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CALIFORNIA ENERGY COMMISSION

In the matter of:

Darden Clean Energy Project ) Docket No. 23-OPT-02  
\_\_\_\_\_ )

ENVIRONMENTAL SCOPING AND INFORMATIONAL HEARING

HYBRID IN-PERSON AND VIA ZOOM

WEDNESDAY, OCTOBER 16, 2024  
2:00 A.M.

Reported by:

Elise Hicks

APPEARANCESCOMMISSIONER

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Environmental  
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Elizabeth Huber, Director, Siting, Transmission, and  
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Eric Knight, Branch Manager, Siting, Transmission, and  
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Mona Badie, Public Advisor

Ryan Young, Deputy Public Advisor

Hilarie Anderson, Lead, Data Analytics and Integration  
Branch

Carol Watson, Biologist, Siting, Transmission, and  
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APPLICANT

Marisa Mitchell, Intersect Power

Elizabeth Knowles, Intersect Power

APPEARANCESPUBLIC COMMENT

Luis Martinez, District Representative for Senator Anna Caballero

Jose Ramirez, Rural Communities Rising

Philip Martin, Jr.

Philip Martin, Sr.

Susan Martin

Jeannemarie Caris-McManus, CEO Westside Family Preservation Services Network

Natalie Delgado-Carrillo

Laura Rosenberger Haider

Mariana Alvarenga, Leadership Counsel for Justice & Accountability

Felipe Perez

Maria Dolores Diaz

Jamie Katz, Leadership Counsel for Justice and Accountability

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P R O C E E D I N G S

2:02 p.m.

WEDNESDAY, OCTOBER 16, 2024

MS. CRISP: Welcome. We're going to give it a minute for people joining us to enter the webinar.

(Pause)

MS. CRISP: First, this meeting is hybrid with attendees in-person at the Harris Ranch Resort, South Ballroom, in Coalinga, California, and virtually participating via Zoom.

The meeting is being recorded. The meeting recording will be made available on the California Energy Commission, or CEC's, website.

Please note, to make the CEC's meetings more accessible, Zoom's closed captioning has been enabled. Attendees can use the service by clicking on the live transcript icon, and then choosing either show subtitle or view full transcript. The closed captioning service can be stopped by exiting out of the live transcript or selecting the hide subtitle icon.

With that said, I would like to turn the mic over to CEC's Siting, Transmission, and Environmental Protection Division's Division Director, Elizabeth Huber.

MS. HUBER: Thank you, Ann, and thank you for participating in CEC's Environmental Scoping and

1 Informational meeting this afternoon on the Darden Clean  
2 Energy Project. My name is Elizabeth Huber, and I'm the  
3 Director of the Division that oversees the Environmental  
4 Impact Report that's being drafted.

5 With that, I invite you all to stand up so we can  
6 do the Pledge of Allegiance.

7 (The Pledge of Allegiance is recited in unison.)

8 MS. HUBER: So for nearly 50 years, the CEC and  
9 specifically, the STEP Division has been the lead  
10 environmental permitting authority for all thermal power  
11 plants 50 megawatts or greater that are proposed for  
12 construction in California. Since June of 2022, we now  
13 have the permitting authority over certain clean and  
14 renewable facilities, which you'll learn more about this  
15 afternoon.

16 We also have with us today on the dais our CEC's  
17 Siting Lead Commissioner, Noemi Gallardo, her advisor,  
18 Jimmy Qaqundah, the CEC Executive Director, Drew Bohan.  
19 Chair Hochschild is the Associate Commissioner for all  
20 siting matters. His advisor, Robert Chun, is with us  
21 today. The CEC's Public Advisor, Mona Badie. The Deputy  
22 Public Advisor, Ryan Young. CEC Staff Attorney, Alex  
23 Mayer, who's the lead attorney for this project.

24 And then from the STEP Division, I'm honored to  
25 introduce our Siting Environmental Branch Manager, Eric

1 Knight, our CEC CEQA Siting Project Manager, Ann Crisp.  
2 And from Intersect Power, the developer of this proposed  
3 project, we have Project Manager, Marisa Mitchell, and her  
4 team.

5 And with that, I'd like to introduce our  
6 Executive Director, Drew Bohan.

7 EXECUTIVE DIRECTOR BOHAN: Great. Thank you,  
8 Elizabeth.

9 Thank you all for coming. As Elizabeth noted,  
10 we've been doing this for 50 years. We've been coming to  
11 communities and meeting the people from there and really  
12 wanting to hear their voices. So that's principally why we  
13 drove down here today. And we plan to stay over tonight  
14 and then go visit the project and be able to see it for  
15 ourselves first thing tomorrow morning.

16 As Elizabeth noted, we brought a very large team  
17 down here because we have a lot of professionals with  
18 different disciplines. I want to just highlight Mona  
19 Badie, who's at the far end of the table here, and she is  
20 our Public Advisor. And the Public Advisor's job is to  
21 advise and support public participation in our proceedings.  
22 So we think it's fairly straightforward. But if you have  
23 any issues or any questions, Ryan is her deputy to her  
24 right, either one of them can facilitate and answer your  
25 questions.



1           So again, thank you so much for coming down here.  
2 We really are eager to hear what you have to say. And let  
3 me hand it off to our Commissioner, who heads up these  
4 types of projects, Commissioner Noemí Gallardo.

5           COMMISSIONER GALLARDO: Thank you, Drew.

6           Buenas tardes. Good afternoon, everybody. I  
7 want to thank the community of Fresno County for hosting us  
8 today. We're really elated to be here in your home. And  
9 thank you for giving us a warm welcome. We are also really  
10 appreciative that you are here to learn more about this  
11 project and to share information that will aid us in our  
12 evaluation of the proposal.

13           I also want to acknowledge the Energy Commission  
14 staff for all the hard work they put into reviewing these  
15 applications and for presenting on the process today, and  
16 also for putting this event together. I know that's a lot  
17 of hard work.

18           And also to the applicant, Intersect Power, we  
19 really appreciate that you're willing to present on the  
20 project and help educate all of us about the details.

21           And I want to also emphasize that no action will  
22 be taken today. We are here solely to learn about the  
23 project and the process. And the CEC is in the beginning  
24 of the process to determine whether to approve or deny the  
25 proposed project, which we expect to culminate in a

1 business meeting in about eight months or so of time. So  
2 no decision today. That will be later.

3 So this is altogether an information gathering  
4 process. The more information that you can provide or  
5 point us to, the better the Energy Commission's analysis  
6 will be. And part of staff's job in this proceeding is to  
7 study the potential impacts of the proposal, including  
8 information and questions raised by all of you. That means  
9 here during today's meeting and in future meetings. There  
10 will be at least two other meetings that will be public,  
11 where you will have the opportunity to provide comment, and  
12 also in writing through our docket, and you'll hear more  
13 about that in a little bit.

14 And I do feel like a teacher or maybe a mom  
15 saying this, but I think it's important to say that as we  
16 are gathering information, we need to listen to each other  
17 and be very respectful of what each other is saying. So if  
18 it gets disorderly at any point, we will step in to try to  
19 ensure that everybody can listen and everybody can speak.  
20 So we do want to hear from everybody.

21 Also in a little while, you're going to hear from  
22 our staff and also our Office of the Public Advisor, Energy  
23 Equity, and Tribal Affairs, who will provide an overview of  
24 the process and the multiple opportunities for you to  
25 provide an input. And our Office of the Public Advisor,

1 Energy Equity, and Tribal Affairs, we call them PAO-plus  
2 (phonetic) for short because it's a mouthful. They're  
3 available to answer questions, as Drew was highlighting.  
4 And they also are wanting to help you stay informed and  
5 also, too, if you don't know already, show you how to  
6 participate.

7 So with that, I'm going to pass the microphone  
8 over to Mona Badie, who is our Public Advisor and will talk  
9 a little bit more about the details.

10 MS. BADIE: Thank you. Thanks for joining us  
11 here today. I just wanted to come on. Again, my name is  
12 Mona Badie. I'm the Public Advisor at the California  
13 Energy Commission. And today we're going to have some  
14 informational presentations, an initial public comment  
15 period as an accommodation for folks that can't stay for  
16 the second public comment period at the end of the  
17 programming, and then more informational proceedings. And  
18 then, like I said, we're going to have that final public  
19 comment period.

20 So I just wanted to mention that for folks that  
21 are in the room with us, we're asking folks to fill out one  
22 of these blue cards. There's a Spanish version and an  
23 English version, and we've got them on the front table.  
24 And you can just turn them in to me, put them on the table  
25 here, or give them to anyone from the Energy Commission.

1 And that's going to let us know you'd like to comment.

2           And on the card, it will indicate if you're with  
3 a California Native American tribe, a government entity,  
4 such as a responsible or trustee agency, or another  
5 governmental entity, or with a legislative office. We're  
6 going to split up the public comment period, so we'll hear  
7 from tribes and other governments first, and then we'll go  
8 to the general public comment period, so that will help us  
9 differentiate. And then for our Zoom attendees, we'll have  
10 some more instructions at that time about how to raise your  
11 hand. We are planning to hear from everyone who would like  
12 to comment today.

13           And with that, let's see, oh, I wanted to also  
14 mention that on the front table, we've got the printouts of  
15 the slides that have been translated into Spanish. And we  
16 have a live Spanish translation with headsets available for  
17 folks in the room. And then if you're on Zoom, you'll just  
18 select the Spanish language channel to access that  
19 interpretation.

20           And I think that's it, so I'll pass it over to,  
21 oh, Commissioner Gallardo.

22           COMMISSIONER GALLARDO: (Speaking Spanish.) I  
23 just wanted to make sure I said I said it in Spanish and  
24 asked if anyone needed an interpreter in Spanish, and it  
25 does not look like anyone needs that. Okay, thank you.

1 MS. CRISP: Good afternoon. Yes, I am Ann Crisp,  
2 Project Manager with the CEC's Siting, Transmission, and  
3 Environmental Protection Division, or as we like to say,  
4 STEP. Welcome to today's environmental scoping and  
5 informational meeting for the Darden Clean Energy Project.

6 Next slide.

7 Today's workshop will include a general  
8 presentation on the opt-in certification process from  
9 STEP's Branch Manager Eric Knight, a presentation on public  
10 participation opportunities by the CEC's Office of the  
11 Public Advisor, Energy Equity, and Tribal affairs, and an  
12 initial comment period to accommodate participants who will  
13 not be able to stay for the duration of the event for the  
14 closing comment period, a presentation by the applicant on  
15 the project as currently proposed, including information on  
16 project features which address mandatory requirements of  
17 the opt-in licensing process, and a presentation from the  
18 CEC project manager, myself, on our ongoing analysis of the  
19 project, including topic areas already identified, which  
20 may involve significant environmental effects and status  
21 requests for scoping input from California Native American  
22 tribes, responsible and trustee agencies, elected  
23 officials, and other government agencies. There will be  
24 another opportunity for public comment later in the  
25 program.

1 I will now turn the mic over to Eric Knight for  
2 his presentation on the AB 205 Opt-In Certification  
3 Program.

4 MR. KNIGHT: Thank you, Ann.

5 Good afternoon, everybody. Eric Knight, manager  
6 of the Siting and Environmental Branch at the California  
7 Energy Commission. And as Ann has said, I'm going to give  
8 you a brief overview of the Opt-In Certification Program.

9 Next slide, please.

10 So Assembly Bill 205 was signed by Governor  
11 Newsom on June 30th of 2022. It established a new Optional  
12 Certification Program at the CEC for certain clean energy  
13 projects. This Opt-In Certification Program is the first  
14 significant change to the CEC's licensing authority in over  
15 45 years and will be in effect for applications submitted  
16 through June 30th of 2029.

