.

13 Next slide.

14 Thank you for your time.

15 HEARING OFFICER WEBSTER-HAWKINS: Thank you, Mr.
16 Hildebrand.

17 Next. Yes. Oh, absolutely. So, I have a few
18 questions.

19 Next -- yes. Oh, absolutely.

20 COMMISSIONER GALLARDO: So I have a few
21 questions.

22 On the community portion, yeah, you indicated
23 that you were working with local residents to ensure the
24 project is compatible. Could you speak a little bit more
25 to what that looks like?

1 MR. HILDEBRAND: We've been active in the Kern
2 County community for pushing four years now, making
3 presentations, meeting local community groups, and
4 presenting our project, letting them know where we're at in
5 the process, how they can become involved. I think part of
6 this is evidenced in the interest tonight that we're seeing
7 here. So we have been very active in the local community,
8 making them aware of our project, and inviting any and all
9 comments throughout the process.

10 COMMISSIONER GALLARDO: Okay. So mostly focused
11 on education --

12 MR. HILDEBRAND: Correct.

13 COMMISSIONER GALLARDO: -- with the community?
14 Okay.

15 And then, I am also curious about the more
16 permanent jobs. It says here 25 to 40 full-time equivalent
17 positions. What does that depend on, whether it's closer
18 to 25 or closer to 40?

19 MR. HILDEBRAND: We are still in the late-stage
20 design and operational assessment phase of our project.
21 Again, as we've mentioned previously, this is the first of
22 its kind, our flagship, if you will. So we don't want
23 to -- we are five years away from operations, so we don't
24 want to misrepresent anything. This is the first of its
25 kind. We may need more, we may need less. We just

1 honestly don't know. So we want to provide our best
2 estimate right now, and that's 25 to 40.

3 COMMISSIONER GALLARDO: Okay. And then, this is
4 more of a suggestion than a question, it says man-hours. I
5 would say work hours, maybe more appropriate.

6 MR. HILDEBRAND: Fair enough. I caught myself
7 when I said that, as well. Thank you.

8 COMMISSIONER GALLARDO: No shame. Okay. And let
9 me just look real quick. I think I'm good. We can move
10 forward.

11 COMMISSIONER MCALLISTER: Actually, I had a
12 question for you, as well, Curt. So could you talk a
13 little bit more about the water requirements? So it's
14 great that you have the 36-inch pipeline right next door
15 and everything. What -- so you charge it, and you've got a
16 reservoir of water that's, you know, not necessarily being
17 used up or anything, but what is the make-up water
18 requirement once you sort of are in operation?

19 MR. HILDEBRAND: Great question. I thought we
20 had some more numbers in there. We will require between
21 1,100 and 1,200 acre-feet of water to go commercial. Half
22 of that water will be utilized during construction for dust
23 control and just various construction activities, so call
24 that 600 acre-feet. We will need another 600 acre-feet,
25 plus or minus, to charge our reservoir one time. So once

1 we do so, that reservoir will be filled and ready to go.

2 One interesting and wonderful aspect of our
3 technology is that we actually extract water, liquid water,
4 out of fresh air. When we compress air, we actually
5 capture that humidity in the air, collect it, reutilize it
6 for beneficial purposes.

7 Happy to go into more detail, but a brief summary
8 is, given that this is a fairly dry climate, we expect a
9 net water balance of a positive 30 acre-feet a year. So
10 I'm not sure how many project proponents you've had that
11 are squeezing fresh water out of thin air, but we do expect
12 to have a net water surplus annually from our production.

13 COMMISSIONER MCALLISTER: Wow, that's really
14 interesting. So then to the extent you need make-up water,
15 you'll have it right there just with the condensate?

16 MR. HILDEBRAND: We will maintain our
17 interconnect to the AVEK pipeline --

18 COMMISSIONER MCALLISTER: Yeah.

19 MR. HILDEBRAND: -- but we will seek beneficial
20 uses for our access in the event we have some.

21 COMMISSIONER MCALLISTER: Wow, that's great.
22 Thanks.

23 HEARING OFFICER WEBSTER-HAWKINS: Since we're
24 asking some technical questions, Commissioners, I also
25 wanted to draw your attention to the fact, since we're in a

1 supplemental phase for this AFC, the Applicant has the
2 benefit of having the East Kern Air Pollution Control
3 District final determination of compliance sooner than we
4 normally get it in our process.

5 I'm wondering, Mr. Hildebrand, can you address
6 what air quality issues that FDOC covers, and what
7 conditions might be on the project as a result of the Air
8 District?

9 MR. HILDEBRAND: I'm going to turn that one over
10 to Laurel to field.

11 MS. LEES: Hi. Laurel Lees, L-A-U-R-E-L L-E-E-S.
12 I'm not an air quality expert, I'll say that for the
13 record, but we do have our FDOC and it's mainly pertaining
14 to construction equipment, making sure that we're using the
15 right tier equipment. And given that our facility doesn't
16 burn natural gas or emit GHG emissions, there's no air
17 quality requirements during operations.

18 HEARING OFFICER WEBSTER-HAWKINS: Thank you. And
19 just for everyone's awareness, FDOC is the final
20 determination of compliance.

21 and so is there any emergency generation on site
22 during operations that it might cover as well or --

23 MS. LEES: Very minimal, it's de minimis. So in
24 our GHG analysis you'll see that there are diesel backup
25 generators proposed, so the GHG would come from use of

1 those in emergency situations, which we estimated, as well
2 as testing routinely of that. So again, it's a de minimis
3 GHG, I can't remember the number off the top of my head,
4 greenhouse gas emissions.

5 MR. HARRIS: And, Laurel, it's Jeff Harris over
6 here, your friend. Can you speak a little bit about dust
7 control? I think that's part of the current requirements
8 as well, right?

9 MS. LEES: Yes. While I can't speak to the
10 details of it, the concept is that we must maintain control
11 of the dust per the Kern County requirements, so that's why
12 you'll see very specific measures, not just in our FDOC,
13 but also recommended by current county to use water and
14 reuse any water during operation -- or during construction
15 to suppress dust during construction.

16 HEARING OFFICER WEBSTER-HAWKINS: Thank you very
17 much.

18 COMMISSIONER GALLARDO: I do have one more. This
19 is on the jobs front.

20 So in the flyer that you shared with us, there's
21 talk here under job creation about the jobs being highly
22 skilled, similar to the county's established oil and gas
23 industry, providing stable long-term employment
24 opportunities, et cetera. It gave me the impression that
25 there might be some type of transition from folks maybe

1 working in those industries to coming over to work in the
2 job opportunities that you may have opening up. I was
3 curious, is that the case?

4 MR. HILDEBRAND: Absolutely. We're very excited
5 about the worker talent pool here in Kern County, given the
6 oil and gas industry, the refining industry, the renewable
7 energy industry. These folks have been working with pumps,
8 compressors, turbo expanders, heat exchangers for a lot of
9 years, and they're right here in Kern County. As oil and
10 gas production inevitably declines over time, those will --
11 we're excited to have opportunities for these workers to
12 redeploy those skills at our facility in the future.

13 COMMISSIONER GALLARDO: Okay, and so I'm hearing
14 it's like a plan to hire local --

15 MR. HILDEBRAND: Absolutely.

16 COMMISSIONER GALLARDO: -- is the preference?
17 Okay.

18 And then additionally, is there any type of
19 effort you're doing to help transition workers? Will there
20 be any types of specialized training that they need or any
21 types of certifications, or anything additional?

22 MR. HILDEBRAND: We've had a number of ongoing
23 discussions with local economic and educational
24 organizations in Kern County. We are still, again, five-
25 plus years away from being operational, so it's kind of a

1 bit premature to get too detailed on that. But we do have
2 a clear understanding of the resources, the educational and
3 training opportunities here in Kern County, and do expect
4 to exploit that to the mutual benefit of the county and
5 ourselves.

6 COMMISSIONER GALLARDO: Okay. Yeah, and I think
7 five years would give you good time to prepare, because
8 usually you need more time to prepare for that type of
9 transition. And I know there's the Kern Community College
10 District that's really solid, and I know have been
11 interested in clean energy job opportunities, as well, and
12 helping their students do those types of transitions.

13 So I was just curious if you're working with the
14 community colleges, or any other type of educational
15 institutions?

16 MR. HILDEBRAND: Bakersfield College and their
17 renewable energy laboratory. We're in close communication
18 with Bakersfield College, as well as Cal State Bakersfield.
19 There's a lot of educational resources and training
20 opportunities that we're very keen on.

21 COMMISSIONER GALLARDO: Okay, that's good to
22 hear. Thank you.

23 HEARING OFFICER WEBSTER-HAWKINS: All right,
24 well, good. Well, with that, thank you for entertaining
25 those questions.

1 So next, we are going to invite the Intervenor
2 to present, beginning with California Unions for Reliable
3 Energy, CURE.

4 MS. RENGIFO: Good evening. My name is Tara
5 Rengifo. It's T-A-R-A R-E-N-G-I-F-O. I'm with the firm
6 Adams Broadwell Joseph & Cardozo on behalf of California
7 Unions for Reliable Energy, or CURE.

8 CURE was granted Intervenor status in this
9 proceeding by the Committee on September 9th, 2022. CURE
10 is a coalition of unions whose members have environmental
11 and economic interests that are affected by the project.
12 Its coalition members construct, maintain, and operate
13 conventional and renewable power plants, energy storage
14 facilities, and other industrial facilities in California.
15 Its union members not only work, but also live and recreate
16 in these communities where facilities are constructed and
17 operate.

18 Unions have an interest in minimizing the impacts
19 of projects that may degrade the environment and impact
20 public health. CURE is equally committed to building both
21 a strong economy and a healthy environment. Well-designed
22 projects that reduce environmental impacts improve long-
23 term economic prospects.

24 CURE's ultimate position and participation in
25 this proceeding will be determined based on all of the

1 factors that will be considered by this Committee.

2 On October 23rd, CURE submitted its most recent
3 Issues Identification Report as required by this Committee.
4 CURE's report summarizes the major issues that it has
5 identified in the supplemental Application for
6 Certification with the assistance of its technical experts
7 in air quality, greenhouse gas emissions, public health
8 hazards, biology, noise, geology, and water hydrology.