17 Next slide, please.

18 The intent behind the Opt-In Program is to  
19 provide an optional and a condensed permitting pathway for  
20 certain clean energy generation, energy storage, and  
21 related facilities to help in California's transition to  
22 100 percent clean electricity by 2045. The process  
23 provides for early tribal consultation, robust public  
24 input, and rigorous environmental review.

25 In adopting AB 205, the legislature intended for

1 California Native American tribes, local governments,  
2 communities, and workers to benefit from clean energy  
3 development.

4 Next slide, please.

5 So prior to signing AB 205, the CEC's permitting  
6 authority was limited to thermal power plants of at least  
7 50 megawatts. A thermal power plant is one that uses heat  
8 to generate electricity, such as a geothermal facility. AB  
9 205 expands the types of facilities that can be certified  
10 by the CEC to those listed on this slide. Thermal power  
11 plants already jurisdictional to the CEC may use this  
12 alternate process so long as they don't use fossil or  
13 nuclear fuels.

14 With a 1,150-megawatt solar PV facility and a  
15 1,150-megawatt battery energy storage system, the Darden  
16 Clean Energy Project is eligible to opt-in to the CEC's  
17 authority.

18 The Darden Project originally included a green  
19 hydrogen production facility. However, on October 3rd, the  
20 applicant filed a notice with the CEC that hydrogen  
21 production is no longer a component of the project. And  
22 we'll hear more about this later on in the agenda during  
23 the applicant's presentation.

24 Next slide, please.

25 So the issuance -- (clears throat). Excuse me.

1 The issuance of a certificate or license by the CEC is in  
2 lieu of or in place of any permit that would normally be  
3 required by a local land use authority, and most but not  
4 all state permits. For example, the CEC's certificate is  
5 in lieu of California Department of Fish and Wildlife  
6 permits, but not those issued by the Regional Water Quality  
7 Control Boards. So for Darden, this includes the Central  
8 Valley Regional Water Quality Control Board.

9 AB 205 required the CEC to develop coordination  
10 plans with the California Department of Fish and Wildlife,  
11 the Water Boards, and the Department of Toxic Substances  
12 Control. These plans establish frameworks for agency  
13 consultation during the opt-in process to ensure each  
14 agency's input is considered in the CEC's preparation of  
15 the Environmental Impact Report for the project, and any  
16 agency requirements are included in any CEC certification.

17 Next slide, please.

18 So there are three phases in the opt-in process.

19 Phase 1 is pre-filing. So a pre-filing meeting  
20 must occur at least 30 days prior to the application being  
21 submitted to the CEC.

22 Phase 2 is the data completeness review. So once  
23 the application is filed, the CEC has 30 days to review the  
24 application and determine if it contains all the  
25 information required by our regulations, and any other



1 information reasonably necessary to prepare the EIR and for  
2 the CEC to make its decision on the project.

3 Phase 3, which is the phase we're in right now  
4 with the Darden Project, is the environmental review and  
5 decision phase. With certain exceptions, the CEC has 270  
6 days after the application is deemed complete to complete  
7 its assessment and decide whether to grant a certificate to  
8 build and operate the project.

9 So with the Executive Director's determination on  
10 September 19, 2024, that the Darden Clean Energy Project  
11 application is complete, the proceeding is entered into  
12 this third phase.

13 So next slide, please.

14 So this slide shows how the 270-day timeline  
15 breaks down. The statute identifies certain circumstances,  
16 should they occur, whereby the CEC would not be held to a  
17 270-day timeline. But staying under that timeline, the  
18 agencies that retain their permitting authority are  
19 required to make their permitting decisions within 90 days  
20 of a CEC decision to certify a project.

21 So I'd like to highlight that there is a  
22 mandatory 60-day public comment period on the Draft EIR.  
23 And there will be at least one public meeting in the  
24 project area, like the one that's happening today, to take  
25 public comment on the Draft EIR. So for Darden, we

1 anticipate the Draft EIR to be published in the middle of  
2 February 2025.

3           After the final EIR -- oh, excuse me. And the  
4 final EIR will be available for at least 30 days prior to  
5 the public meeting in which the CEC will make its decision.  
6 That meeting will likely occur in Sacramento, the publicly  
7 noticed business meeting of the CEC. And the final EIR for  
8 Darden is anticipated to be filed in the middle of 2025,  
9 with a decision by the middle of June 2025.

10           Next slide, please.

11           So to approve an opt-in project, the CEC must  
12 find the project will provide an overall net positive  
13 economic benefit to the local government that would have  
14 had permitting authority over the site and related  
15 facility, that the applicant has entered into one or more  
16 legally binding and enforceable agreements with or that  
17 benefit a coalition of one or more community-based  
18 organizations, and that the applicant will use a skilled  
19 and trained workforce and pay construction workers at least  
20 the prevailing wage.

21           The CEC must also find the project will comply  
22 with all applicable laws, ordinances, regulations, and  
23 standards. We abbreviate that as LORS, you'll hear that a  
24 lot. If a project will not comply with any applicable LORS  
25 to approve the project, the CEC must find the project is

1 required for public convenience and necessity, and that  
2 there are not more prudent and feasible means of achieving  
3 public convenience and necessity. And in making this  
4 determination, the CEC considers the impacts of the  
5 facility on the environment, its consumer benefits, and  
6 electric system reliability benefits, among other factors.

7 And then finally, the CEC must find that any  
8 significant effects on the environment will be avoided or  
9 substantially mitigated. And for any significant effect  
10 that's found to be infeasible to mitigate, to approve the  
11 project, the CEC would need to adopt a Statement of  
12 Overriding Considerations that identifies how the project's  
13 benefits will outweigh its significant unavoidable effects.

14 Next slide, please.

15 The CEC has devoted a webpage to the Opt-In  
16 Certification Program. The link to that webpage is on the  
17 screen there. At this webpage, you'll find information  
18 about the Opt-In Program, including a fact sheet, a  
19 frequently asked questions document, we have copies of  
20 those in paper form just outside the room, both in English  
21 and Spanish, and also, there's a process timeline, so that  
22 270-day clock I noted is now available on the website as  
23 well.

24 You can also access the individual webpages for  
25 projects currently being reviewed by the CEC under the Opt-

1 In Program, including the Darden Clean Energy Project. And  
2 from the individual project webpages, you'll have access to  
3 the docket log, which is a repository of all official  
4 documents filed in a project proceeding.

5 And you can also sign up for a project  
6 subscription list and get email notifications when any new  
7 documents are posted on the website -- or, I mean, on the  
8 docket.

9 And that concludes my presentation. I'll hand it  
10 back to Ann. Oh, sorry. I'm going to hand it off to Ryan.

11 MR. YOUNG: Good afternoon, everyone. I'm Ryan  
12 Young, Deputy Public Advisor for the California Energy  
13 Commission. Today, I'm going to be presenting on how  
14 tribes, members of the public, and others can participate  
15 in this proceeding.

16 Next slide, please.

17 First, I just want to take a step back and  
18 introduce the California Energy Commission. The  
19 Commission, also called the CEC, was created by statute in  
20 1974. The CEC is the state's primary energy policy and  
21 planning agency. We have a variety of functions and work  
22 closely with other energy-related agencies, like the  
23 California Public Utilities Commission and the California  
24 Air Resources Board. Our primary functions include state  
25 energy policy, energy innovation investing, developing

1 renewable energy, preparing for energy emergencies, energy  
2 efficiency, clean transportation, energy infrastructure,  
3 and environmental collaboration.

4 Next slide, please.

5 I'm with the CEC's Office of the Public Advisor,  
6 Energy Equity, and Tribal Affairs. A big part of our  
7 mission is to facilitate tribal and public engagement in  
8 CEC programs and policies. We're a free resource available  
9 to anyone that wants to engage with the Energy Commission.  
10 I will be sharing our contact information on a later slide.

11 Next slide, please.

12 Now I'm going to talk about the different ways to  
13 participate in the CEC's Darden proceeding. There are  
14 multiple ways to participate. The first is just to follow  
15 the proceedings. Another, the second, is to comment on the  
16 proceedings. And the third option, open to California  
17 Native American tribes, is tribal consultation.

18 Next slide, please.

19 Now I'm going to go into more detail on how to  
20 follow those proceedings.

21 One of the most popular ways to participate in  
22 our programs and policies is just to follow them. You can  
23 follow our proceedings by reviewing materials we post on  
24 our website, signing up for email updates, and by attending  
25 events like the one here today. Our website is a great

1 resource because we post a lot of information there, and it  
2 has a specific page for each proposed project.

3           On the left of my slide, you'll see the webpage  
4 for the proposed Darden Project. It has information on the  
5 proposed project and project status. It has a place where  
6 you can subscribe for email updates on the project, under  
7 the Subscribe Darden Project listing. It also has a link  
8 to the project proceeding docket, which I will explain in a  
9 moment. And there is a place where you can submit a  
10 written comment into the docket.

11           I will now talk a little bit about our dockets  
12 themselves.

13           The CEC has publicly accessible online dockets  
14 for its proceedings, and this is basically a place where  
15 application materials, public comments, notices, agendas,  
16 and other documents are filed and available online.

17           On the right side of my slide, you may see the  
18 docket for the proposed Darden Project. With few  
19 exceptions, all materials in the docket are linked and  
20 available for anyone to download and view for free. You  
21 can follow the proceeding by attending public events like  
22 you are right now. The CEC has a calendar of events, and  
23 our events are noticed via our dockets, and emailed to all  
24 related email subscription lists. Our events are almost  
25 always hybrid or fully virtual via Zoom, so the public can

1 attend our events from anywhere with a phone call or  
2 internet connection.

3 Next slide, please.

4 Now, another way to participate is to comment.  
5 In all CEC's programs and policies, any person can comment  
6 verbally at a CEC event or in writing. Please note that  
7 comments will become part of the public record, with access  
8 available via the internet search engine.

9 To comment verbally, just attend the event and  
10 wait for the instructions during the public comment period  
11 to make your comment. For one of our hybrid events, you  
12 can comment in person or via Zoom online or by phone. The  
13 CEC also welcomes written comments. As I stated before, on  
14 the CEC website, we have what's called a docket for each  
15 public proceeding.

16 Now, written comments can be submitted to the  
17 docket for the proceeding at any time, but the most  
18 effective time to do so is during the announced public  
19 comment periods. On our website, you can submit a comment  
20 electronically by just typing it into our e-comment page,  
21 or by uploading a document such as a letter. We also have  
22 email and paper mail options to submit a comment that are  
23 detailed in the notice for today's event.

24 If anyone here wants to comment, and they have to  
25 leave before their name is called, we also brought handouts

1 for comments that can be turned in to CEC staff for  
2 docketing after today's event. If you need assistance  
3 commenting, you can contact the Office of Public Advisor,  
4 Energy Equity, and Tribal Affairs. And I will have our  
5 contact information on my last slide.

6 Next slide, please.

7 Regarding tribal consultation, the CEC invites  
8 tribal consultations in this and other Opt-In proceedings.  
9 Tribal Consultation letters were docketed at the CEC on May  
10 1st, 2024. The CEC is asking for responses from California  
11 Native American tribes that want to consult no later than  
12 November 16th and 24th.

13 Here with us today, we have Gabriel Roark  
14 (phonetic) from the CEC Siting Division attending in  
15 person, and this is your point of contact for consultations  
16 on this proceeding. Thank you.