9 First, CURE's air quality expert is evaluating
10 the air quality and greenhouse gas emissions modeling,
11 analysis, and calculations, particularly during
12 construction. The Applicant responded to these issues by
13 citing to the final determination of compliance issued by
14 the Air District earlier this year. However, the FDOC
15 evaluated the installation of three emergency generators
16 and one emergency fire pump, which does not address all of
17 the project's emissions.

18 CURE's expert is assessing all the project's
19 emissions to determine whether there are any significant
20 direct, indirect, or cumulative impacts on air quality,
21 including criteria, pollutant, and particulate matter
22 emissions from construction equipment and heavy-duty truck
23 traffic.

24 Second, CURE's public health expert is analyzing
25 the risk from exposure to contaminated soils impacted by

1 spores of Valley fever and impacts on worker health from
2 the potential presence of underground gases during cavern
3 construction. Finer particles, including Valley fever
4 spores, that are not visible to the human eye cannot be
5 controlled by conventional dust control mitigation
6 measures. Our expert may recommend additional sampling and
7 monitoring systems to provide active control of the site.

8 The impacts from radon have not been studied,
9 according to the Applicant, but the site is ranked as
10 having a moderate exposure based on EPA's radon zone map.
11 So CURE's expert is assessing potential pathways from radon
12 exposure.

13 Third, CURE's biologists identified issues with
14 the baseline data for several special status species that
15 may skew the impacts analysis and impact identification of
16 mitigation measures. The Applicant cited to its recent
17 responses to CEC data request set four, which concerns
18 survey efforts for several but not all special status
19 species, and CURE's expert biologist is evaluating these
20 responses. CURE's expert also reviewed the draft raven
21 management plan and identified additional information
22 needs.

23 CURE's biologist is also evaluating potential
24 issues related to avian collision and electrocution
25 hazards, noise, night lighting, and construction of access

1 roads and improvements to existing roads for the project's
2 gen-tie line. CURE has asked the Applicant about avian
3 power line interaction Committee practices are selected for
4 the project to address impacts from avian collisions and
5 electrocutions. Based on recent representations from the
6 Applicant, CURE understands that specific practices have
7 not been selected. Therefore, this issue remains
8 unresolved and further information is needed to evaluate
9 the project's impacts from avian collisions and
10 electrocutions.

11 The Applicant also referred to standard
12 transmission line protocols and its response to CURE's
13 issues identification report, but project-specific
14 information about the gen-tie line construction activities
15 is necessary to evaluate the project's impacts on
16 biological resources.

17 Fourth, CURE's noise consultant is evaluating
18 issues related to potentially significant noise levels and
19 is reviewing Applicants' recent responses to CEC data
20 request set four related to noise and vibration impacts.

21 And finally, CURE's expert hydrogeologist is
22 assessing potential issues with certain assumptions that
23 support the project's leakage analysis and identified
24 potential issues related to the adequacy of the project's
25 ongoing packer testing that will be further examined in

1 subsequent data requests.

2 We appreciate the opportunity to share our
3 analysis of the project to date. CURE will continue to
4 analyze existing and new information related to the
5 project's land use, environmental, and public health
6 impacts.

7 Thank you for your time.

8 HEARING OFFICER WEBSTER-HAWKINS: Thank you.
9 Thank you, Ms. Rengifo.

10 And so next we will invite Intervenor, the Center
11 for Biological Diversity, or the Center, to address the
12 Committee.

13 MS. GRAVES: Thank you. Good evening. My name
14 is Zeynep Graves and I'm Z-E-Y-N-E-P, last name Graves,
15 G-R-A-V-E-S. I'm a Senior Attorney representing Center for
16 Biological Diversity.

17 I do have a slide show. I don't know if that's
18 integrated. Thank you. And we can go to the next slide,
19 please.

20 So the Center for Biological Diversity is a
21 nonprofit organization with offices nationwide, including
22 in California. Myself, I live in the high desert, Yucca
23 Valley. And our mission is really to advocate for the
24 protection of endangered species and their habitats through
25 science policy and environmental law. We also strive to

1 protect air and water quality and support the development
2 of renewable energy sources.

3 For over 20 years, we've worked to conserve and
4 recover species in California's desert, advocating for
5 species such as the Western Joshua tree, the desert
6 tortoise, Mojave ground squirrel, burrowing owl, and many
7 migratory birds and other imperiled species. Our goal here
8 is to reduce impacts from development, vehicles, and other
9 threats to these fragile and important ecosystems.

10 Next slide, please.

11 So why are we involved in this case? In August
12 2024, the Center petitioned to intervene in this project
13 because it directly impacts the interests of our
14 organization, its staff, and our members. Among other
15 things, we are concerned about the protection of the
16 Western Joshua tree, the desert tortoise, the Mojave ground
17 squirrel, conservation of migratory birds and other avian
18 species, and the protection of rare and imperiled plants
19 and other wildlife found in and around the project area.
20 As with our past interventions, we want to ensure that this
21 project aligns with environmental laws and reduces impacts
22 on biodiversity.

23 So our Issues Identification Report, I'm just
24 going to briefly provide an overview. This was filed on
25 October 23, 2024. And since we're still in the discovery

1 phase, and we've been discussing with the Applicant,
2 there's a little bit of a bottleneck, the transmission of
3 certain files over to the Center, so I apologize if some of
4 this is in the materials. We just haven't received all of
5 the materials yet.

6 So based on the materials that we've reviewed to
7 date, our primary concerns relate to biological resources.
8 And some of the key issues that we've identified include
9 the potential impacts to Western Joshua tree and its
10 habitat. According to Willow Rock's data, there are 3,781,
11 that's kind of an uptick from there, that was the most
12 recent data that I saw, Western Joshua trees on the
13 property, and 74.66 acres of Joshua tree woodlands.

14 We want to make sure that Applicant's project is
15 adhering to the Western Joshua Tree Conservation Act, which
16 mandates avoiding and minimizing impacts to these trees to
17 the maximum extent practicable. One of the issues that
18 we've seen is there's a missing analysis on impacts to
19 Joshua tree woodlands, so this is that 74.66 acres. The
20 Supplemental AFC has yet to address impacts to Joshua tree
21 woodlands, which are recognized as a sensitive natural
22 community by the California Department of Fish and
23 Wildlife.

24 Next slide, please.

25 So shortly after submitting our issue statement,

1 the Applicant released additional survey data, which we're
2 still reviewing. However, based on the surveys that we
3 have received and that data, we've noticed some issues with
4 survey coverage and potential biological survey protocol
5 adherence.

6 We've identified some gaps that could affect the
7 completeness and accuracy of the data. For example, we --
8 actually, I'll skip the specifics. Some unresolved
9 concerns include the Applicant's compliance with standard
10 avoidance, minimization, and mitigation measures, including
11 compensatory mitigation for the numerous special status
12 species that we've seen in and around the project area.
13 For example, there has been cross-referencing of the bumble
14 bee cited on site, which is a candidate for listing under
15 the California Endangered Species Act, and there may need
16 an incidental take permit for that species.

17 We hope to be in a better position to assess the
18 full scope of the issue once we receive the remainder of
19 the information, including the sensitive species -- the
20 project-specific Sensitive Species Management Plan.

21 Next slide, please.

22 One of our concerns with the project component is
23 the surface reservoir, so one significant aspect of the
24 project is the 21.5-acre surface reservoir with a liner and
25 an interlocking shape floating cover to minimize

1 evaporative water loss. Water, especially in the desert,
2 attracts wildlife, so the attraction of predators,
3 particularly ravens, is a real concern because they can
4 harm juvenile tortoises. Tortoises are imperiled,
5 particularly in the West Mojave, where we're having
6 difficulty recovering.

7 There's also risks of wildlife entrapment and
8 entanglement in the reservoir, and also in the cover. So
9 the material composition, we don't yet have that data, like
10 what is this floating cover going to be made out of, which
11 that's really crucial to understanding the evaporative
12 potential and additional water supply needs, also to figure
13 out, you know, what are the real risks for wildlife
14 entrapment and entanglement.

15 So next steps moving forward, we're going to
16 continue to review the Applicant's data and any additional
17 information that is provided. Our goal is to support
18 renewable energy projects, especially when we're just using
19 rock, water, and air, but we want to make sure we're doing
20 so in a way that aligns with our existing environmental
21 laws to protect our Mojave Desert.

22 We look forward to continuing to work
23 collaboratively with the Applicant, CEC, and the rest of
24 the participants in this project. Thank you.

25 HEARING OFFICER WEBSTER-HAWKINS: Thank you, Ms.

1 Graves. So we -- oh.

2 COMMISSIONER GALLARDO: So I'm just curious, for
3 what you mentioned earlier about not having all the
4 material yet, is that a communication issue or is it
5 something else? And if the developer wants to speak to it,
6 please feel free. I just want to make sure you have what
7 you need, and I couldn't tell if it was on our end, the
8 Energy Commission, or if it's something else.

9 MS. GRAVES: Yeah, we've talked to the Applicant.
10 I think it's mainly a bottleneck with the confidential
11 materials, biological materials.

12 COMMISSIONER GALLARDO: Oh, okay.

13 MS. GRAVES: There's just no streamlined -- you
14 know, once things get filed, we have to request it and
15 there's just a lag in that. So hopefully we have it ironed
16 out after today.

17 COMMISSIONER GALLARDO: Yeah, we realize it's not
18 always the easiest process, but anything we can help out
19 with, we'd be happy to step up if it is something that is
20 under our control.

21 COMMISSIONER MCALLISTER: I'm wondering how much
22 of it has to do just with the fact that we granted you
23 Intervenor status fairly recently. Is that sort of part of
24 the issue, Just some time to work through the exchange of
25 information?

1 MS. GRAVES: Yeah, exactly. It took a little bit
2 of time for us to get the, you know, NDA in place and get
3 all the signatures, but now that that's all squared away, I
4 expect the streamline of information just to, you know, be
5 more fluid.

6 MR. HARRIS: Yeah, this is Jeff Harris, and I'll
7 speak to that as well. I think we had -- we solved the
8 game of telephone about who should supply files. And
9 there's also a distinction between files that are
10 confidential with special protection versus some that are
11 just too darn large to email, right? And so they have to
12 be uploaded through Kiteworks.