17 Next slide.

18 Thank you for attending this meeting and your  
19 interest in this proceeding. We are here to serve the  
20 state of California, and your participation helps us do our  
21 jobs. I have put my contact information on this last  
22 slide. My office is available to assist you in  
23 participating in CEC programs and policies.

24 I will now hand the mic over to CEC's Public  
25 Advisor Mona Badie to facilitate public comment.



1 MS. BADIE: Thank you. This is Mona Badie again,  
2 the Public Advisor for the Energy Commission.

3 So we're going to have this initial public  
4 comment period as an accommodation for folks that can't  
5 stay for the duration of the program. And so we're asking  
6 if you are going to stay for the duration of the program,  
7 that you reserve your comments for the main public comment  
8 period, which will be later in the program. We wanted to  
9 make sure to accommodate folks that can't stay. And so  
10 we'll do people in the room, and then we'll go to Zoom.

11 I have two cards. Is there anyone else that has  
12 not turned in a blue card that would like an accommodation  
13 to make a comment at this time who's in the room?

14 Okay, so first, what I'd like to do is we'd like  
15 to reserve time at the start for California Native American  
16 tribes, other governmental entities, including responsible  
17 and trustee agencies, anyone from the legislature, to  
18 comment at this time.

19 And there's no one in the room who has told us  
20 they are from these groups, so I'm just going to ask if  
21 there's anyone on Zoom that's from a California Native  
22 American tribe, another government entity, including  
23 responsible or trustee agencies, or the legislature that  
24 would like to comment at this time during this initial  
25 public comment period, to please raise your hand or use the

1 raise-hand feature on your screen, it looks like an open  
2 palm, and if you're joining by phone, you'll press star  
3 nine to let us know at this time. All right, I'm not  
4 seeing any.

5 Let's see, okay, Luis Martinez, are you from a  
6 California Native American tribe, government, or the  
7 legislature? If so, please keep your hand up, and I'm  
8 going to open your mind. Okay, please --

9 MR. MARTINEZ: Hi. Can you guys hear me?

10 MS. BADIE: Yes.

11 MR. MARTINEZ: Hi. Yeah, I'm just here with  
12 Senator Caballero's office following the proceedings. I  
13 wanted to say thank you guys for having these and having us  
14 on.

15 MS. BADIE: Thank you so much.

16 All right, and then C. Watson, I just want to  
17 confirm you're with a California Native American tribe,  
18 government, or the legislature. If not, please lower your  
19 hand. I'm going to open your mind at this time.

20 MS. WATSON: Hi, this is Carol Watson. I just  
21 wanted to let you know, on behalf of the California  
22 Department of Fish and Wildlife, that we are expecting a  
23 representative, Jim Vang (phonetic), to be joining us.

24 MS. BADIE: Thank you so much.

25 All right, and then we've got one person in the

1 room that would like to comment during this initial public  
2 comment period.

3 Rural Communities Rising, if you want to approach  
4 the podium? And we are asking for comments to be three  
5 minutes or less. There's going to be a timer on the  
6 screen.

7 MR. RAMIREZ: Okay. Thank you very much. My  
8 name is Jose Ramirez, and I happen to be the Vice President  
9 of Rural Communities Rising, and I do have a few comments  
10 that I'd like to make as it relates to the social and  
11 economic impact of this project.

12 We primarily are concerned about long-term  
13 cumulative project impacts resulting from the aggregate  
14 effect of massive land use changes being made to  
15 accommodate clean energy generation here on the west side  
16 of Fresno County. That now and will increasingly affect  
17 the quality of life and economic opportunities, especially  
18 for the 30 unincorporated communities and six cities that  
19 make up the western Fresno County. And of course, within  
20 that we have the farmworker families who live in these  
21 different neighborhoods all over western Fresno County.

22 While we generally support the purpose of this  
23 project and appreciate the analysis of ECONorthwest, the  
24 assessments of social and economic impacts conducted have a  
25 focus and high-level analytical skill that, in our opinion,

1 obscure a little bit the tangible commutative long-term  
2 changes and impacts to the family, to the small rural  
3 communities in the western region of Fresno County when  
4 considered in the aggregate with other energy projects  
5 being proposed near here and within the Westlands Water  
6 District.

7           Through a cumulative and aggregated impact lens  
8 on small rural farmworker communities, there will likely be  
9 greater loss of farmworker employment, farmworker families  
10 leaving the region, and I know several that have already  
11 left the region as well, and related long-term reductions  
12 in ADA for schools, for businesses, especially sales tax,  
13 church membership, and as well as other negative quality of  
14 life and economic opportunity trends that are of great  
15 concern for those now living in these already disadvantaged  
16 and underserved western Fresno County communities.

17           Engaging residents, businesses, and institutions  
18 in all of the 30 unincorporated, primarily farmworker  
19 communities and farmworker families living in  
20 neighborhoods, again, of these six cities that I just  
21 mentioned, is imperative for gaining actionable  
22 understanding of the likely cumulative and aggregated  
23 impacts of the major energy, employment, and land use  
24 transitions.

25           Again, when I mentioned at the very beginning who

1 I represent, it's a nonprofit organization called Rural  
2 Communities Rising. And we're conducting a comprehensive  
3 community outreach and engagement program and building on a  
4 broad -- on a board of directors that is representative of  
5 all impacted rural communities in western Fresno County  
6 with the goal of a united voice for working with energy  
7 developers, community-determined community benefits that  
8 meet the needs of participating impacted community members.

9 So I really appreciate the opportunity to speak  
10 today. I will provide a copy of my comments for the  
11 record. Thank you.

12 MS. BADIE: Thank you. Thank you.

13 And then I just wanted to check back in with our  
14 Zoom attendees. If there's anyone on Zoom from the general  
15 public, it doesn't have to be a tribe or a government or  
16 legislative representative at this time, but you cannot  
17 stay for the duration of the event, you can raise your hand  
18 at this time to make a public comment. I'll just give you  
19 that a moment.

20 And then, also, we've got -- if we have any  
21 Spanish speakers on Zoom, you'll raise your hand, as well,  
22 and we can take comments from you as well. All right, I'm  
23 not seeing any raised hands on Zoom.

24 So I'm going to hand this mic to the applicant,  
25 who I believe is going to be presenting next.

1 MS. MITCHELL: Great. Thank you. Can you hear  
2 me okay?

3 MS. ANDERSON: Yes.

4 MS. MITCHELL: Yes? Okay. And could somebody  
5 put up the applicant's slides? Great. Ready for this part  
6 of the presentation? Thank you.

7 Okay, so I'm Marisa Mitchell. I'm Vice President  
8 and Head of Environmental Permitting with Intersect Power,  
9 or the applicant. I'm here with a number of members of the  
10 team at Intersect Power, and our consulting team as well,  
11 who are up here to help answer any questions the public may  
12 have about the project.

13 And I wanted to start first by thanking everybody  
14 for participating in this scoping session. We are  
15 particularly proud of this project, but also willing  
16 participation by stakeholders is what makes projects better  
17 and truly successful. We've seen that time and time again,  
18 and so thank you for your participation in the process.

19 Next slide, please.

20 So just a little bit about Intersect Power so you  
21 know who we are. We were formed in 2016 by assembling some  
22 of the most outstanding renewable energy industry experts  
23 in their respective fields, all of whom have deep  
24 experience in California, and all of whom had called  
25 California home at the time before we grew. Many of the

1 founding team members worked together for about ten years,  
2 and then moved to another company where we developed and  
3 built some of the largest solar projects in the state.

4 We were founded strictly as a clean  
5 infrastructure company. We are not a utility, and we do  
6 not have fossil assets.

7 We're also a mission-driven company, so we're  
8 focused on deep decarbonization of the economy to make the  
9 lives of present and future generations better.

10 We are also a company with a very strong track  
11 record of delivering on our promises; right? We have  
12 ambitious goals, but we do not make empty promises. We are  
13 able to work with expertise in all areas of this complex  
14 business to deliver and build the projects we say we're  
15 going to build.

16 We've already developed over 2 gigawatts, or  
17 2,200 megawatts of solar, and 2.4 gigawatts of battery  
18 storage projects, making us one of the largest renewable  
19 energy generators in the U.S. And we do have a very  
20 impressive record in terms of how long we've been in  
21 existence and the size of our team.

22 So in terms of our experience in California, on  
23 the next slide, please, great, we've developed,  
24 constructed, and currently operate a huge number of  
25 renewable energy resources in California. Our team is

1 responsible for delivering on about a fifth of the solar  
2 and about six percent of the battery storage operating in  
3 California today. So we are truly helping keep the lights  
4 on and helping the system operator at the CAISO to  
5 stabilize the system and avoid blackouts.

6 Okay, next slide, please.

7 So a little bit about this project. We name our  
8 projects after unsung heroes in math, science, engineering,  
9 and entrepreneurship, and this project in particular, you  
10 may be wondering where the name Darden came from. It's  
11 named after a NASA mathematician, Christine Darden, who was  
12 a pioneer in many ways, being one of the first black female  
13 mathematicians at NASA in the '60s through the '80s.

14 Next slide, please.

15 So the Darden Clean Energy Project is a proposed  
16 1.15 gigawatt solar photovoltaic project with 4.6 gigawatt  
17 hours of battery energy storage associated with it.

18 Can we go back to slide five, please? Okay. Is  
19 there one called Project Location, Unincorporated Fresno  
20 County?

21 MS. ANDERSON: I'm giving it in the order that it  
22 is. So we have Christine Darden, Project Operations, and  
23 then Site Selection Strategy is how it came through on our  
24 end.

25 MS. MITCHELL: I see. Okay.



1 MS. ANDERSON: And it's also hard to hear you.  
2 What's the slide it's supposed to be on?

3 MS. MITCHELL: Project Location, Unincorporated  
4 Fresno County, with a map. It's okay. I can continue  
5 talking about it.

6 Is this a little bit better, the volume?

7 MS. ANDERSON: Yes.

8 MS. MITCHELL: Okay, great.

9 So hopefully we can pull up a map a little bit  
10 later, but the project is 1.6 gigawatts of PV with 4.6  
11 gigawatts of battery storage. The PV arrays would be sited  
12 entirely on lands currently owned by Westlands Water  
13 District, which will be purchased by the project company  
14 prior to construction.

15 These are all retired agricultural lands that are  
16 no longer being irrigated and have been continuously  
17 (indiscernible) for more than a decade to manage weeds.  
18 And despite being located on Westland's lands, the Darden  
19 Project is not affiliated with the Valley Clean  
20 Infrastructure Plan or Golden State Clean Energy, which is  
21 a different organization and a different plan, and so it's  
22 also not subject to Assembly Bill 2661, which was recently  
23 signed into law. Just wanted to clarify that they're two  
24 separate processes.

25 We have voluntarily committed to one of the

1 strongest Community Benefits Plans in the industry, and I'm  
2 going to talk a little bit about this later.

3 But first I want to talk about our project site  
4 and the project components. And I have a slide that has  
5 another map that shows a zoom-in of the site and the gen  
6 tie line, if that's available for the public. Otherwise I  
7 can just keep going, so --

8 MS. ANDERSON: These are only -- the only two  
9 maps I have is keeping the California Lights On and the  
10 other map.

11 MS. MITCHELL: Okay.

12 MS. ANDERSON: Sorry, I'm not sure what slide you  
13 want.

14 MS. MITCHELL: Okay, yeah, no worries. Perhaps  
15 my team can email it to you right now.

16 MS. ANDERSON: And I also need you to speak a  
17 little bit slower so that the interpreters can hear you --

18 MS. MITCHELL: Okay.

19 MS. ANDERSON: -- as well as so we can hear you  
20 online. Thank you.

21 MS. MITCHELL: Great.

22 So the project consists of a solar facility, a  
23 step-up substation, which would transform the power  
24 generated at the panels to utility interconnection voltage.  
25 It includes a generation intertie line, or a power line,

1 that would be up to 15 miles in length that would connect  
2 the energy generated at the project to the electrical grid.  
3 It would be interconnected into the Pacific Gas & Electric  
4 system. It would include a battery energy storage system.

5 And importantly, it also includes a utility  
6 switchyard at the voltage of 500 kilovolts. And this would  
7 ultimately be a PG&E-owned facility. It would be  
8 constructed by the project and deeded over to PG&E. And  
9 I'll talk a little bit more about that later.

10 The project, as was previously mentioned,  
11 originally included a green hydrogen component. That has  
12 been removed. The reason it's been removed is because the  
13 project was originally a part of a public-private  
14 partnership in California called ARCHES, which stands for  
15 the Alliance for Renewable Energy Clean Hydrogen Energy  
16 Systems -- excuse me -- of which Intersect Power has been a  
17 participant. And we originally proposed a green hydrogen  
18 generator in association with this project in coordination  
19 with ARCHES. And ARCHES is responsible for matching supply  
20 with conveyance and demand.

21 And we originally anticipated that a hydrogen  
22 pipeline would come online in alignment with the Darden  
23 Project schedule. But that is no longer our understanding.  
24 And Darden itself is viable as a standalone solar energy  
25 generator with battery storage, all of which will

1 significantly advance California's ability to meet our  
2 decarbonization and renewable energy goals. So we're  
3 proceeding with the project without the green energy  
4 component. And we are working with ARCHES to determine  
5 whether or not there's a potential location in the Central  
6 Valley for a future green hydrogen generator. But the  
7 timing of finalizing those plans is several years out.

8           So I wanted to talk a little bit about project  
9 construction and what to expect. Project construction  
10 would occur over an approximate two-year period, beginning  
11 in 2026 and wrapping up at the end of 2027. It would  
12 proceed in several distinct workstreams. And there is a  
13 slide, if available, that has a project construction  
14 timeline on it. But suffice it to say that numerous  
15 workstreams would be constructed in tandem, including site  
16 preparation, panel installation, medium-voltage cable  
17 installation, and constructing the PG&E switchyard.

18           Over 1,000 workers would be on site during  
19 construction, peaking at roughly 1,500 personnel. Numerous  
20 deliveries of vehicles and equipment would occur throughout  
21 the construction phase. A traffic control plan would be  
22 implemented to ensure a coordinated flow of project-related  
23 traffic and to minimize circulation on local roadways. And  
24 during site preparation, dust would be controlled with  
25 application of water to on-site soils, and numerous other

1 measures that have already been proposed to minimize  
2 impacts of the duration -- through the duration of  
3 construction.

4           As far as project operation goes, I think you do  
5 have a slide on this, it was just a picture of the solar  
6 panels with the grasses underneath. The project is  
7 expected to operate for 35 years or longer. Maintenance  
8 activities are pretty low-key. They include sheep grazing,  
9 panel washing, system testing, minor repairs, routine  
10 maintenance activities, traffic cleanups, and, importantly,  
11 a Swainson's hawk research activities, which I'll talk  
12 about a little bit later. About 16 permanent full-time  
13 employees would operate the project.

14           Do you have a slide called Site Selection  
15 Strategy?

16           MS. ANDERSON: Sorry, I'm trying to find it.  
17 What was put in our master deck was very different from  
18 something that I was just emailed, so I'm trying to find  
19 which slide while you're talking. What was the title of it  
20 again?

21           MS. MITCHELL: Site Selection Strategy.

22           MS. ANDERSON: Okay, give me just one second.

23           MS. MITCHELL: Thank you.

24           MS. ANDERSON: I am so sorry.

25           MS. MITCHELL: No problem. I appreciate you.

1 MS. ANDERSON: Okay, there we go. Let's see, can  
2 you see that now?

3 MS. MITCHELL: Yes, perfect. Thank you.

4 MS. ANDERSON: Okay. Yeah.

5 MS. MITCHELL: So the way we chose this site to  
6 begin with is we always, as much as possible, try to target  
7 degraded lands that do not have other beneficial uses  
8 currently. So this site in particular, these retired  
9 agricultural lands have been identified as smart from the  
10 start by numerous conservation organizations and state  
11 agencies. They have been identified as priority least-  
12 conflict lands for solar energy development in the San  
13 Joaquin Valley Least-Conflict Analysis that was conducted  
14 several years back.

15 The site is on retired agricultural land, as I  
16 mentioned previously. It is highly disturbed land due to  
17 historical agricultural use. And there are a few nearby  
18 residences with direct views of the site.

19 The utility switchyard is located along existing  
20 high-voltage lines, and it does not have any potential for  
21 future use as agriculture. So that was how we identified  
22 this site in the first place.

23 On the next slide, if you have something called  
24 Interconnection Strategy, I wanted to describe that a  
25 little bit.

1           So what's really exciting about this project, it  
2 has the potential to unlock all of these other degraded  
3 lands in Westlands Water District. So Westland's land that  
4 is no longer suitable for irrigated agriculture has been  
5 described as some of the most ideal locations for solar  
6 development for over a decade.

7           Westlands has another 90,000 or so acres  
8 available for potential solar energy generation  
9 opportunities. However, development in this region has  
10 been slow due to a lack of transmission interconnection  
11 opportunities and capacity to deliver electricity. So what  
12 this project would do is create a vital viewpoint of  
13 interconnection, not only for this project, the Darden  
14 Clean Energy Project, but for other future clean energy  
15 generators in the area. So it really does unlock the  
16 potential of these degraded lands.

17           If you have the next slide, called Design  
18 Strategy? Great.

19           So anytime we possibly can, we want to enhance  
20 environmental values, not just minimize and avoid  
21 environmental impacts, but enhance environmental values.  
22 And one thing that's exciting about this project is you'll  
23 be managing it for ongoing environmental values, including  
24 Swainson's hawk nesting and foraging habitat. The  
25 Swainson's hawk is a California threatened species of

1 raptor, and Swainson's hawks have been demonstrated in  
2 previous research to do very well foraging within solar  
3 arrays in the Central Valley, as long as the site is  
4 managed appropriately.

5 We are also committed to not cutting down the  
6 trees that currently exist at the site in between certain  
7 areas of the project site where wind rows of eucalyptus  
8 trees were historically planted. Those trees will be left  
9 in place to keep available nesting habitat, which is really  
10 the most limiting factor for Swainson's hawk survivorship  
11 in the Central Valley these days. We will also be planting  
12 additional trees in the northern portion of the project  
13 margins to enhance nesting habitat onsite as well.

14 We'll be revegetating the site with native seed  
15 mixes. That would be expected to reduce ongoing dust from  
16 long-term operations compared with existing conditions.  
17 And as we continue to be a leader, a sponsor, and  
18 participant in scientific research on solar interactions  
19 with wildlife, we are sponsoring a research project in  
20 connection with Dr. Steve Grodsky at Cornell University and  
21 his laboratory to understand the long-term potential  
22 impacts and benefits on Swainson's hawk foraging and  
23 nesting habitat.

24 In connection with this research plan, we have  
25 committed to Fresno State that we will have an internship



1 program for budding biology and ecology students to  
2 participate in that research as well, so that's pretty  
3 exciting also.

4           On the next slide, we have one called Technical  
5 Studies Complete. So after the site was identified and  
6 desktop viability was established, we conducted numerous  
7 intensive studies to validate all of the initial  
8 expectations of site viability. We went at a much deeper  
9 level. You can see a list of all of the technical studies  
10 that have been completed to date here. This work took  
11 place over roughly a two-year period, and this was even  
12 before we filed an application to this CEC.

13           Next slide, please.

14           So we prioritized early community engagement, and  
15 we voluntarily enter into community benefits agreements and  
16 commit large sums toward local community organizations that  
17 help meet communities' unique needs, from education to  
18 homelessness issues to job training services.

19           We have a dedicated community engagement team  
20 whose job it is to work with communities and community  
21 organizations to understand community needs and help out  
22 however we can. The team has sent out numerous courtesy  
23 notifications to local residents in connection with this  
24 project. We've had meetings and site tours with numerous  
25 stakeholders so far, and we look forward to answering

1 questions from stakeholders today.

2           On the next slide, we've got a discussion of our  
3 CEC Compliance Community Benefits Plan. So in compliance  
4 with Public Resources Code 25545.10 for this Opt-In  
5 application process, we've entered into binding community  
6 benefits agreements with a number of organizations shown on  
7 the slide here. And we've committed \$2 million over ten  
8 years as a part of this plan to comply with the Public  
9 Resources Code. But as I mentioned earlier, our community  
10 benefits efforts go well beyond what is required by law.  
11 And so on the next slide, I do want to share with you the  
12 multidimensional benefits that a project has on this  
13 community.

14           So we've committed a total of \$5 million that is  
15 just in direct community benefit investments over the life  
16 of the project, which includes investments for every year  
17 of project operations. But there are many other financial  
18 benefits of the project that are worth taking a minute to  
19 explain.

20           So the local sales tax dollars are about \$59  
21 million in the years '26 and '27, plus \$1.8 million per  
22 year. So those would be local benefits that would go to  
23 Fresno County.

24           Also going to Fresno County, on average, property  
25 taxes every year would be \$26 million.

1           We have entered into a five-craft (phonetic)  
2 project labor agreement with all the local union trades.  
3 And there is an estimated \$160 million in employee  
4 compensation that would be associated with this project.  
5 And we are working with numerous organizations locally to  
6 ensure job training opportunities are made available to  
7 local residents in the western Fresno County.

8           As I mentioned previously, numerous construction  
9 and a couple dozen permanent jobs would be created by this  
10 project.

11           And it is estimated that a little bit less than  
12 \$300 million would be spent locally through the  
13 construction phase in terms of investments that would be  
14 direct and indirect from the engineering, procurement, and  
15 construction contractors' activities.

16           I wanted to mention, too, that these benefits are  
17 easy to promise but difficult to deliver on because getting  
18 a large energy project over the line in California is a  
19 complex feat that requires coordination across many  
20 different areas, including interconnection, power  
21 marketing, access to financial markets to finance the  
22 project of this size, a very secure supply chain, making  
23 sure we have all of the panels, the steel, the modules, the  
24 inverters, and the other elements that are required to make  
25 this project happen on time. Land acquisition, permitting

1 and entitlement, and construction expertise are also  
2 required.

3           So I think what communities can be sure to rely  
4 on from a company like ours is a company with integrity,  
5 who values communities, who delivers on our promises, and  
6 who believes in giving back. And so what that means is  
7 more community benefit dollars to be distributed to local  
8 communities, so we're very proud of that.

9           And I think that is the end of the presentation  
10 and I'm happy to answer questions as well.

11           COMMISSIONER GALLARDO: Are you taking questions  
12 from the dais or from the public?

13           MS. CRISP: The applicant just invited questions,  
14 so --

15           COMMISSIONER GALLARDO: Yeah.

16           MS. MITCHELL: At the appropriate time.

17           MS. CRISP: We can (indiscernible).

18           COMMISSIONER GALLARDO: If you're ready now,  
19 that's fine.

20           MS. MITCHELL: That's up to you. I want to stick  
21 to your schedule.

22           COMMISSIONER GALLARDO: What's the agenda?

23           MS. CRISP: I was next going to speak about the  
24 project (indiscernible).

25           COMMISSIONER GALLARDO: You know, let's do the

1 questions. I actually have a few questions too.