13 And so we had a discussion actually on the bus,
14 and I hope I'm not revealing any confidences, about these
15 issues. And frankly, I think we thought we were respecting
16 the Commission's desires, and we're going to take you out
17 of the middle, which you'll be happy to be out of the
18 middle, I'm sure. I can see a lot of vigorous shaking
19 heads in the answer to that one. So I think we have solved
20 for these things.

21 The other thing I wanted to note, it was just
22 kind of a quirk in timing here too. This hearing was going
23 to originally be on the 14th. We're happy to be here
24 sooner. Don't misunderstand that at all. But what it did
25 result in was having the Intervenors having a filing date

1 for their issues paper. That was the 23rd of October. On
2 the 25th of October, we filed data response set three. On
3 the 28th, we filed set four. And then on the 30th, we
4 filed our response.

5 And so because of the way the timing works out,
6 their responses were due before they saw, really, the bulk
7 of the majority of the information they were requesting.
8 And so that timing issue, I think we've solved for as well.

9 But, you know, like I said, we're very happy to
10 be here tonight, and happy to be here again real soon again
11 too, so --

12 COMMISSIONER GALLARDO: Okay. Thank you. I
13 appreciate that.

14 HEARING OFFICER WEBSTER-HAWKINS: Wonderful.

15 Okay, we have reached the point in the proceeding
16 where we're going to take a break. And we would like to
17 keep this to ten minutes, so let's resume at 7:25.

18 (Off the record at 7:14 p.m.)

19 (On the record at 7:31 p.m.)

20 HEARING OFFICER WEBSTER-HAWKINS: Alrighty, so we
21 are now at the point where we're going to hear from our
22 Energy Commission staff on their review so far, and
23 analysis of the application.

24 So I will turn it over to Mr. Payne.

25 MR. PAYNE: You can go to the next slide, please.

1 Thank you.

2 Good -- well, it's not afternoon anymore, it's
3 later, isn't it? Good evening, everyone. Leonides Payne,
4 CEC Project Manager, representing staff. I work within the
5 Siting and Environmental Branch of the STEP Division, which
6 is responsible for coordinating CEC staff's participation
7 in an AFC proceeding.

8 You can go ahead and go to the next one.

9 So you're going to be happy to hear this one, the
10 Hearing Officer's presentation was so good, and it covered
11 so much detail, including about staff's role, that I've cut
12 this, I've removed probably two-thirds of my presentation
13 tonight. So in the interest of time, I'm going to be
14 moving through some of these pretty quick.

15 On this slide, the only thing I really want to
16 pay a lot of attention to, I want to stress that CEC staff
17 is an independent party to the proceeding. In other words,
18 staff is required to provide the Committee with its
19 objective position on the Applicant's proposed project.
20 So, you know, we are not all in the same role. We act
21 completely separate and independent of that, even though we
22 are working for the same employer.

23 Go ahead to the next slide.

24 So I really want to jump into discovery efforts,
25 because this is sort of where we're at with the nitty-

1 gritty of this project right now.

2 Immediately upon resumption of the AFC process,
3 which got, again, described by the Hearing Officer, CEC
4 staff initiated the process we call discovery. Staff is
5 responsible for objectively reviewing, evaluating, and
6 analyzing data submitted by the Applicant. Staff will
7 request additional information from the Applicant to
8 clarify, correct, or supplement information in the
9 application. We call these requests for information data
10 requests.

11 In addition, staff conducts independent research
12 and field visits as necessary and consults with various
13 agencies and California Native American tribes to gather
14 additional information and inform staff's analysis.

15 In its Scheduling Order, the Committee set a
16 deadline of January 13th, 2025 for parties to ask the
17 Applicant for information during the discovery phase. And
18 considering that today is November 6th, parties to this
19 proceeding still have a bit more than two months to request
20 information.

21 So CEC staff has already issued four sets of data
22 requests. As you can see on the slide here, our first set
23 of data requests went out only two days after the
24 proceeding resumed on July 24th. An additional set of data
25 requests went out in August, and two additional sets went

1 out during September. The Applicant has provided timely
2 responses to all four sets of data requests with those
3 submittals happening on the dates you can see here on the
4 slide. The most recent data request responses were
5 submitted by the Applicant on October 28, 2024.

6 So CEC staff is actively evaluating all the
7 responses we've received for completeness and sufficiency.
8 As the Applicant has mentioned in its filings, and even
9 mentioned also tonight, one quirk of the information
10 meeting scheduling is that we received the most recent
11 round of responses on October 28th, which was only two days
12 before the docketing deadline for the slide decks you're
13 viewing today. At the time this slide was docketed, we
14 were not sure whether we would have additional data
15 requests, so it's listed as TBD on the bottom of the slide.

16 Now that a week has passed, I can now report with
17 some certainty that CEC staff will be filing a data request
18 set five and that the target for filing those new data
19 requests is approximately mid to late November. It should
20 happen in before the Thanksgiving holiday. So should staff
21 feel it is necessary to ask for additional information
22 beyond set five or to send follow-up questions to clarify a
23 response we've already received, we will do so prior to the
24 January 13th, 2025 deadline set by the Committee for
25 information requests.

1 I should note that if a party of the proceeding,
2 including CEC staff, needs to request information after
3 that date, they would need to file a special motion to the
4 Committee justifying the request.

5 Let's go ahead to the next slide.

6 So let's get into the nitty-gritty of tribal
7 consultation and what we've done so far. Tribal
8 consultation letters for this project went out on July
9 26th, 2024. Again, this was only two days after the Willow
10 Rock proceeding resumed. A follow-up emailing effort
11 happened in mid-August.

12 Our cultural staff has received six responses
13 from tribal entities to date with three tribes expressing
14 an interest in formal consultation. And this is where I'm
15 going to get the pronunciation horribly wrong, so please
16 don't judge me for this. Are you ready? Those tribes are
17 the Yuhaaviatam of San Manuel Nation, I hope I got that
18 right, the Kern Valley Indian Community, and the Tejon
19 Indian Tribe.

20 Tribal consultation meetings have not yet been
21 scheduled but will certainly occur prior to the publication
22 of our preliminary staff assessment because it's important
23 for our analysis to get input from potentially impacted
24 tribes. So six reach-outs, three responses that want --
25 six responses, three that specifically asked to do tribal

1 consultation, and we'll be following up.

2 So next slide, please.

3 So now I want to get into a bit of the heart of
4 what you actually are going to see in the big, thick
5 document we'll ask you to review later on down the line.
6 So although CEC is not required to prepare an EIR, or an
7 Environmental Impact Report, for these projects, you'll see
8 from the topic areas shown on this slide, staff's detailed
9 environmental assessment includes all the topics one would
10 expect in an EIR. The staff assessment will meet the
11 substantive requirements of CEQA.

12 Once our PSA is published and available for your
13 review, you'll see that it is generally comprised of three
14 main groupings of technical topics. The first of these is
15 the engineering assessment, which includes some technical
16 areas which are specific to the Warren-Alquist Act, like
17 facility design and reliability. The main portion of the
18 analysis is the environmental impact assessment, which
19 includes topic areas that should look pretty familiar to
20 you if you've worked with CEQA documents in the past. This
21 is where we look at things like the project's impacts on
22 air quality or biological resources, transportation, things
23 like that.

24 One of the major differences between the
25 engineering and environmental portions of our analysis

1 documents is that the environmental chapters include a
2 series of questions that come directly from CEQA Appendix
3 G. There are no equivalent CEQA questions for topics like
4 facility design and reliability. Those are Energy
5 Commission-specific analysis topic areas.

6 The third grouping is what I'm going to call
7 other topics. These are topics such as environmental
8 justice, public benefits, alternatives, and compliance
9 conditions that are important to give decision makers a
10 complete understanding of the project prior to making a
11 decision about granting a license.

12 Next slide, please.

13 So getting into issues, so staff filed its
14 original issues identification statement on the
15 supplemental application on August 9th, 2024, pursuant to a
16 Committee order. At that time, staff identified four
17 issues of potential significance, and those were biological
18 resources, cultural and tribal cultural resources,
19 reliability, and water resources.

20 Staff filed an updated issue ID report on October
21 23, 2024, again in response to an order by the Committee.
22 In that update, we carried forward three of the four prior
23 identified issues and generated an updated discussion for
24 each. Since that time, however, staff has determined that
25 certain issues may need a heightened level of scrutiny, but

1 are not necessarily expected to lead into any delays in the
2 publication of the PSA. Those issues are reliability and
3 water resources.

4 For those issues, we'd really like to credit the
5 Applicant and our partner agencies, like the Water Boards,
6 for helping us achieve progress via frequent and
7 substantive information sharing. Staff feels the discovery
8 process is working exactly as intended, and we look forward
9 to that continuing.

10 And now, for a brief discussion of the remaining
11 issues we want to bring to the attention of the Committee
12 today.

13 For biological resources, our technical team has
14 received the Western Joshua Tree Relocation Plan, but we
15 still need to review the plan and coordinate with the
16 California Department of Fish and Wildlife. We may have
17 follow-up data requests for this technical area.

18 For cultural and tribal cultural resources, our
19 cultural team has determined that the baseline data
20 supplied by the Applicant related to the identification and
21 evaluation of tribal cultural resources is incomplete, and
22 this has prompted our team to request additional survey
23 information. The Applicant is developing a Phase II
24 Cultural Resources Testing Plan that is expected to address
25 staff's informational needs. When staff receives and

1 reviews the Revised Cultural Resources Survey Report, we
2 may have follow-up data requests for this technical area.

3 Additionally, while staff initiated tribal
4 consultation in July, consultation is ongoing and could
5 result in the identification of significant tribal cultural
6 resources. Should one or more archaeological or tribal
7 cultural resources be identified through archaeological
8 investigations or tribal consultation, this may complicate
9 the analysis and have an impact on the overall analysis
10 schedule.

11 If any new issues arise, particularly any issue
12 that might delay publication of our staff assessment, staff
13 will inform the Committee via our regular status reports
14 that are due on or before the 26th of each month.

15 Next slide, please.

16 So this is just where we're getting into key
17 dates. And again, there's a bit of repetition here, so I'm
18 going to try to just buzz through this. I'm just going to
19 buzz right through that because it was covered.