2 (Colloquy)

3 COMMISSIONER GALLARDO: All right. I'm going to  
4 do questions. You said you had one, sir. Do you want to  
5 go to the podium to ask?

6 MR. MARTIN, JR.: (Indiscernible.)

7 COMMISSIONER GALLARDO: Or as long as you use the  
8 mic. We just want to make sure we hear you.

9 MR. MARTIN, JR.: Oh, so it's a simple question.  
10 So you're going to put a solar farm in, and you're going to  
11 run across and tie into the 500kV line, the PG&E 500kV  
12 line?

13 MS. MITCHELL: That is our proposal, yes. But of  
14 course, the California Energy Commission needs to first  
15 conduct an Environmental Impact Report and decide whether  
16 or not to approve or disapprove the project.

17 MR. MARTIN, JR.: And are you going to -- is that  
18 current 500kV line, is it already maxed out, or do you  
19 still got room for more juice?

20 MS. MITCHELL: There's room for more juice, yes.

21 MR. MARTIN, JR.: And are you going to have to  
22 build another line or do you think you could be all  
23 right --

24 MS. MITCHELL: No --

25 MR. MARTIN, JR.: -- or are you going to be tying

1 in?

2 MS. MITCHELL: No, we won't be building another  
3 line. PG&E also is not projecting needing to build another  
4 line to accommodate this project. We are just building the  
5 substation that currently does not exist in this region.  
6 So there's really no sort of like -- the analogy might be  
7 like an electrical outlet. There's nowhere to plug in  
8 currently. So this would allow an opportunity to plug in.

9 MR. MARTIN, JR.: Thank you.

10 COMMISSIONER GALLARDO: Sir, if you could give us  
11 your name, also, for the record, please.

12 MR. MARTIN, SR.: How about the WAPA line?

13 COMMISSIONER GALLARDO: First, we need to get the  
14 name from the gentleman who just asked the question  
15 earlier.

16 MR. MARTIN, SR.: Phillip, my dad, Phillip.  
17 There's a WAPA line right next to it. Are you going to tie  
18 in to the WAPA line at all?

19 MS. MITCHELL: No, we're not tying it to the WAPA  
20 line, Western Area Power Administration.

21 COMMISSIONER GALLARDO: All right, court  
22 reporter, was that sufficient or do you need the last name,  
23 too? Okay, so we need first name, last name from both of  
24 you, just to make sure we have an accurate record, please.

25 MR. MARTIN, JR.: Philip Martin, Jr., Philip

1 Martin, Sr.

2 COMMISSIONER GALLARDO: Got it, Philip Martin,  
3 Jr., and Philip Martin, Sr. Junior spoke first, and then  
4 Senior spoke second, and then Junior again. All good?  
5 Philip, how do you spell Philip?

6 Phillip, how do you spell Philip, with a P-H?

7 MR. MARTIN, SR.: With one L, P-H-I-L-I-P, with  
8 one L.

9 COMMISSIONER GALLARDO: P-H-I--L-I-P, one L. All  
10 right. All right, thank you both.

11 Okay, anyone else have a question? Okay, I have  
12 a few.

13 So first, you mentioned the Smart from the Start,  
14 that there were several organizations and agencies who had  
15 described the project that way. Could you give us an  
16 example or two of those organizations and agencies?

17 MS. MITCHELL: Yeah. Defenders of Wildlife is  
18 one of the organizations that about ten years ago was  
19 calling for a development of the Westlands Water District  
20 area as some of the lowest-impact areas to develop solar  
21 resources in the state.

22 The Natural Resources Defense Council, as well,  
23 has publicly noted that this area is a great place to build  
24 solar because of those low impacts that it has on natural  
25 resources and conservation.

1 COMMISSIONER GALLARDO: Okay, thank you.

2 And then you also mentioned, when you were  
3 talking about the community engagement, that there were  
4 local nonprofit organizations that you had worked with.  
5 And I think you listed out the environmental justice  
6 organizations separately. So I'm just curious if you could  
7 give us a few examples of the local nonprofits, unless  
8 those were the ones that you're doing the community  
9 benefits agreements with.

10 MS. MITCHELL: Yes.

11 COMMISSIONER GALLARDO: It was just hard to see  
12 on the screen for me, so --

13 MS. MITCHELL: Sure, yeah.

14 MS. KNOWLES: So on slide 16, are we able to pull  
15 up slides?

16 MS. ANDERSON: I'm sorry, which --

17 MS. KNOWLES: Slide 14.

18 MS. ANDERSON: -- which slide is it?

19 MS. KNOWLES: Slide 14, please. What's the  
20 title? The Community Benefit Plan Primary Partner  
21 Organizations. Okay, perfect.

22 MS. ANDERSON: This one?

23 MS. KNOWLES: Yeah, perfect.

24 MS. ANDERSON: Okay. Great.

25 MS. KNOWLES: This slide here lists the major --



1 or the primary partner organizations that are included in  
2 our Benefits Plan, so that the organizations include Fresno  
3 State, Fresno Housing Education Corp., the ValleyBuild Pre-  
4 Apprenticeship Program, Fresno County Regional Transit  
5 Authority, Central California Asthma Collaborative, Tree  
6 Fresno, Westside Elementary School, the Central California  
7 Food Bank, and then Centro La Familia Advocacy Services.

8 But if you go to slide 15, the early engagement  
9 with outreach and outreach with local communities, you'll  
10 see on here several other organizations. We have built out  
11 the Community Benefits Plan so that we are able to  
12 incorporate new organizations that we learn about over  
13 time. As we engage more in the local community, we become  
14 aware of more organizations. And so over the past year, we  
15 have had additional partners that we have included in that  
16 plan, and they're listed on this slide here. And we expect  
17 to have more partner organizations over time.

18 COMMISSIONER GALLARDO: Okay. Thank you. I  
19 appreciate that.

20 And then on a related note, there was a mention  
21 of \$5.1 million, I believe, in total direct investment. Is  
22 that solely for the purpose of this project, or has that  
23 been over time? I'm just curious if you could --

24 MS. KNOWLES: Sure. Yeah. So this is specific  
25 to the Darden Project. And so to date, we have spent

1 approximately \$273,000 with local organizations. We  
2 have -- let me go back to the slide so I don't say this  
3 incorrectly -- we do have, over the development period, we  
4 have \$1.5 million planned through 2027, but then an  
5 additional for a total value of \$5.1 million over the life  
6 of the project.

7 COMMISSIONER GALLARDO: Okay, so the \$5.1 million  
8 will be the total you'll spend?

9 MS. KNOWLES: The total spend.

10 COMMISSIONER GALLARDO: Is it possible that may  
11 change, or is that what you're --

12 MS. KNOWLES: That is the committed amount.

13 COMMISSIONER GALLARDO: Okay.

14 MS. KNOWLES: Yes.

15 COMMISSIONER GALLARDO: Okay, just to be clear.

16 MS. KNOWLES: And that is the committed amount  
17 for the total size of the proposed project. If the  
18 proposed project were not approved as proposed, if it was  
19 shrunk to a smaller size, for example, under an  
20 alternative, we would adjust the community benefits value  
21 accordingly. So it would sort of scale with project value.

22 COMMISSIONER GALLARDO: Okay, very helpful.

23 Appreciate that.

24 Anyone else have a question? Otherwise we'll see  
25 if --

1 MS. BADIE: There's a question in the audience,  
2 Commissioner.

3 COMMISSIONER GALLARDO: Oh, go ahead.

4 MS. BADIE: If you could please approach the  
5 podium so we can have the mic hand off, that would be so  
6 helpful.

7 COMMISSIONER GALLARDO: And then just a reminder  
8 to please state your name for our record, as well.

9 MS. MARTIN: Hi. My name is Susan Martin, no  
10 relation. I'm principal at Cantua Elementary School in  
11 Cantua Creek, and we were approached by the Darden  
12 Corporation as a partner that would like to work with our  
13 school in Golden Plains District, and alongside with  
14 Westside.

15 I'm not sure if Gary's here. I haven't met Gary,  
16 but I've heard Gary's name.

17 Anyway, quick, one of the things that -- the  
18 first thing I did ask was, are you taking agricultural  
19 lands? So I'm really happy to hear that you're not taking,  
20 you're not going to, you know, take out trees and different  
21 plants that do -- that's where our community is. Our  
22 community is farmworkers. And so the first thing that  
23 scared me is, oh, we're taking away agricultural land.  
24 What's going to happen? You know, that means more people  
25 are going to leave.

1           And for example, my particular school, back in  
2 the day when it was built in 1953, facilitated over 500  
3 students, and we're down to 185 right now. We're a K-8  
4 school.

5           So our community is disappearing for multiple  
6 reasons, drought, you know, all kinds of reasons. But I  
7 hate to see these big solar farms going up and the  
8 agricultural leaving.

9           So all that to say, I'm happy to know that you're  
10 not using prime agricultural land.

11           One question I had, you mentioned 35 years, but  
12 that's the life of the solar farm for 35 years? What  
13 happens after that?

14           MS. MITCHELL: So that is the life of the -- the  
15 warrantied life of the equipment, the solar panels, the  
16 inverters, the other types of equipment. We expect to  
17 operate the project for much longer than that. So some of  
18 the equipment may need to be replaced over time. There may  
19 be a period in the future where we might like to upgrade  
20 the project to include more efficient technology that's  
21 available in 35 or 40 or 45 years from now, but that is  
22 sort of speculative.

23           MS. MARTIN: Okay, that makes sense. I mean,  
24 it's similar to putting solar on your house, it's good for  
25 25 years, and then you figure out what to do with it after

1 that.

2           The one thing that does concern me a bit is that  
3 I understand there's, you know, a lot of job opportunities  
4 at the start, but then after that, as you said, there's  
5 half a dozen or maybe two dozen permanent jobs. So that's  
6 a concern of mine, is what happens to the people that have  
7 been trained to work these, and where do they go from  
8 there? So then they leave our community. So just voicing  
9 a concern.

10           MS. MITCHELL: And I'd be happy to address that  
11 briefly. We're here to talk about the Darden Project, but  
12 the state is projected to add 70 gigawatts of new solar  
13 generation. Much of that is slated or planned for the  
14 Central Valley, the eight counties in San Joaquin Valley  
15 region in particular. It's going to require roughly 300 to  
16 400,000 acres worth of new solar generation. And these  
17 projects need to go in by 2045 to meet our 100 percent  
18 renewable energy goals.

19           So these projects are starting to go in now, but  
20 they're going to be sort of continuously built between now  
21 and 2045, so that's a 20-year career. These folks who are  
22 trained now will be able to work on this project and then  
23 cycle through to the next project that's proposed  
24 regionally and the one after that. So that's the better  
25 part of somebody's career.

1 MS. MARTIN: Okay, so I guess it depends on how  
2 close regionally the next projects will be. All right, I  
3 appreciate your answers. Thank you.

4 MS. BADIE: Are there any other questions in the  
5 room? (Indiscernible.) Yes, please approach the podium.  
6 And just a reminder to please state your name so we can  
7 have that in our record.

8 DR. CARIS-MCMANUS: My name is Dr. Jeannemarie  
9 Caris-McManus, and I'm the CEO of Westside Family  
10 Preservation Services Network, and we're headquartered in  
11 Huron, and we have been there since 1999, or 25 years. And  
12 I'm here with my Deputy Director Aurora Ramirez, and I'm  
13 interested in the Community Benefits Plan that you have.