20 The critical one here is that the Committee has
21 set a deadline of April 14th, 2025 for staff to publish its
22 PSA. This is roughly 60 days after the mid-February time
23 when it's assumed that all data requests from all parties
24 will have been adequately responded to. You start with the
25 January 13th date, you add the 60 days, you get the

1 responses in 30 days, you add time to that, and that's how
2 you get to April 14th.

3 The Committee has set a deadline of May 29th for
4 interested parties, including the public, to comment on the
5 PSA. In setting this deadline, the Committee is expressing
6 its preference for a 45-day rather than a 30-day comment
7 period on the PSA. And that seems important for people in
8 this room to know.

9 The Committee has set a deadline of July 14th,
10 2024 for staff's final staff assessment to be published.
11 This is roughly 45 days after the PSA commenting deadline.
12 In addition to making any necessary changes to the PSA, the
13 final staff assessment will also include responses to
14 comments received on the PSA. Staff may need to ask the
15 Committee for additional time to publish the FSA if
16 comments are extensive or new major issues arise. But for
17 now, we're assuming that this deadline will be met.

18 Last slide, please.

19 And here's another look at our project webpage,
20 just showing the breakdown of sort of where information
21 like the docket, project context, that sort of thing, how
22 to subscribe to the project LISTSERV. But I think our
23 Public Advisor's Office did a great job of going through
24 this early, so in the interest of brevity, I'm going to
25 hand it right back to the Hearing Officer.

1 Thank you.

2 HEARING OFFICER WEBSTER-HAWKINS: Thank you, Mr.
3 Payne.

4 Yes, Commissioner?

5 COMMISSIONER GALLARDO: I do want to make one
6 clarification. You mentioned the Western Joshua Tree
7 Relocation Plan. Is that the Applicant's plan?

8 MR. PAYNE: Yes.

9 COMMISSIONER GALLARDO: Okay. Thank you.

10 HEARING OFFICER WEBSTER-HAWKINS: Thank you.

11 Okay, next, we do have some local representatives
12 who are not parties, but who are important to hear from
13 before we move on to the discussions. And so at this
14 point, I'd like to invite any California American and
15 Native American tribes, or representatives from state or
16 local governments, and I don't think we've had anyone from
17 a California Native American tribe in attendance.

18 And so with that, I'm going to ask Director
19 Oviatt to approach the podium to address the issues from
20 the planning department in the county of Kern.

21 MS. OVIATT: Thank you, members of the
22 Commission. I'm Lorelei Oviatt, L-O-R-E-L-E-I O-V-I-A-T-T.
23 I'm the Director of Kern County Planning and Natural
24 Resources, representing the Kern County Board of
25 Supervisors.

1 So we always appreciate the opportunity to these
2 kinds of local hearings so that you can see in person the
3 conditions of the project site, which we saw this
4 afternoon.

5 We have experience with many different types of
6 renewable energy projects. We've currently permitted over
7 15,000 megawatt hours of lithium batteries, including the
8 intertie connection lines, as well as wind and solar.

9 The site location avoids the defects of the
10 previous site, as it's not located next to people's homes,
11 and it's not next to residentially zoned property.

12 We have docketed a comprehensive letter that has
13 a list of mitigation and conditions, which we believe can
14 address our concerns. These are conditions based on our
15 experience and represent the things that we would be
16 recommending as conditions if this was a conditional use
17 permit or mitigations in an Environmental Impact Report.
18 We have not more comprehensively created them for various
19 biological, since we know that those will be adequately
20 covered by your process.

21 I'd like to note that a zone change -- that this
22 project is zoned -- is inconsistent with the General Plan.
23 The Applicant has submitted a zone change to rezone it to
24 Exclusive Ag A. It is on the way to the Planning
25 Commission, we're sending out the hearing notice, and we

1 expect to have it before the Board of Supervisors for a
2 final consideration in February. It is a conformity
3 review, so we would be recommending support for it.

4 I'd like to give you kind of the general bucket
5 of concerns, and then address the question of workers and
6 jobs.

7 So first, a special concern is this is a deep
8 cavern. This is 2,500, originally, and they said it was
9 3,000 feet. However deep it is, you need special equipment
10 to rescue someone or some worker at the bottom. That
11 special equipment lives 85 miles away in Bakersfield. So
12 we have asked for the developer to fund a new urban special
13 rescue vehicle for the fire department that would then be
14 used out here in Eastern Kern County.

15 Since we believe that worker safety and the
16 safety of this, this is a long-term project, this could be
17 three or four years of excavation with hundreds of people,
18 the idea that we would take an hour and a half to try and
19 rescue someone is not acceptable to Kern County, and we
20 don't believe it's acceptable to either the developer or
21 your commission.

22 We have given you the cost for that. We do not
23 believe in blank checks, so we have talked to the fire
24 department, and we've given you a cost. If the cost is
25 over that, Kern County would cover it. That is the cost,

1 depending on when they end up starting.

2 Unfortunately, we do not have any revenue from
3 this project for the three to four years to staff it, so we
4 also are requesting the staffing cost for that period of
5 time. At the end of that, that vehicle would be in Eastern
6 Kern. That staffing cost would stop. They would no longer
7 have that commitment because they would be paying into the
8 fire fund through local property taxes. So that is how we
9 structured it. We provided the details, and we look
10 forward to questions from the staff.

11 COMMISSIONER MCALLISTER: So just to clarify, so
12 that resource was then passed over to the fire department
13 to be sort of covered by their budget, or what would happen
14 to it after, it would just go away, or what?

15 MS. OVIATT: So when they stop paying this lump
16 sum that we've asked for --

17 COMMISSIONER MCALLISTER: Yeah.

18 MS. OVIATT: -- they will be paying property
19 taxes --

20 COMMISSIONER MCALLISTER: Right.

21 MS. OVIATT: -- and therefore, they will be
22 paying enough property taxes into the fire fund to continue
23 that staffing.

24 COMMISSIONER MCALLISTER: So then after --

25 MS. OVIATT: And even if they don't, the fire

1 department and the CAO is committed that we will keep that
2 going. So, you know, we are not trying to --

3 COMMISSIONER MCALLISTER: Yeah.

4 MS. OVIATT: -- extract something out of this.
5 We are trying to find a compromise for worker safety.

6 COMMISSIONER MCALLISTER: Right. So you're
7 bridging into sort of --

8 MS. OVIATT: We're bridging into it.

9 COMMISSIONER MCALLISTER: -- a permanent
10 solution?

11 MS. OVIATT: Yes.

12 COMMISSIONER MCALLISTER: Okay, that's what I
13 wanted to know.

14 MS. OVIATT: Yes. Now, the question was asked of
15 us is, couldn't they just pay per incident, okay? They
16 won't be able to rescue anybody, okay? It's 80 miles one
17 way across a mountain pass that could be closed. So we
18 don't think that's exactly the right idea. If, for
19 example, there's a lag of a few weeks, it takes a year to
20 build one of these, if there's a lag, and they have to
21 start construction, then yes. If there's an incident, or
22 the fire department just has to show up for some other
23 reason, we'll work out a cost. So the details of that, and
24 we're certainly open to wording, is in our letter.

25 Our second concern is the disposition of the

1 excavated materials to a legally permitted location. They
2 have identified Holliday Rock. We believe that would be a
3 benefit to Kern County. There were other suggestions that
4 it be taken to Los Angeles County, to certain facilities in
5 Palmdale or Little Rock. We do not agree with that because
6 we think the impacts on the roadway system between here and
7 the county line are unacceptable if we get no benefit out
8 of that. We think that Holliday Rock is an appropriate
9 place.

10 There are some changes to their Conditional Use
11 Permit. We have talked to them about that. We don't think
12 that would be an issue, and they could accommodate this
13 excavated material, and they could be legally permitted to
14 do that when it's time.

15 The third category is, however, the condition of
16 the roads. We have given you our recommendations on
17 improvements to Dawn Road. Clearly, it's a dirt road now
18 and not really a road, and the process by which you can
19 acquire encroachment permits and other sorts of things
20 through the Public Works Department.

21 Our concern is Backus Road and the ongoing.
22 Those roads are in poor condition now. They're public
23 roads, and we have given you language that talks about
24 doing a survey for the structural integrity of them. We
25 can evaluate what kinds of improvements might be needed.

1 Perhaps they're okay for one year. And these are the kinds
2 of conditions that we've put on wind projects. Wind
3 turbine components are very, very heavy, and so we have a
4 lot of experience with developing these kinds of phased-in
5 conditions to ensure that the roads are in good condition
6 but that we're not overly mitigating an impact.

7 Our third area of concern is the intertie
8 connection line. As you noticed on your tour, while out in
9 the solar area where Willow Springs Raceway is, we have
10 intertie connection lines. Past 90th Street into town, we
11 don't, and there was a purpose for that. We don't permit
12 large-scale solar along that area because that's where
13 residents live.

14 And so while we understand and we are going to
15 work with the Applicant for them to put this into the road
16 right-of-way with the franchise, we have given you
17 conditions and asked that you be very careful about traffic
18 control plans not closing the roads for days and days at a
19 time, which sometimes happens because of crane work.

20 And we would just like everyone to understand
21 that that is a main road to 56,000 acres of solar. They
22 need to get out there and maintain it, as well as Willow
23 Springs Raceway. They do filming, they do major events
24 that are nationally known on Saturday and Sunday, and the
25 idea that we would agree to close a road merely for this

1 intertie connection, we would like them to take longer to
2 build it instead.

3 We've asked -- we've worked with them as much as
4 we can to not have them use that road. It turns out that
5 that's really the only way to get to Whirlwind for them,
6 unless they want to change it from 19 miles to 25 miles or
7 30 miles. So we understand that, but we also want to be
8 clear that that is a main economic driver.

9 And we're also very interested to see, which we
10 have no one seen, the final details of what they're going
11 to do between 90th Street and, I think it's Felsite. There
12 are telephone line poles in the way. There are mailboxes
13 in the way. There's not as much room as you would think,
14 and that is a major road.

15 So we just, we've given you suggestions for
16 conditions, and we hope that we continue this dialogue.

17 The last thing I'd like to address is jobs. So
18 we have provided you with our standard condition, which we
19 put on all our projects, that encourages local hire. It's
20 very carefully written. It says that you'll provide
21 evidence you had a local job fair. We consider the
22 Antelope Valley for this project local. We don't consider
23 Bakersfield local. We consider this local, Lancaster,
24 Palmdale, this area.

25 We have a highly skilled union workforce with

1 thousands of people working out here. We have some of the
2 most major mines you could think of at US4X. We have three
3 major concrete plants. All of these people are capable of
4 working on this project and have experience.

5 I appreciate the thoughts about oil and gas
6 workers. There are jobs for oil and gas workers. We are
7 permitting hydrogen, we are permitting carbon capture,
8 which we already just approved, we're permitting all sorts
9 of projects in Bakersfield for oil and gas. Asking them to
10 drive 80 miles out here, I don't think that's hiring local.

11 So first we'd like to see them work. And just so
12 you know, Cal State Bakersfield is involved in this. They
13 have a cohort here in the Antelope Valley. Cerro Coso
14 College is out here and they are part of the current
15 community college system. So we would like to see them
16 really hire local. Although we encourage 50 percent, we
17 run 85 to 95 percent local on our solar projects and
18 lithium battery out here.

19 So we -- obviously, this is a Board of
20 Supervisors policy and we really appreciate your interest
21 in that because that is always an important contribution,
22 especially with a new type of industry, to give people a
23 new future and a new type of career.

24 My staff will be reviewing the preliminary staff
25 assessment when it comes out to determine acknowledgement

1 of our request, what's the language that was put in, is it
2 close to what we had asked for. And then in that time
3 frame, before the public comment period ends, we will
4 schedule this for a public hearing at the Board of
5 Supervisors on the sub agenda with my recommendation. And
6 the recommendation I will bring forward is a support,
7 formal support letter from the Board of Supervisors and a
8 thank you for all the conditions, a conditional support if
9 there were things, important things to us and I'll take
10 comments from the Board. We can support it if you put
11 these things in or a recommendation for denial.

12 At this point, our preliminary recommendation is
13 to support this project. However, we do want to see that
14 these concerns that the Intervenors have brought forward
15 have been addressed, that all the issues that the staff has
16 brought forward and that our many requests and
17 contributions have been acknowledged and somehow put into
18 the preliminary staff assessment. And we look forward to
19 getting a properly cited, appropriately conditioned, long-
20 term storage project in Eastern Kern.

21 And I'm available for questions. If not --

22 HEARING OFFICER WEBSTER-HAWKINS: Thank you,
23 Director Oviatt. I have a few questions.

24 My first question, I wanted to appreciate the
25 detailed letter that the County submitted with the

1 conditions laid out and wondered, there was the initial
2 request was deference to your mining expertise, and I
3 wondered if additional conditions would be forthcoming from
4 the county around the actual mining operations --

5 MS. OVIATT: Actually mining operations?

6 HEARING OFFICER WEBSTER-HAWKINS: -- in addition
7 to what you've already submitted?

8 MS. OVIATT: We assume that your expertise with
9 staff is going to address blasting. I noted, I went back
10 and forth with staff about whether we should bring up
11 blasting, but we assume -- so we put in there that the
12 important thing to us is, obviously, you're going to make
13 sure that whoever does the blasting is certified. I've
14 already given contacts and we'll get contacts with the fire
15 department.

16 Our concern is that we get notification, that the
17 planning department know when they're blasting because we
18 get inquiries. That particular piece of property is in a
19 bowl and any noise from it is going to go into the
20 community. We are subject to very, very severe sonic booms
21 and blasts and we are related to, you know, a military
22 installation. Blasting is very nerve-racking for people.
23 They're not sure if this is an incident, if this is
24 supposed to be happening.

25 And so while we are confident that you will put

1 enough conditions in for that, that's why we addressed that
2 for mining.

3 COMMISSIONER MCALLISTER: So how will you sort of
4 notify the public or sort of what's your process for giving
5 people a heads up? Are you just ready to respond when you
6 get inquiries?

7 MS. OVIATT: Yeah.

8 COMMISSIONER MCALLISTER: How does that all work?

9 MS. OVIATT: Normally what they do is they let
10 the Planning Department know. That way we know a good
11 response. We let the supervisor's office know. We then
12 just make sure that we know when we get a question; right?
13 You know, I don't think that -- you know, on the other
14 hand, you don't want to do a public notification of
15 blasting because of safety.

16 So you don't want to send out a letter every time
17 you blast because it brings people who might have just an
18 off interest in blasting and it causes problems for the
19 people. You know, it's fascinating and so you don't want
20 people to show up who you have the safety officer will have
21 problems with; right? Even if this blasting is
22 underground, even if it's whatever. We don't want to
23 create an attractor. So it's that balance. It's that
24 balance.

25 And then the second part about mining was about

1 where the rock was going.

2 HEARING OFFICER WEBSTER-HAWKINS: Yeah. Okay.

3 MS. OVIATT: It was where the rock was going. We
4 have clarified with Holliday Rock that this could be, this
5 is fine inside their SMARA Permit. So I don't have any
6 problem with their SMARA Permit. I just have to make
7 some -- a few additions to their Conditional Use Permit.
8 So that's what that was referring to, but I appreciate you
9 asking.

10 HEARING OFFICER WEBSTER-HAWKINS: Thank you. I
11 have another question, too, about some of the timing of
12 some of the agreements and like the Traffic and
13 Transportation Control Plan and some of those documents
14 that I imagine will be. Are you expecting, let me ask, are
15 you expecting those to be complete when you take it to the
16 public hearing at the Board of Supervisors?

17 MS. OVIATT: No. And I have written the
18 conditions along the lines of trigger points. So the
19 conditions are written with specific trigger points before
20 grading, this is what has to happen. They're like a
21 performance standard.

22 HEARING OFFICER WEBSTER-HAWKINS: And, you know,
23 as a CEQA lead agency, we're always mindful of mitigation
24 or conditions of construction that could be deferred. And
25 so because the County is not a party and you know,

1 discovery doesn't -- you know, we really can't mandate
2 information from the county at the same time, it would be,
3 I'll just suggest, it would be very helpful, you know, to
4 the extent, and I know that this is a probably a two-party
5 tango that you're doing with some of those agreements, it
6 would be very helpful to have as many of those details in
7 those plans and agreements by the time of the evidentiary
8 hearings that we have in July, in the July time frame, July
9 to August, if to the extent possible, so that the Committee
10 has, you know, specific information about the efficacy of
11 the mitigation.

12 MS. OVIATT: So I appreciate that. And the
13 Applicant has asked. We are in a semi-gray area where if
14 the project's not approved --

15 HEARING OFFICER WEBSTER-HAWKINS: Right.

16 MS. OVIATT: -- I don't want to spend all this
17 time and effort and give the impression to the Applicant
18 that we're accepting it. But let me go back and look at
19 all those conditions and see what kinds of information.

20 I will note that the intertie connection line
21 will require a franchise from the Board of Supervisors.
22 And I have learned today that they intend to use the
23 Antelope Valley East Kern Water District intertie line,
24 which flows across them. However, it needs an easement to
25 go to their property to deliver the water, and they're not

1 clear where that is, and that may need a franchise. And we
2 certainly encourage the Applicant to figure that out,
3 should figure it out.

4 And we certainly can provide more written
5 comments explaining the franchise process and explaining
6 the information that we would need for that. And that will
7 be a process that will happen if you certify this project.
8 We would immediately be able to -- we expect you to
9 condition it, and then we would take it to the Board. The
10 Franchise takes a couple of months, and we would use your
11 CEQA.

12 HEARING OFFICER WEBSTER-HAWKINS: Conditions.

13 MS. OVIATT: Yeah, you would use your CEQA. But
14 I will take that under advisement and look at those
15 conditions.

16 HEARING OFFICER WEBSTER-HAWKINS: Appreciate it.
17 Thank you so much.

18 MS. OVIATT: Thank you. Thank you.

19 COMMISSIONER MCALLISTER: Yeah, I have a couple
20 questions.

21 So thanks so much. We just -- I can't tell you
22 how much we appreciate your engagement and just your active
23 management of all these issues, and just really on top of
24 things. It's just clear how much competence, you know, you
25 and your staff are bringing to this. So appreciate that.

1 I do have two questions.

2 The Center for Biological Diversity brought up,
3 and you mentioned the Valley fever issue. Are there --

4 MS. OVIATT: Yes.

5 COMMISSIONER MCALLISTER: -- are there like best
6 practices for dealing with that or what --

7 MS. OVIATT: There are. There are.

8 COMMISSIONER MCALLISTER: Okay, so just please
9 describe.

10 MS. OVIATT: Now, we were trying to be somewhat
11 thoughtful. CEC staff is very competent, so we do not give
12 you a comprehensive list. We certainly can. There is no
13 avoidance of Valley fever. If you hire local, people have
14 already been exposed to it for a long time and may or may
15 not contract it.

16 If you are from -- remember that Kern County
17 Public Health is an expert on Valley fever, and we get our
18 information from the experts at public health. Antelope
19 Valley has the same Valley fever that we have in the
20 Central Valley. It was not -- it was discovered later in
21 the, in the '70s when it was actually out here. Spores are
22 activated by water. You know, when it gets wet is when the
23 spores start to grow.

24 But there is a long list. There's offering
25 respirators. There's offering certain kinds of masks.

1 There's certainly handouts that absolutely need to be given
2 to the workers in regards to Valley fever and information.
3 I don't know, I can't remember if we put the condition in.
4 We actually put a condition on our solar projects that they
5 fund a \$3,900 payment to Public Health who uses it for
6 advertisement.

7 The number one issue with Valley fever is, is
8 that people don't feel well, and they don't tell their
9 doctor that it's possible they're in a Valley fever area,
10 so the doctor does not do the test. So part of the
11 advertising we've been doing is let your doctor know, ask
12 for the test; right? They may not be familiar with it, and
13 they may not actually do the test, and they may just call
14 it bronchitis, or you just have a cold.

15 In some cases, Valley fever can be very, very
16 severe. In most of the cases, it's not as severe, but we
17 are going to -- and can you avoid Valley fever? No. Is
18 Valley fever everywhere in this valley? Yes. And taking
19 spore samples may tell you that it's there, but it's also
20 in all -- you know, it's outside here in this parking lot,
21 next door. So, you know, we have care. We understand this
22 concern.