14 And my first question is, what percent of the  
15 profits from the project are allocated to the community  
16 benefits?

17 MS. MITCHELL: So we don't calculate the  
18 community benefits amount relative to profits. Profits are  
19 a little bit of a fleeting concept for renewable energy  
20 generation. The market changes constantly. But what we've  
21 done is establish the value of the Community Benefits Plan  
22 that, mind you, is just the direct contributions off the  
23 top from the Darden Clean Energy Project, this company, for  
24 the local community organizations. That's still based on  
25 total project value. I don't have the percentage. It's

1 not an exact fact.

2 But I will say that we have made efforts to  
3 establish a point of sale for procurement of all of our  
4 major equipment and services purchases locally to Fresno  
5 County so that the sales taxes flow locally rather than  
6 stay at the state level, and then the property taxes, as  
7 well, is another local benefit.

8 DR. CARIS-MCMANUS: The reason that I'm asking is  
9 I'm trying to, in my own mind, get a sense of the  
10 relationship between the size of the project, because I  
11 don't really understand gigawatts and megawatts, and the  
12 investment in the local community.

13 Our mission is community based for child abuse  
14 prevention. And so we work closely with the families. So  
15 I would be interested in knowing what you're investing in,  
16 what outcomes you are investing in, and the process that  
17 you've used to get there. And if that's too much question,  
18 we can do research in other areas, but I'm very interested  
19 in that.

20 MS. KNOWLES: No, and I'd be happy to sit down  
21 with you after as well.

22 So the way that we have built out the Community  
23 Engagement Plan is to really focus on the communities  
24 closest to the project. So we have started with some more  
25 established organizations that are based in Fresno itself,

1 and the idea is to help bring more of their services to the  
2 western Fresno County area.

3 But in addition to those partners, we also have a  
4 fund of money as part of that plan that is for  
5 organizations that we hear about as we're continuing to  
6 engage in the community. So that is not the -- just  
7 because the organizations are listed on the slide, that  
8 does not mean that they are the final plan. There is most  
9 definitely an ability to add in more organizations. When  
10 we built the plan, we knew that, you know, through the  
11 process of engagement, we were going to learn about many  
12 more organizations over time. So we purposely left it  
13 flexible so that we can work with additional organizations  
14 outside of its purview.

15 MS. BADIE: Thank you.

16 Are there any other questions in the room?

17 (Indiscernible.)

18 Okay, I'm going to transition to any questions on  
19 Zoom. So we have some hands raised. And again, the  
20 applicant has offered to answer questions at this time, but  
21 this will not be the public comment period. We're going to  
22 have that a little bit later in the program.

23 So Natalie Delgado, I'm going to open your line.  
24 You'll unmute on your end. And if that name that's on Zoom  
25 is not accurate, please announce your accurate name before



1 asking your question.

2 MS. DELGADO-CARRILLO: Hi, good afternoon. I'm  
3 actually asking a question on behalf of my co-worker,  
4 Angela Islas (phonetic). She gives her best regards to  
5 Noemi Gallardo. She just has a couple of questions.

6 If you can talk about the process in terms of  
7 engaging in the community and CBAs?

8 And then the second question is, how can this  
9 project actually coordinate with the CPUC Energy Pilot  
10 Project that Cantua Creek has been a part of for a few  
11 years? How's it going to align with their current solar  
12 benefits? And what are some of the benefits of the  
13 community in getting solar? And how is this project going  
14 to maximize that for the Cantua Creek community?

15 MS. MITCHELL: The question about the CPUC  
16 program, I'm not familiar with that. It is not my  
17 understanding that that program is affiliated in any way or  
18 that this project would be obligated to participate in that  
19 program, so I'm unfamiliar with that. Happy to follow up  
20 later with you.

21 But in terms of the community benefits strategy,  
22 I can have Elizabeth answer, but I will just offer that, so  
23 this is a very high-voltage wholesale solar power project.  
24 So we are injecting wholesale power into the high-voltage  
25 electric system that is operated by the Cal ISO, the state

1 grid operator. So those electrons are going to be  
2 delivered where they're needed most. Some of them will be  
3 used locally. Some of them will be used in other places.  
4 We don't really control that.

5 But many of the local community benefits that I  
6 showed on the slide earlier are related to workforce  
7 training and development, job acquisition, and procurement  
8 of goods and services from local businesses as well.

9 MS. KNOWLES: In regard to the question on how we  
10 have engaged the community so far, we have brought on a  
11 local consultant. In the very, very early stages of our  
12 engagement, they helped to advise on the Community Benefits  
13 Plan, the initial plan itself.

14 Outside of the Community Benefits Plan, we have  
15 been engaging with local stakeholders, including local EJ  
16 organizations. I know we have some folks here today from  
17 Leadership Council. We've also worked with the Central  
18 Asthma Collaborative and the LEAP Institute. We have also  
19 done a series of outreach in regard to workforce  
20 development opportunities.

21 As you've seen in the slide, we are, in the  
22 Community Benefits Plan, we have a partnership with the  
23 ValleyBuild Pre-Apprenticeship Program. And ValleyBuild is  
24 really focused on bringing people into the unions. And so  
25 we have been doing some outreach with the local cities near

1 the site to have informational presentations about the  
2 ValleyBuild program with the intent of getting as many  
3 local folks as possible onto our job sites. In order to do  
4 so, they have to join the unions. And so this is a really  
5 clear pathway into the unions.

6           Additionally, we have been doing a significant  
7 amount of outreach with those cities. Just last week, the  
8 Intersect Power Team went on a tour of the local  
9 communities on the west side. We had leadership from  
10 Kerman, Huron, San Joaquin, Mendota, and Firebaugh give us  
11 tours of their communities. Joining us on that tour was  
12 our EPC partner. So the company who will be constructing  
13 the project site joined us so that they can understand what  
14 local goods and services are available in the local  
15 communities. And the intention of that is really to make  
16 sure that all of that money is spent in the local  
17 communities, keeping the economic benefit as local as  
18 possible.

19           We'll continue to engage the local communities.  
20 As we move through the permitting process, we did send out  
21 two courtesy notifications, the first one this past spring,  
22 and that was sent to all residents within a mile of the  
23 project site. In that letter, we gave information about  
24 the project. We provided a map. We actually provided  
25 contact information if people had questions or concerns.

1 We followed up with another courtesy communication about  
2 this specific meeting as well. So we will continue to  
3 engage throughout the permitting process and throughout the  
4 length of the project.

5 MS. BADIE: Thank you. Thank you, Natalie, for  
6 those questions.

7 And I'm going to open the line for phone number  
8 ending in 528 for you to ask your question. It would be  
9 very helpful if you could please announce your name before  
10 making your question.

11 And then to assist with our interpretation today,  
12 we're asking folks to speak very slowly. It helps capture  
13 everything for the interpreters to relay the translation in  
14 real time.

15 So phone number 528, your line is open. You'll  
16 press star 6 to unmute on your end.

17 MS. ROSENBERGER HAIDER: Hello, my name is Laura  
18 Rosenberger-Haider, and I have a question.

19 Are you going to monitor for radioactivity around  
20 the seven plugged oil wells? Because radiation is  
21 frequently found higher than background sometimes unsafe  
22 levels around oil wells. And also, there was arsenic  
23 around one of the wells. That's why the dust is very  
24 dangerous. And I hope the pumps are not going to love to  
25 degrade.

1 All right, but the question, the two questions,  
2 what's the radioactivity around the oil wells? The second,  
3 are there PFAS in the panels, in the solar panels, like  
4 PFAS?

5 MS. MITCHELL: So on your first question, what is  
6 the level of radioactivity around the onsite oil wells?  
7 That has not been studied. If that is a comment that you'd  
8 like to make into the record in scoping, that is a useful  
9 comment to include.

10 And then PFAS, my understanding is that PFAS are  
11 not included in the solar panels, but that is also another  
12 scoping comment that you should make if you're curious  
13 about ensuring that the CPUC evaluates that.

14 But I will say that the solar panels are fully  
15 encased in all the components of the solar panel material,  
16 they're fully encased in glass and sealed up at the edges.  
17 So there's many studies have been done about solar panels  
18 and the potential to leach materials into the ground  
19 surface or groundwater. And all of those studies have  
20 determined that solar panels are absolutely safe to operate  
21 in the environment and do not leach chemicals or a toxic  
22 material into soil or groundwater.

23 MS. BADIE: Thank you.

24 Next, we'll open the line for Mariana Alvarenga.  
25 I'm going to open your line. And if your name on Zoom is

1 not matching your name, please announce your name before  
2 making your question.

3 MS. ALVARENGA: Hi, this is Mariana Alvarenga  
4 with Leadership Council for Justice and Accountability. I  
5 have two questions. I can ask the first one, and then  
6 hopefully get a response, and then ask the second one, if  
7 that's okay?

8 I just wanted to get more clarity around who will  
9 benefit from the solar. I don't know if I really captured  
10 that from the presentation. If you all can explain more of  
11 the process regarding who will have access to the solar and  
12 what will be the main use?

13 MS. MITCHELL: Yeah, so, again, so this is a  
14 high-voltage wholesale central station power plant. The  
15 same way like a gas-fired power plant or a nuclear power  
16 plant operates in the state of California, we don't operate  
17 the grid. So we don't get to say where the electrons  
18 actually end up going. And that is the same case with any  
19 large central station power plant.

20 Community solar projects are sort of a different  
21 scale where it's very -- it's a lot easier to attribute the  
22 electrical generation benefits of the project to a local  
23 place. It's much more difficult when you're connected to a  
24 statewide grid that serves all of the state of California.

25 But in terms of who will benefit from the

1 project, again, the projects are well beyond the  
2 electricity generated and go to local economic  
3 opportunities, job opportunities, but also decarbonization  
4 and better air and environmental protection for all of  
5 California.

6 MS. ALVARENGA: Okay, thank you. And the reason  
7 I ask is because I was just curious, what other community  
8 benefits can the community expect, the communities that are  
9 going to be near the project? Is there an opportunity to  
10 execute a Community Benefits Plan directly with residents?

11 MS. MITCHELL: It's something that can be  
12 potentially considered. It is difficult to enter into  
13 community benefits agreements with residents that are not  
14 part of some sort of like organization, like a nonprofit  
15 organization, a 501(c)(3) or other type of public-private  
16 partnership-type organization that has a fiduciary  
17 responsibility and reporting requirements associated with  
18 those for private companies like ours. So that's sort of  
19 like the minimum threshold for us to be able to enter into  
20 some type of agreement like that. But it certainly  
21 (indiscernible).

22 MS. BADIE: Thank you. And I believe I saw a  
23 hand raised in the room. If there's an additional  
24 question, I'm going to ask if you could please approach the  
25 podium? And if you could let us know your name before I

1 ask you a question, it helps for our record.

2 MR. PEREZ: Felipe Perez. (Speaking Spanish.)

3 MS. BADIE: Un momentito. Un momentito.

4 MR. PEREZ: We're all communities  
5 (indiscernible).

6 MS. BADIE: Oh, okay.

7 MR. PEREZ: I speak both languages. I will speak  
8 first in my first language, Spanish. Okay.

9 One of my questions -- (speaking Spanish) -- is I  
10 know that you guys are going to have, you said, training  
11 and all this kind of thing. (Speaking Spanish.) Do you  
12 guys plan to do it in Spanish? I don't know if you know  
13 it, but the 90 percent, 100 percent is from, you know,  
14 fieldworker, they are Spanish-speaking. (Speaking  
15 Spanish.)