23 On the other hand, it's one of the things that we
24 have to deal with. And that is one of the other reasons
25 that you have to have dust control, and you have to be

1 clear to people the opportunities, you know, for
2 respirators and other sorts of things, and to make their
3 own decisions about whether they're going to work on that
4 particular project.

5 COMMISSIONER MCALLISTER: Great. Great. Thanks
6 for that. And I think we'll have a chance for staff to
7 also kind of give their view of this and sort of how
8 they're going to incorporate it into the PSA.

9 But that is a good segue into my other question,
10 which is about water management. You know, today it's dry,
11 there's no water around.

12 MS. OVIATT: Right.

13 COMMISSIONER MCALLISTER: But like that is, you
14 said it's a bowl and, you know, you do get deluges in the
15 area. So I'm just wondering about sort of service water
16 management --

17 MS. OVIATT: That's right.

18 COMMISSIONER MCALLISTER: -- when that is needed.
19 We discussed that a little bit on the site visit.

20 MS. OVIATT: We did. You know, I think we've
21 asked that they provide us with drainage plan, that they --
22 you know, our experts at the Public Works Department, flood
23 management, are experts on that. They either have to
24 retain it on site, or the amount of water that flows off of
25 that, now that it's going to be paved, has to be the same

1 amount.

2 That is why we are not supportive of them putting
3 that excavated rock around that facility and keeping it on
4 site, because we believe that they will not be able to
5 manage the water appropriately, and we're going to get
6 flooding on Sierra Highway. Sierra Highway is a major
7 linkage to our landfill. It's also a major road that
8 people use to access Edwards Air Force Base. And so the
9 idea originally was, well, if we can't get rid of it, we'll
10 just kind of elevate the site. We'll create this, okay?
11 We actually do not think that's a good idea.

12 There's certainly ways to manage the water
13 drainage. We just want to make sure you do, because on top
14 of all of that, you know, there's vegetation next door,
15 there's wildlife next door. And natural drainage and
16 natural flood is one thing, but increasing flood is totally
17 different. Joshua trees don't like to get their feet wet
18 permanently.

19 COMMISSIONER MCALLISTER: Great. Thanks for
20 that. Really appreciate it.

21 So no further questions for me.

22 HEARING OFFICER WEBSTER-HAWKINS: Okay.

23 Commissioner Gallardo?

24 COMMISSIONER GALLARDO: I wanted to see if staff
25 wanted to respond at all, since you got called out there.

1 MS. OVIATT: No, that's fine.

2 COMMISSIONER GALLARDO: No pressure, but it's an
3 opportunity to.

4 MR. KNIGHT: Was it on any particular issue?

5 COMMISSIONER GALLARDO: Like the blasting, for
6 example.

7 MS. OVIATT: I'm fine with -- I'm sure they're
8 going to manage that. And I know that their fire
9 specialist, I probably have his name wrong, is going to be
10 coordinating with the fire department, and I'm sure that
11 that would be handled, but --

12 COMMISSIONER GALLARDO: Okay.

13 MR. KNIGHT: This is Eric Knight, Siting
14 Environmental Branch Manager of the CEC.

15 So Dr. Alvin Greenberg is here tonight. He's our
16 fire expert. Yeah. And I would just like to say --

17 MR. GREENBERG: (Off mic.) (Indiscernible.)

18 MR. KNIGHT: Oh, thank you. Thank you, Alvin.
19 Yeah.

20 I would just like to say that we really
21 appreciate all your comments tonight, Lorelei, and you
22 know, we're going through the letter that the Kern County
23 filed. We have worked with Lorelei and Kern County in the
24 past on projects. We understand the intent behind the
25 letter. You know, but for the Energy Commission's

1 exclusive authority here, these are the conditions of
2 certification or permit conditions the county would impose.
3 Many of them are very similar, you know, to what we have
4 imposed or recommended the Commission impose, you know,
5 like traffic control plans and things like that.

6 So we are going through the letter, reviewing it,
7 and we'll take it all under consideration, so thank you.

8 COMMISSIONER GALLARDO: Okay. I appreciate that.

9 And did the Applicant want to respond at all
10 or -- no obligation, no pressure? I just want to make sure
11 folks have an opportunity since we're all here.

12 MR. HARRIS: Yeah, on all these issues, one of
13 the things that I love about Kern County is they're very
14 clear, and the director is very clear. I appreciate them.
15 I really appreciate, sincerely, the clear direction in your
16 letters, multiple letters we've received.

17 And we have, I can't cite the data response, but
18 as the Valley fever, for example, we've cited the Kern
19 County's practices. We're very aware of those things.
20 It's a real issue that affects all activity in the Valley.
21 And so we're going to protect our workers too. So we're --
22 but we also don't claim to have a monopoly on all the good
23 ideas, so we would want to work with staff as well, even
24 Eric, to figure out what's appropriate going forward.

25 So as I said, the director has been very clear

1 with us, and these things are all, I think, solvable, but
2 the burden's on us to put the information in front of you
3 all so that you agree they're solved.

4 COMMISSIONER GALLARDO: All right. Thank you so
5 much for that. And I really value your local expertise and
6 you sharing that insight. So when I was asking him
7 questions about jobs and workforce, I don't have that local
8 expertise, so I appreciate it, too, just for my own
9 personal education, so thank you.

10 MS. OVIATT: Thank you. Thank you.

11 HEARING OFFICER WEBSTER-HAWKINS: Thank you.
12 Okay. And I just want to be sure that we don't have any
13 other local or state agency representatives that wanted to
14 comment on the project? I don't see any. We can move on.

15 So we are at the point in the agenda where we
16 were to begin the discussion. And it's been wonderful that
17 I think it's worked really well to have interactive
18 questions.

19 I do want to first, though, turn to the Applicant
20 and give you an opportunity to respond to anything and
21 everything that's been shared tonight. Again, no pressure,
22 but, you know, this isn't litigation, this is
23 informational. If there's anything you would like to
24 respond to any of the presentations?

25 MR. HARRIS: It has been a good discussion. And

1 I actually really appreciate people interjecting questions
2 when the topics come up. That's a great practice. So
3 thank the Committee for that.

4 I don't have anything additional to really add.
5 We're available to answer any additional questions you may
6 have. But we just really appreciate the opportunity to
7 present the project to people, to answer questions. Some
8 of the best things that happened are the interactions on
9 the bus and during the breaks. So it's great to be here
10 for those purposes too.

11 So I think I already did a good job of explaining
12 the sort of weird quirk in the schedule that resulted in
13 the Intervenors and Applicant doing the same. But we're
14 working very together, very well together with the
15 Intervenors. I appreciate their professionalism. They're
16 not subtle, too, which is good because we can get directly
17 the issues on that.

18 So we don't have anything further, but would
19 certainly answer any specific questions the Committee might
20 have.

21 COMMISSIONER MCALLISTER: Well, I just want to
22 say, I really appreciate everybody's professionalism.
23 Definitely want to -- you know, information exchange is
24 sort of like the hemoglobin that makes this whole thing
25 work. I just want to make sure that all that's flowing

1 well and, you know, between staff, between Intervenors,
2 Applicant, just sort of everybody who needs information
3 gets it expeditiously.

4 And, yeah, let's move on in the agenda. I think
5 we're not shy, so we definitely ask questions when needed,
6 so, great. Thanks.

7 HEARING OFFICER WEBSTER-HAWKINS: Commissioner
8 Gallardo, did you have any further questions or discussion
9 at the time?

10 COMMISSIONER GALLARDO: No, not at this time.

11 HEARING OFFICER WEBSTER-HAWKINS: Okay.

12 Wonderful.

13 So next on the agenda, we are coming to the point
14 where we have public question and answer. And this is
15 unique to our informational hearings. It's different than
16 public comment. Public comment is just an opportunity to
17 provide an opinion. But this session is intended to allow
18 anyone in the room or on Zoom to ask questions. And we
19 will kindly ask, whether it's the Applicant or staff, to
20 respond if possible.

21 And so if you submitted a blue card indicating
22 that you have any questions, do we have any that have
23 actually called out questions? Okay. I do want to invite
24 anyone in the room at this time to come forward if you have
25 a question. We'd like to start with any representatives of

1 California Native American tribes. And seeing none, anyone
2 else who would like to come to the podium and ask a
3 question about the project? Give you a second. Is there
4 anyone who would like to ask a question? I don't see
5 anyone in the room.

6 Can we turn to Zoom and ask if there's anyone on
7 Zoom who would like to ask a question about the project?
8 Please use the raised-hand feature so that we can see
9 whether or not there's anyone on Zoom. I don't see any.
10 My team is telling me that there's no one that's raising
11 their hand. So maybe the Commissioners have asked all the
12 questions that are on people's minds. Okay, going once,
13 going twice.

14 We'll move on to our last public comment session.

15 Mr. Angulo, would you like to lead the last
16 public comment?

17 MR. ANGULO: Absolutely. Hello again. For the
18 record, I'm Armand Angulo with the Energy Commission's
19 Office of the Public Advisor, Energy Equity and Tribal
20 Affairs.

21 The Energy Commission welcomes the main and final
22 public comment period for today's event. I want to briefly
23 describe the public comment process.

24 First, we'll hear from California Native American
25 tribes, other governmental entities, and any legislative

1 offices, then go to general public comments. We'll start
2 with blue cards in the room from speakers who have
3 indicated they are here to speak on behalf of the
4 California -- on behalf of a California Native American
5 tribe or other governmental entity or a legislative office,
6 then transition to Zoom. If you haven't filled out a blue
7 card and would like to comment in the room, please do so
8 now and hand it to me.

9 If you are joining by Zoom and would like to
10 speak on behalf of a California Native American tribe,
11 other governmental entity, or any legislative office,
12 please raise your hand on Zoom at this time by clicking the
13 raise hand feature on your screen, it looks like an open
14 palm, or press star nine by joining by phone. Please make
15 sure to state and spell your name for the record before
16 beginning your comments.

17 Starting with representatives from California
18 Native American tribes or other governmental entities and
19 any legislative offices, using the blue cards, I'd like to
20 have Ted Hodgkinson please approach the podium to make your
21 remarks. Please spell your name for the record before
22 beginning.

23 MR. HODGKINSON: Okay, let's check the gain here.
24 Okay. Correction on that. That's my nickname. Let's go
25 by my legal name. Legal name is George, last name

1 Hodgkinson, H-O-D-G-K-I-N-S-O-N.

2 I've been a longtime member of this community.
3 I've lived in Mojave since 1954 and I went through the
4 educational system there and went on to college and worked.
5 I retired after 32 years of Rio Tinto Research and did a
6 lot of mining research. So some of the things that were
7 said during this discussion and the review out there at the
8 facility, I found quite interesting.

9 I wear a number of different hats in my
10 community. I've been a school board trustee since I
11 retired back in 2008. I'm also a member of our local
12 chamber of commerce. We're a township over there, so our
13 chamber of commerce, we're not appointed or elected. I'm
14 also a member of the fraternal organization, the Elks. I
15 teach one day a week up at Cerra Coso College and I'm a
16 docent for Red Rocks. I have a lot of different hats on
17 and I'm interested in this facility.

18 And I want to stop right there and say I support
19 this. I think it's a great idea. Number one -- three
20 reasons.

21 I'm sort of a science nerd, so I'm fascinated by
22 this project and what's going on out there. I think it's a
23 great thing. I've had solar energy on my property for I
24 don't know how many years now, so I've been pretty much off
25 the grid, so I have all my own electricity coming through

1 Tesla. Anyway, I also being a science nerd, I built my own
2 observatory in the backyard, so anything science-related,
3 mining, I'm interested in, so I supported for that.

4 Also, for the reason so many of you have talked
5 about, the financial gain in our community, a lot of short-
6 term jobs and long-term jobs. I think up to two score jobs
7 are going to be created.

8 And third, education. I can remember when I was
9 a senior in high school, I was invited out to a facility at
10 Edwards Air Force Base. We got to go through the lab and
11 we were introduced to all sorts of things. And that became
12 what I wanted to do. I went on to college. I majored in
13 astrophysics with a strong background in chemistry and
14 physics. And that process of going to that facility got me
15 excited about the field.

16 I'm also, as I mentioned, I'm a School Board
17 trustee and I work at a college, so every time a new
18 facility comes in, solar, wind, it's exciting for me to
19 listen to these things go on and the introduction of these
20 ideas, concepts, and technology that gets passed on to our
21 students. So the opportunity there is to plant a seed to
22 our students every time we get a new industry in. That
23 seed may grow in maybe 5, 10, 15, 20 years down the road.
24 That one student that may get interested in the type of
25 work you're doing may come up with a little bit better

1 plan, a little bit more technology that will help all of
2 us.

3 That's about all I have to say. Thank you for
4 your time.

5 MR. ANGULO: Thank you.

6 Mr. Hodgkinson, thank you very much. And I just
7 really love the community connection and you're connecting
8 a lot of these dots and helping this be a positive
9 experience in the community, however it, you know, turns
10 out at the end of the day. I really appreciate it.

11 MR. ANGULO: That concludes comments in the room.

12 We'll now transition to virtual comments via Zoom
13 from California Native American tribes, other governmental
14 entities, and any legislative offices.

15 Again, if you're joining by Zoom and would like
16 to speak on behalf of a California Native American tribe,
17 other governmental entities or any legislative office,
18 please raise your hand on Zoom at this time by clicking the
19 raise-hand feature on your screen, it looks like an open
20 palm, or press star 9 if joining by phone.

21 Mona, please identify any comments on Zoom,
22 please.

23 MS. BADIE: Thank you. This is Mona Badie with
24 the California Energy Commission. I'm not seeing any
25 raised hands for the categories that you called so far,

1 Armand. Back to you.

2 MR. ANGULO: Thanks, Mona.

3 We'll now move to general public comments in the
4 room, then Zoom. We're asking for comments to be three
5 minutes or less. If you are using an interpreter, your
6 comment period provides for six minutes to allow for
7 interpretation of your comment.

8 I'd like to ask Anthony Myers to please approach
9 the podium to make your remarks. Please spell your name
10 for the record before beginning, and we're asking that
11 comments be three minutes or less, and there will be a
12 timer on the screen.

13 After Anthony Myers, we'll hear from Sam Rade.

14 MR. MYERS: My name is Anthony Myers,
15 A-N-T-H-O-N-Y, last name M-Y-E-R-S, and I am the Co-Founder
16 of Safe Haven Kids League of California City, our umbrella
17 company, Safe Haven Kids League Community Resources of
18 California, where we feed families and do a lot of work in
19 East Kern. Safe Haven is totally in support of Hydrostor.
20 The Hydrostor family is amazing. Everybody's already
21 talked about the jobs and stuff they're bringing to the
22 community. I'm here representing the residents of East
23 Kern under our nonprofit. We do a lot of work.

24 We came under -- met Hydrostor in our '23. We
25 were putting on our Thanksgiving event. Russell was

1 amazing with Natalie, they joined us together. I believe
2 we had 50 turkeys at that time. Hydrostor came on this
3 event, and just for time's sake, we fed 306 families, so a
4 full food box with a ham or turkey in the event that we
5 provided.

6 We are a nonprofit in California City. We have a
7 community resource center where we feed families every
8 single week, and we serve East Kern. We have people to
9 come down from Rosamond, Mojave, Boron, et cetera.

10 They didn't stop there. Every time that we've
11 asked Hydrostor for anything, it's like, how can we help?
12 No was never in, no, we can't, not this time, anything.
13 How can we help? How can we better serve you?

14 We went on to continue to do events. Safe Haven
15 does about 12 events a year, you know, within the community
16 for the East Kern community out of California City, and we
17 went on to our job fair. The next event was our job fair,
18 I believe, and a backpack giveaway job fair. Yeah,
19 Hydrostor hadn't broke ground at that point there, but it's
20 like, how can we help? Called Russell, you know, what can
21 we do to help? Backpacks. Okay, let's get that done. Not
22 a problem.

23 They are showing what they're doing for this
24 community, and they haven't even broke ground. Strong,
25 strong. Safe Haven is so happy to be partners with

1 Hydrostor, and we look forward to doing more with them.

2 And just to top this off, is that here we are in
3 '24, our Thanksgiving event is coming up again, not a
4 problem. They said we're stepping in and sponsoring this
5 thing. This year we look to double, triple what we did
6 last year to help more families in our East Kern that need
7 help with full food boxes and a ham or turkey. The mission
8 this year and the theme this year is that Hydrostor is
9 going to feed you for Thanksgiving. You take that gas and
10 spend it on your kids and put gas in your car and do for
11 your family.

12 That's who they are. That's what we love about
13 them, and I thank you all for this partnership that we
14 have. You guys are amazing. You guys have shown us that
15 you're here for this community, and I encourage any non-
16 profit to connect with this organization, this company.
17 They are amazing. They love community.

18 And again I will state that they've done all
19 this, and I can go on and on with the events that our SHU
20 giveaway that they came on board with, and on and on with
21 other events, but I don't have time. I don't want to take
22 up time, but they have shown before they even broke ground
23 that community comes first, and that's who we are, and
24 that's who we stand for, the residents of our community in
25 East Kern.

1 Thank you for your time.

2 COMMISSIONER MCALLISTER: Thank you, Mr. Myer. I
3 really appreciate you and all you're doing for your
4 community.

5 COMMISSIONER GALLARDO: Yeah, and just to be
6 clear, your comments here are on the record now, and we
7 take them seriously. And if you wanted to submit further
8 comments, you could always do that through our docket as
9 well. And Armand, you know, you could get his contact
10 information and he'll walk you through that process if you
11 wanted to, if you felt you wanted to say more.

12 MR. MYERS: Thank you very much, and I just, I
13 want to say one more thing. Thank you all for your
14 service.

15 MR. ANGULO: Thank you, Anthony.
16 Sam, please approach the podium.

17 MR. RADE: Thanks, Anthony. That's a hard,
18 passionate speech to follow.

19 I'm Sam Rade, S-A-M R-A-D-E. I'm here
20 representing Holliday Rock. Thank you all for coming to
21 our site earlier today.

22 Holliday Rock is a family business that started
23 in 1937. We extract aggregates from sand and gravel
24 deposits to make concrete and asphalt. We have grown to
25 six mining sites and 40 concrete batch plants. Of these,

1 five batch plants are in Kern, and one mine site, our
2 Mojave Quarry, are in Kern County. Materials from the
3 Mojave plant have been used for the construction of the
4 main runway at Edwards Air Force Base, State Route 14, and
5 multiple wind and solar projects in Kern County.

6 We are here this evening to speak in support of
7 the Hydrostor project. It is an excellent opportunity to
8 increase energy storage on the grid. This is absolutely
9 critical for the state goals to use more renewable energy
10 and for the reliability of the grid for the region.

11 In addition to the energy benefits, this project
12 has special importance to us at Holliday Rock. The cavern
13 rock, which will be excavated for this project, will
14 support our normal operations, which includes processing
15 aggregates for use in concrete. As we create concrete for
16 construction projects in this region, we will process the
17 offtake rock and incorporate it into our concrete
18 production. This gives the rock a second life as a
19 building material that will support the housing and
20 infrastructure for Kern County.

21 We see this project as having great benefits for
22 the region, and Hydrostor has our highest level of support.
23 We would be happy to answer any questions if they come up
24 along the way. Thank you.

25 MR. ANGULO: Thank you.

1 Next, we would like to hear from Joel MacKay.

2 And after Joel, we will hear from Jane Williams.

3 Joel, please approach the podium. Remember to
4 spell your name for the record before beginning, and again,
5 we're asking that comments be three minutes or less.

6 MR. MACKAY: Thank you. Joel MacKay, J-O-E-L
7 M-A-C-K-A-Y.

8 First of all, I want to thank you guys for coming
9 here. Like you've heard, it's 80 miles to Bakersfield.
10 I'm going to be home in five minutes tonight. I greatly
11 appreciate you guys coming to us.

12 COMMISSIONER MCALLISTER: Is that the name of a
13 country music song or something, 80 miles to Bakersfield?
14 I don't know.