16 Everything that you guys do or the people do in  
17 the schools is in English. We have teachers. We have  
18 nurses. We have engineers in the fields. I tell you this  
19 because I go directly to the fields to talk with them. I  
20 used to work for West State Farm (phonetic) in the past,  
21 and I go directly -- I used to go -- I used to work for  
22 Fresno State, Office of Community and Economic Development.  
23 I used to talk with all these people. And I know we have a  
24 lot of people that have capital to do all these kind of  
25 things.



1 I don't know if you guys are planning to do  
2 something in Spanish for them? Because when we came from  
3 Mexico, I'm from Mexico, I'm a council member from  
4 (indiscernible), but we don't know nothing about this, you  
5 know, the language. When we came over here, we feel like a  
6 noob because we don't know what to do. And I know you guys  
7 want to do it.

8 Actually, you know, there's a project out there.  
9 You can do more for communities. I know the communities  
10 around Cantua. All these communities, they are my  
11 community. They are. I'm a Mexican. I came back to the  
12 United States in 1988 at the age of 18 years old.  
13 (Speaking Spanish.) Thanks to (indiscernible). Now I'm a  
14 city council member, as I said. I'm a former mayor from  
15 Huron (phonetic). But I'm very interested in what you guys  
16 are going to do with all the rural communities and with  
17 rural people. Because the rural communities with our  
18 people is not in your project. Without people, it's the  
19 same thing. We don't have nothing.

20 Please think about the people that already lost  
21 their jobs because of the lack of water -- (speaking  
22 Spanish) -- entire families are moving from over here  
23 because of the lack of water.

24 Thanks that you're going to bring something to  
25 this, but please make more jobs for all of us. And like I

1 said, please think about us, not just what you guys are  
2 doing. Thank you.

3 MS. KNOWLES: No, thank you for your comment.  
4 One of the things that we're really focused on right now is  
5 identifying barriers. So identifying barriers to things  
6 like employment and how we can use our Community Benefits  
7 Plan and our funds to help assist with those barriers.

8 So we have -- you know, your concern has been  
9 noted. We've been, you know, really heavily engaged with  
10 the local communities, the cities that are in the  
11 incorporated part of the county where a lot of the  
12 population lives. And so we have been having these same  
13 discussions with them in how we can help bring programs  
14 that help with things like language barriers.

15 MS. BADIE: Thank you. I'm going to do one last  
16 call for questions. We're going to have a public comment  
17 period later, too.

18 Gracias. Necesita interpreter?

19 MS. DIAZ: Sí.

20 MS. BADIE: Okay. Un momentito.

21 MS. DIAZ: (Via Spanish Interpreter.) Good  
22 afternoon. Thank you for the time you're allowing me.  
23 This is my worry. Could there be an electric discharge  
24 because of the panels? That has me worried because as time  
25 goes by the youngsters could catch cancer. The young

1 female pregnant girls could have congenital issues or  
2 defects. So I thank all your efforts with the panels. I  
3 like the electricity a lot but it's better than gas. That  
4 is my worry though.

5           At the beginning when they were using the -- what  
6 do you call it? -- the microwaves, they even would scare  
7 me. I would see or know people that would have pacemakers.  
8 They had to be -- step to a side. So that is my worry,  
9 electrical discharge, or when the rays come about, the --  
10 it could be an issue. So that would be my worry.

11           MS. MITCHELL: Thank you for your comment. And  
12 your question. The panels would be enclosed in a fence.  
13 Members of the public would not have access to the panels.  
14 And the closest panel to the nearest residence is over 250  
15 feet away.

16           And regarding your question about human health  
17 concerns, I believe the California Energy Commission will  
18 evaluate that. In the Environmental Impact Report. But  
19 numerous studies have shown that solar panels are very safe  
20 to operate close to communities.

21           MS. DIAZ: Thank you.

22           COMMISSIONER GALLARDO: Thank you for all those  
23 questions.

24           We're going to take a ten-minute break at this  
25 time, so we're going to return at 3:40, so just under ten

1 minutes, 3:40 we'll have a return time. Thank you so much.

2 (Off the record at 3:31 p.m.)

3 (On the record at 3:46 p.m.)

4 COMMISSIONER GALLARDO: I'm Noemi Gallardo,  
5 Commissioner of the California Energy Commission, leading  
6 this proceeding. I have one more question for the  
7 applicant, and then we'll move forward with the staff  
8 presentation.

9 So my question is, you mentioned earlier that the  
10 land where the project will be located is no longer, I  
11 think, available for agriculture. Could you speak a little  
12 bit more about that and, you know, what's the -- you know,  
13 if there's a reference or source that we could point to, to  
14 learn more about it?

15 MS. MITCHELL: Yeah, sure, I'd be happy to. And  
16 I think this is included in our application materials, but  
17 the land where this is sited is on about 9,000 acres of  
18 Westlands Water District. It's retired agricultural land,  
19 but it's part of a larger area of land that totals about  
20 something like 100,000 acres that is owned by Westlands  
21 Water District.

22 That land was acquired in lieu of eminent domain  
23 about ten years ago by Westlands Water District because of  
24 a lawsuit that was filed against Westlands Water District  
25 from the Bureau of Reclamation relating to improper

1 drainage services being provided to the lands in the area,  
2 as I understand it. We were not party to that lawsuit or  
3 the settlement agreement that resulted. But if you look on  
4 the Westlands Water District website, you can see all the  
5 documentation related to that settlement agreement and the  
6 lawsuit and what resulted.

7 But one of the requirements of the land is that  
8 when Westlands Water District transfers it to another party  
9 for a new use, that a non-irrigation covenant must be  
10 placed on the land. And so the site will no longer be  
11 viable for agriculture as it cannot be irrigated at any  
12 point in the future.

13 COMMISSIONER GALLARDO: Thank you, I appreciate  
14 that.

15 All right, now we'll be moving forward with the  
16 staff presentation by Ann Crisp.

17 MS. BADIE: Thank you so much. Just one other  
18 quick announcement. I only have one blue card for comments  
19 later, and we're going to ask for folks to use the blue  
20 card. It will help us facilitate public comment. So if  
21 you want to comment, please fill out a blue card. I have  
22 them at the table here, and you'll just hand them in to me,  
23 and then I'll call on folks. That's for folks in the room.  
24 And then on Zoom, we'll do a raise hand, and I'll have  
25 instructions at that time. So thank you so much.

1 I'm going to hand it back to you.

2 MS. CRISP: Thank you, Mona, and thank you,  
3 Marisa. I'll pick things up from here.

4 Now that you have heard from Eric on the Opt-In  
5 process and Intersect Power on the project description, my  
6 presentation will cover CEC's ongoing environmental review  
7 and analysis of the Darden Clean Energy Project.

8 I'd like to make a couple points up front.

9 First, although we were engaged in the data  
10 completeness review of the application with the applicant  
11 from early November 2023 until the middle of September  
12 2024, CEC staff's actual analysis work is still in the  
13 early stages. That's why we are here engaged in the  
14 project scoping efforts as part of staff's independent  
15 information gathering. We are looking for input on the  
16 scope of what our CEQA analysis should include.

17 Second, while this is an accelerated process, a  
18 complete environmental analysis will be conducted.

19 So let's jump right into it.

20 Next slide, please.

21 These are the topics that our CEC technical team  
22 of engineers and environmental specialists will be  
23 analyzing to produce a staff assessment which includes an  
24 Environmental Impact Report, or EIR. I would like to go  
25 over the topic areas that our staff assessment will include

1 because some of the topics are unique to how CEC analyzes  
2 projects and others are unique to an Opt-In analysis.

3           The environmental impact assessment includes the  
4 topic areas of air quality, alternatives, biological  
5 resources, climate change, greenhouse gas emissions,  
6 cultural and tribal cultural resources, efficiency and  
7 energy resources, geology, paleontology and minerals,  
8 hazards, hazardous materials and wildfire, land use,  
9 agriculture and forestry, noise and vibration, public  
10 health, socioeconomics, solid waste management,  
11 transmission line safety and nuisance, transportation,  
12 visual resources, and water resources.

13           Next slide, please.

14           The engineering assessment includes the topic  
15 areas of facility design, facility reliability,  
16 transmission system engineering, and worker safety and fire  
17 protection.

18           The environmental justice assessment includes an  
19 assessment of the project's impact on an environmental  
20 justice population based on the presence of a minority or  
21 low-income population and considers whether the project  
22 would have a disproportionately high or adverse human  
23 health or environmental effect on the environmental justice  
24 population.

25           The Staff Assessment will also include an

1 assessment of the project's compliance with mandatory Opt-  
2 In requirements, which includes skilled workforce  
3 requirements and labor agreements, a community benefits  
4 agreement, and demonstration that the project will provide  
5 a net positive economic benefit to the local government  
6 that would have had permitting authority.

7 And finally, the Staff Assessment will include  
8 compliance conditions and a compliance monitoring plan to  
9 ensure that, should the project be approved, construction,  
10 operation, and decommissioning complies with applicable  
11 local, state and federal laws, ordinances, regulations, and  
12 standards, or LORs, and with conditions of certification or  
13 mitigation measures adopted by the CEC.

14 Next slide, please.

15 CEC issued its Notice of Preparation of a Draft  
16 EIR on September 23rd, three days after the application was  
17 deemed complete. A Notice of Preparation is viewable on  
18 the project docket and details several topic areas where  
19 the project might result in significant environmental  
20 effects. However, as the applicant noted, the 800-megawatt  
21 green hydrogen facility is no longer part of the project  
22 but had been addressed in the Notice of Preparation.  
23 Therefore, it is possible that some environmental effects  
24 identified in the Notice of Preparation as probable  
25 significant effects, such as noise and vibration, may no



1 longer be identified as significant when the Draft EIR is  
2 released.

3 Briefly, I'll just state that anticipated  
4 significant effects already identified include air quality  
5 due to the effects of project construction emissions in a  
6 non-attainment area; biological resources due to impacts on  
7 various special-status wildlife species, including state  
8 and federally listed species such as the western burrowing  
9 owl, American badger, San Joaquin kit fox, and Swainson's  
10 hawk; cultural and tribal cultural resources, impacts to  
11 both historical, cultural, and tribal cultural resources;  
12 paleontological resources, primarily from excavations below  
13 five feet in depth; public health, primarily risks to  
14 workers and any nearby public from exposure to fungal  
15 spores which cause valley fever, during ground-disturbing  
16 activities; socioeconomics due to an increased demand on  
17 law enforcement and fire protection and emergency medical  
18 services; transportation, primarily from construction  
19 traffic; visual resources, primarily from the effects on  
20 existing visual character or quality of public views in the  
21 project area; and water resources, primarily from use of  
22 groundwater.

23 These are the topics we have identified at this  
24 point as having a probable significant effect. However, as  
25 we are still really in the analysis phase, additional

1 significant effects may be identified. This will all be  
2 fleshed out in the Draft EIR.

3 Most analysis topics involve a discussion of LORS  
4 with which the project must comply. The staff assessment  
5 will consider a reasonable range of potentially feasible  
6 alternatives to the project. In addition to a no-project  
7 alternative, the EIR will consider alternatives that would  
8 avoid or substantially lessen the significant effects of  
9 the project while feasibly attaining most of the project  
10 objectives.