15 MR. MACKAY: So I grew up here, graduated here.
16 I'm also the Chairman of the Rosamond Municipal Advisory
17 Council. We're advisors to District 2, and I've been the
18 chairman for two years. And when Mr. Hildebrand came and
19 said, hey, he wants to talk to our group, he's been there
20 several times. He's also been to our chamber several
21 times, very transparent. The first meeting we had, there
22 was a buzz around town. We were all excited, hey this
23 is -- we've all, we've talked about the economic benefits,
24 the jobs that are coming, but we're getting roads. We're
25 going to use some of that tax money for more deputies out

1 here.

2 I'm trying to get a bank here in Rosamond. And I
3 reached out to one of our local banks, and because
4 Hydrostor is coming to town, they've already got wind that
5 they're coming. They said, we're going to do a survey and
6 see if you now qualify. It's been three years.

7 So just, I mean, not only the energy benefits
8 we're going to get, we're going to thrive out here.
9 They're bringing jobs. We're going to have energy storage,
10 roads improvement, the other resources, and these are long
11 term. This is long term.

12 Well, you've got -- they passed Measure K, which
13 is a sales tax increase for public safety. We're already
14 seeing benefits from that. The extra \$18 million a year
15 we're going to get in taxes from them, we're going to be
16 thriving out here. It's going to benefit us out here in
17 Rosamond. It's going to benefit the East County. It's
18 going to benefit Bakersfield.

19 So I can't stress enough how important this
20 project is to our community, and we ask you for your
21 support, and let's get this thing rolling. Thank you.

22 MR. ANGULO: Thank you, Joel.

23 Jane Williams, will you please approach the
24 podium?

25 MS. WILLIAMS: Hello, I'm Jane Williams. I am

1 the Director of Desert Citizens Against Pollution, and I
2 Chair the Sierra Club's National Clean Air Team. I live
3 about two miles from here.

4 So it's great that the Energy Commission has come
5 here again to hold a hearing on this project again. It's
6 great to have Lorelei here with her laundry list of things
7 that she wants.

8 Good job by Hydrostor rounding up local support,
9 but this project, and I have worked now for 30 years as an
10 advocate, and we actually supported and pushed for SB 1,
11 which established, as you know, the 100 percent clean
12 energy standard, we also fought 26 power plants at the
13 Energy Commission and stopped most of them, so we have a
14 big stake in this, but this particular project, I am
15 wondering why it needs to be here. Why place an energy
16 storage project 19 miles from Whirlwind?

17 So I understand probably better than anybody in
18 this room how the energy system works for Los Angeles and
19 how you've got to load energy on at certain nodes. We
20 fought the Palmdale power plant that was going to have like
21 a 26-mile long transmission line to go to the Acton
22 substation, which was expanded. But this project is
23 basically going to destroy a very -- like it's
24 irreplaceable, okay, irreplaceable ecosystem. And this
25 transmission line is going to have huge impacts on the city

1 of Rosamond. There's absolutely no way it will not, okay?

2 The way they're talking about running it now is
3 going to go right by the school, and it's going to go --
4 there's no room, okay? Lorelei knows this. You're going
5 to be trying to put these transmission lines in literally
6 like right next to the road.

7 So I really do support storage. I really do
8 normally support projects like this. But this project is
9 just in the wrong place, and there is no way the Energy
10 Commission can make this thing work.

11 And the other thing that I want to point out is
12 on a personal note. And, you know, we'll put comments in
13 the docket, we'll work with the Intervenors and all this
14 stuff.

15 I don't know if you noticed when you were there,
16 but there's a monument on that piece of property. And I
17 want to ask anybody here, is there any of the Castangñon
18 Family here today? No. So that monument is a monument for
19 a young man who was killed on that piece of property from
20 the Castangñon Family. Now, my family moved here in 1946.
21 Their family moved here shortly thereafter. And that
22 family goes to that monument very often. They're a Latino
23 family, very large. They all still live here.

24 So, you know, if this project is built, I hope
25 that you guys here will work with that family to figure out

1 what to do with that monument, because those people go
2 there very often, all right?

3 I don't know if you saw that, Lorelei. It's
4 right on the corner; right? And you'd do well to work with
5 them, because Mr. Castangñon happens to be one of the
6 managers at the wind farm, so he carries a lot of weight
7 around this part of the world, all right?

8 So thank you very much for the opportunity to
9 speak, and we'll be putting stuff into the record. This
10 project just has huge impacts on this community. Thank
11 you.

12 MR. ANGULO: Thank you, Jane.

13 If there are no further comments in the room,
14 we'll then transition to Zoom.

15 Mona, please identify anyone on Zoom.

16 MS. BADIE: Thank you. This is Mona Badie with
17 the Energy Commission again.

18 If there's anyone from the public who would like
19 to make a comment, this is the last opportunity at the
20 event today. And if you're joining us by Zoom, you'll use
21 the raise-hand feature on your screen or star 9. If
22 joining by phone, that'll let us know you'd like to
23 comment. And I'm just giving that a moment here.

24 All right, I'm not seeing any hands on Zoom, so
25 I'll send it back to the room. Thank you.

1 MR. ANGULO: Thank you, Mona.

2 HEARING OFFICER WEBSTER-HAWKINS: Thank you. And
3 that concludes our public comment.

4 And so we've assembled some references as various
5 staff and Public Advisor have mentioned today. We have
6 lots of information on our website. This slide deck will
7 be in our docket, so you'll be able to access these links.
8 The individual presentations from the parties are already
9 in the docket, so you'll be able to get all this
10 information. But this is how you can access the docket,
11 the events page, and continue to follow this project.

12 So with that, we have one last invitation, and
13 that's for the Committee to offer concluding remarks.

14 COMMISSIONER MCALLISTER: Well, great. This has
15 been an amazing day, actually. This has been a great day.
16 I am really happy to be here. And this is exactly -- I
17 mean, this is a really important step forward in the
18 process. I think you've heard a lot of, we've heard a lot
19 of input, you know, quite a bit of sort of, you know,
20 alliance, sort of agreement on sort of the level setting of
21 what the project is and what the big issues are. Some
22 differing opinions, which, you know, that's exactly what
23 the process is meant to engage with and try to work out.

24 And it's just so necessary that everyone with a
25 stake in this, everyone who's going to be impacted,

1 participate, so I really thank all of you who have today,
2 you know, not just Applicant and formal Intervenors and,
3 you know, County, but really everybody who's commented. So
4 I just really want to appreciate that you've taken a night
5 and spent it with us, and really a big chunk of your day,
6 the majority of your day, so I really appreciate that.

7 You all saw the timeline. So I want to just encourage
8 written comments on the record. Those are always super
9 helpful. You know, writing something down does sort of
10 make you sharpen your points. And I think just getting
11 those on the record with as much detail as you can provide
12 is super helpful.

13 And the record is a real thing. You know, we
14 base our decisions on the record. We try to really get the
15 details we need to make sure that impacts are addressed,
16 mitigated wherever possible, and that we really get the
17 best project formed as possible so we can make an informed
18 decision on whether to actually give them an application or
19 approve the application.

20 So that's what the process is about. And I just
21 want to just emphasize how much sort of sweat and effort
22 and smarts and diligence and perseverance the staff invests
23 in this. You know, Eric, Leonides, and the whole team are
24 really paying attention. And they're a separate party.
25 The Committee is. We're our own. You know, we're the

1 decisionmakers, and the parties, you know, try to present
2 the information as best they see it, and that's everyone,
3 stakeholders, Intervenors, Applicant, and staff.

4 So really looking forward to kind of keeping this
5 project moving.

6 And I want to also just thank staff, thank Renee,
7 and the whole team that's helped put this together. It's
8 so much work. When a day like this goes smoothly, really,
9 the more smoothly it goes, the more work it was to put it
10 together. Basically, those two things are inversely
11 correlated. So today was a really smooth day. So thank
12 you very much for that, everyone.

13 And I really appreciate the partnership of
14 Commissioner Gallardo. You know, you bring so much. As
15 the expert on siting, I, you know, lean on you for sort of
16 making sure that the trains are running right and we're
17 asking all the questions we need to ask in the moment we
18 need to ask them, so I really appreciate that.

19 And I do have one final question. I guess, you
20 know, we've heard a lot about rock, water, and air. I'm
21 wondering how that compares with rock, paper, scissors?
22 You know, does water beat paper? Does air beat scissors?
23 You know, just something for you to contemplate on your
24 drive home.

25 But anyway, I'm not making light of the

1 proceedings. I want to just, you know, we try to make it
2 fun, but this is serious, serious business. You know, the
3 state of California is pushing the envelope in all sorts of
4 different directions on the clean energy transition. You
5 know, we are likely to be even more in a leadership
6 position going forward, I would say, in terms of, you know,
7 states managing their electric grids and getting the carbon
8 out of them over time. And so, I think, you know, that
9 really puts a fine point.

10 I think the election puts a fine point on how
11 important this project is and just ups our commitment even
12 further to getting it right and figuring out, you know,
13 whether this technology and this, you know, this particular
14 project is part, should be part of our transition going
15 forward.

16 So I really appreciate everybody again. And
17 please do submit written comments. And thanks a lot.

18 And pass it over to you, Commissioner Gallardo.

19 COMMISSIONER GALLARDO: I'll be really quick.
20 Muchas gracias. Thank you so much, again, for the warm
21 welcome. Even on a cold day, it's even nicer.

22 And I just want to applaud Commissioner
23 McAllister as the Lead Commissioner here for making this a
24 more joyful proceeding, as best we can, with his humor. I
25 think we need a little bit of that, you know, with whatever

1 we do.

2 So, that's it. Appreciate you.

3 HEARING OFFICER WEBSTER-HAWKINS: Okay. Thank
4 you. And I'll echo the thanks to the Rosamond community
5 for allowing us to be with you today.

6 And with that, the informational hearing for
7 Willow Rock AFC Docket Number 21-AFC-02 is now adjourned.
8 The time is 8:41 p.m.

9 (The hearing adjourned at 8:41 p.m.)

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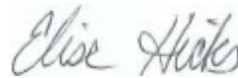
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I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under 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 25th day of November, 2024.



ELISE HICKS, IAPRT CERT**2176

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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

November 25, 2024