11 Next slide, please.

12 The 30-day comment period for our responsible and  
13 trustee agencies in response to the Notice of Preparation  
14 closes on October 24th. Comments on the Notice of  
15 Preparation and scope of the environmental analysis need to  
16 be submitted to the project's docket or via email by 5 p.m.  
17 on the 24th of October. Alternatively, comments can be  
18 mailed to the address on this slide, postmarked by 5:00  
19 p.m. on the 24th. Public comments on the project can be  
20 submitted at any time during this proceeding.

21 Staff will consider all comments received in  
22 response to the Notice of Preparation and during the  
23 project's proceedings as we prepare the staff assessment,  
24 which includes an EIR.

25 Thank you. That concludes my presentation.

1           Okay, we were going to take a break, but since we  
2 shuffled things around a bit, we could start with comments  
3 and input from California Native American tribes,  
4 responsible and trustee agencies, elected officials, and  
5 other government agencies in attendance, and then we can  
6 move on to public comment.

7           I will hand it back over to Mona.

8           MS. BADIE: Thank you, Ann.

9           Again, my name is Mona Badie. I'm the Public  
10 Advisor of the California Energy Commission. So we're  
11 going to do our final public comment period now. And what  
12 we'd like to do is reserve time at the top of the public  
13 comment for California Native American tribes, other  
14 governmental entities, including responsible and trustee  
15 agencies, anyone from the legislature, and that also  
16 includes local governments as well. And then we'll move on  
17 to general public comment. So with that, I don't have any  
18 cards from any of the tribes or other governments from  
19 folks in the room.

20           I do have one general commenter in the room, but  
21 I'd like to open it up for our Zoom attendees. So if you  
22 are on Zoom and you are from a California Native American  
23 tribe or another government agency or the legislature,  
24 we're asking that you raise your hand now. If you're a  
25 general public commenter, please lower your hand or reserve

1 your raised hands for when I announce the comment category.  
2 That helps us out.

3 All right, so I'm not seeing any commenters from  
4 this reserved time, so I'm going to move to general public  
5 comment. And so if you -- this is for any other commenters  
6 that are in the room or on Zoom with us. And so I'm going  
7 to start with folks in the room that have provided blue  
8 cards, there's still time to fill out a blue card if you'd  
9 like, and then we'll transition to Zoom.

10 So folks on Zoom, you can start raising your  
11 hands now. You'll use the raise-hand feature on your  
12 screen or star nine if joining by phone. That will let us  
13 know you'd like to comment at this time.

14 So for our commenters in the room, I'd like to  
15 invite Jamie Katz to the podium. And then we are asking  
16 for comments to be three minutes or less. There will be a  
17 timer on the screen. Thank you so much.

18 MR. KATZ: Great, thank you so much. My name is  
19 Jamie Katz, J-A-M-I-E K-A-T-Z. I'm with Leadership Council  
20 for Justice and Accountability.

21 I want to thank the developer and the Commission  
22 for holding this meeting, really appreciate that and  
23 facilitating the participation from nearby residents who  
24 were able to join today.

25 Mostly, I just wanted to say that we're really

1 encouraged by, in particular, the invitation and the  
2 ability for folks to ask questions and have those responded  
3 to today. I think we're really paying attention to this  
4 new process at the CEC, certainly here, that all of the  
5 content of the CEQA process will be included, but of  
6 course, it's a new expedited process which the legislature  
7 recently added hydrogen to the list of projects that can go  
8 through this process.

9 Environmental justice groups throughout the state  
10 just have a lot of questions about what that process is  
11 going to look like to ensure that residents continue to  
12 have the ability to see what impacts there may be on their  
13 community to help shape the project. So, encouraged by  
14 what we're seeing today.

15 And, yeah, just wanted to say we'll be continuing  
16 not only to pay attention to this project, but we at  
17 environmental justice organizations throughout the state  
18 really look forward to a robust public engagement process  
19 through this new Opt-In process. Thank you so much.

20 MS. BADIE: Thank you for that comment.

21 I'm not seeing any other commenters in the room,  
22 so I'm going to transition to Zoom. And again, you can use  
23 the raise-hand feature on your screen to let us know you'd  
24 like to comment or star nine if joining by phone.

25 So, Laura Rosenberger Haider, I'm going to open

1 your line. You'll unmute on your end. And if the name  
2 that you have on Zoom differs from your name, please share  
3 the other name with us. And there's going to be a timer on  
4 your screen. We're asking for comments to be three minutes  
5 or less.

6 MS. ROSENBERGER HAIDER: This is Laura  
7 Rosenberger Haider. I

8 hope there's no hydrogen in the project because  
9 leak to hydrogen attenuates the lifetime of methane in the  
10 atmosphere, the greenhouse gas, 80 times more potent than  
11 carbon dioxide over 20 years. And that's from a National  
12 Academy of Science webinar. All right. This is often  
13 leaked. Hydrogen often leaks. And if it mixes with  
14 methane in gas pipes, it causes more leakage and higher  
15 temperatures when it's burnt that makes more NOx emissions  
16 and corrosive and explosive.

17 All right, and let's go on to the next thing.  
18 There's an arsenic problem, I believe, around one of the  
19 seven plugged oil wells on the property arsenic was found.  
20 So I hope to have best available control technology for  
21 dust and those tarps shouldn't be allowed to degrade. If  
22 the project is delayed, like the High-Speed Rail Project  
23 and there was like piles of dust sitting around for years,  
24 I mean, the tarps could degrade and release nanoparticles  
25 and microparticles which are really dangerous. I mean,

1 cover it with canvas, spike it down really securely so a  
2 hurricane of 100-miles per hour wind does not throw dust  
3 all over people's homes, especially with the arsenic.

4 And also cadmium, if there's damaged piles, they  
5 should be removed quickly. Cadmium has toxic effects on  
6 the kidneys, as well as skeletal problem, long-term, it's  
7 chronic exposure and cause bones to become weaker and can  
8 lead to kidney disease.

9 What company are you buying those paddles  
10 (phonetic)? That was a question. And where do they get  
11 the cadmium from? Do they recycle at the end?

12 All right, and one other question, yeah, but also  
13 about the radium levels, which are often higher. And then  
14 the groundwater goes -- flows to the Northeast. So any  
15 pollutants will end up, probably end up in Fresno and in  
16 the City of Fresno, ruin our water.

17 And, all right, I'm -- oh, there was no coal on  
18 the California grid -- there will be no coal in the  
19 California grid in 2025, so how could you offset coal?  
20 Like you're going to offset, that's to say that you're  
21 taking away greenhouse gas emissions?

22 All right, and arsenic has problems to the  
23 extremities of the body, loss of sensation of extremities  
24 of body. Arsenic pollution, if that's stirred up in the  
25 wind, and we should protect the workers very well from

1 that.

2 And cadmium travels long distances in the air and  
3 bioaccumulates, gets into our food supply also.

4 All right, thanks.

5 MS. BADIE: Thank you, Laura, for your comment.

6 Next, we'll hear from Mariana Alvarenga. I'm  
7 going to open your line. We're asking for comments to be  
8 three minutes or less. There's going to be a timer on your  
9 screen.

10 MS. ALVARENGA: Hello?

11 MS. BADIE: Hi, we can hear you.

12 MS. ALVARENGA: Hi. This is Mariana Alvarenga  
13 with Leadership Council for Justice and Accountability.

14 I want to start by saying that we haven't taken a  
15 position on the project, but have been following the  
16 updates very closely. We work with Cantua Creek and El  
17 Porvenir (phonetic) residents who will be less than ten  
18 miles away from the proposed project. And we want to  
19 ensure that this project does not harm nearby communities  
20 like Cantua Creek and El Porvenir, as we know that this  
21 project will have significant environmental health impacts  
22 that will need to be addressed in the Environmental Impact  
23 Report.

24 We will also be submitting comments for the  
25 Notice of Preparation for the Draft EIR. And we understand



1 that the project plans to make monetary investments over  
2 the next ten years to community-based initiatives and  
3 programs, but the project will remain far beyond ten years.

4 We urge the applicant to work directly with  
5 communities like Cantua Creek and El Porvenir to hear from  
6 residents about their needs and what they would like to see  
7 in a community benefits agreement.

8 For example, we have had conversations with  
9 residents where they have shared what kind of benefits they  
10 would like to see available to them in their community, one  
11 of them being a community backup battery to support during  
12 outages, which is not uncommon for communities like Cantua  
13 and El Porvenir. They would also like to see solar to be  
14 able to power an EV charging station that they have in the  
15 community, and a potential community center.

16 And they would also like to have solar for the  
17 community wells to help reduce water bills. El Porvenir  
18 has one of the highest drinking water bills rates in the  
19 state. And so if they were to be able to have solar, that  
20 would help reduce water costs. So that's one of the  
21 benefits that the residents have shared with us.

22 And so we really urge the applicant to talk  
23 directly to residents and see how they can explore and  
24 formulate this agreement with the community.

25 We look forward to reviewing the EIR, learning

1 more about this project and really just helping elevate  
2 community priorities for residents in Cantua Creek and El  
3 Porvenir. Thank you.

4 MS. BADIE: Thank you for your comment.

5 I just wanted to do a last call for comments  
6 because I don't have any further raised hands in the room  
7 or on Zoom. All right.

8 All right, with that, I just wanted to thank  
9 everyone for your public comments today. And then as a  
10 reminder, the CEC is accepting written comments by  
11 responsible and trustee agencies in response to the Notice  
12 of Preparation of the Draft EIR until 5:00 p.m. on October  
13 24th of this year. And then public comments on the project  
14 can be submitted at any time during this proceeding.

15 And so that concludes our public comment period  
16 for the event today. I'd like to turn it back to  
17 Commissioner Gallardo for our closing remarks.

18 COMMISSIONER GALLARDO: Thank you, Mona.

19 So I also appreciate all the public comment that  
20 we had today. And I wanted to note that there are right  
21 over 100 people who joined today. So we have some people  
22 in the room, about 25-ish if I counted correctly, and then  
23 also about 80 on Zoom, so really appreciate that  
24 participation.

25 Also, before we close, I wanted to give the

1 applicant an opportunity to respond to any of the comments  
2 or questions that you heard. If you want to, there's no  
3 obligation. But I just wanted to make sure it gave me that  
4 opportunity if you'd like that.

5 MS. KNOWLES: Just one point of clarification.  
6 So the Community Benefits Plan, we will be spending \$2  
7 million over the next ten years, but then we will spend an  
8 additional \$3.1 million over the life of the project. So  
9 those funds will continue through the life of the project  
10 with a total investment of \$5.1 million for social  
11 investment.

12 COMMISSIONER GALLARDO: Thank you.

13 All right, well, again, I want to recognize the  
14 staff from the Energy Commission for putting this event  
15 together, for all of your hard work up until now. And  
16 we're going to be working hard until -- okay, no more mic.  
17 So hopefully you can hear me. So we will continue working  
18 hard.

19 We're really excited to have this proceeding and  
20 be able to get to know you better. And again, welcome you  
21 to continue participating through comment, whether in  
22 writing or verbally at our next meetings.

23 Thank you to the community of Fresno County for  
24 having us here. Again, the warm welcome is really  
25 appreciated.

1           And to Intersect Power for all the diligence  
2 today and, again, for answering all those questions. I  
3 also think that that was really helpful for us too.

4           All right, with that, we'll conclude. We are  
5 adjourned.

6                   (The workshop adjourned at 4:09 p.m.)

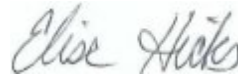
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## CERTIFICATE OF REPORTER

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of December, 2024.



ELISE HICKS, IAPRT CERT\*\*2176

## CERTIFICATE OF TRANSCRIBER

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

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

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



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MARTHA L. NELSON, CERT\*\*367

December 5, 2024