

<b>DOCKETED</b>	
<b>Docket Number:</b>	21-AFC-02
<b>Project Title:</b>	Willow Rock Energy Storage Center
<b>TN #:</b>	262180
<b>Document Title:</b>	Follow-up Responses on Biological and Water Resources, Drilling Cuttings, and DSOD Info for Willow Rock Energy Storage Center
<b>Description:</b>	N/A
<b>Filer:</b>	Samantha G. Neumyer
<b>Organization:</b>	Climate Edge Law Group
<b>Submitter Role:</b>	Applicant Representative
<b>Submission Date:</b>	3/13/2025 3:33:32 PM
<b>Docketed Date:</b>	3/13/2025

**From:** [Laurel Lees](#)  
**To:** [Chang, Kaycee@Energy](#); [Curt Hildebrand](#)  
**Subject:** Re: Follow-up Requests on Biological and Water Resources for Willow Rock Energy Storage Center (21-AFC-02)  
**Attachments:** [Outlook-California.png](#)  
[Outlook-z3nj03qv.png](#)  
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Hiya Kaycee,

Here are responses to CEC Staff's additional information requests.

#### 127. Crotch's Bumble Bee and Burrowing Owl

It is important to clarify that we provided Crotch's Bumble Bee (CBB) Incidental Take Permit (ITP)-related information during Discovery and that more detail plus ITP-related information for Burrowing Owl (BUOW) was requested after the close of Discovery. We intend to provide this additional detail for both CBB and BUOW in a timely fashion, on or before March 13, 2025.

By way of background:

- On October 28, 2024, we docketed the information that would be required in an ITP in Attachment DR95-1: Incidental Take Permit Application Materials (Conceptual) (submitted under a repeated Application for Confidentiality) in Willow Rock Data Request Set 4 Response, TN #: 259736.
- In that same October 2024 Data Response Set, we provided an extensive response on CBB in Data Response 94.
- Data Responses included, among other things, a discussion of the following biophysical factors that are recognized as being required to support populations of CBB: (1) sufficient foraging material, (2) nesting sites, and (3) overwintering sites. The materials submitted confirm that the CBB will not likely be adversely affected by the project, based on these factors: "In addition to no hives being located, suitable habitat for overwintering sites were not observed in the project site. Overwintering sites in the vicinity of the project site (within 7 miles) are limited to areas with soft soils, as there are limited other resources in the project site that are typically utilized by other species of bumble bee for overwintering." (TN #: 259736, pp. 6-8.)
- Despite our subject matter expert opinion that CBB hives are not present onsite and an ITP is not needed, we docketed information during Discovery and are committed to adding more information to meet CEC's request.
- BUOW was made a Candidate Species under the California Endangered Species Act (CESA) on October 10, 2024.
- No Data Requests requesting an ITP application for BUOW were received on this candidate species between the October 2024 candidate species determination and the close of Discovery on January 13, 2025.

#### 128. Non-Jurisdictional Waters

It is important to note that there are no impacts to jurisdictional resources during construction and

operations of the facility itself; impacts are limited to the transmission line construction activities and are temporary in nature. In addition, detail on non-jurisdictional resources was requested of us after the close of Discovery. As requested, we intend to provide the additional information on non-jurisdictional drainages at the same level of detail as jurisdictional resources in a timely fashion on or before March 14, 2025.

By way of background:

- We have provided detailed information on jurisdictional and non-jurisdictional drainages, as required by the CEC's informational requirements and responded to data requests related to jurisdictional features, including detailed maps delineating drainage. (Section 5.2 Supplemental Application for Certification (AFC), Biological Resources, Section 5.2.1.2, pp. 5.2-3 to 5.2-8; TN # 254806.)
- During the Discovery period from July of 2024 through January 13, 2025, there were no additional Data Requests related to non-jurisdictional facilities.
- After the close of Discovery, Lahontan RWQCB has subsequently indicated that a natural or manmade geomorphological feature or structure need only the ability to convey water to meet their interpretation of "State of California Waters" for this area. In meeting in person with Lahontan RWQCB on March 6, 2025, they indicated these features are mostly along Rosamond Boulevard where construction of the transmission line poles may temporarily impact them.
- No transmission line poles are sited in these waters, so there are no permanent impacts to these features.
- The Lahontan RWQCB is simply looking for refined temporary impact numbers assuming these features such as roadside ditches are State Waters.
- The March 11, 2025, follow-up information request seeks additional detail on non-jurisdictional features: "128. For non-jurisdictional drainages, provide the same level of detail and rationale as features identified as jurisdictional."
- Lahontan RWQCB has subsequently indicated that a natural or manmade geomorphological feature or structure need only have the ability to convey water to meet their interpretation of "State of California Waters" for this area. Lahontan RWQCB is using its broad authority under the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (Procedures) to request additional information on temporary impacts to roadside ditches and depressions from the installation of transmission line poles as these features could collect or convey water. The only direct impacts to the features would occur as a result of work trucks having to cross the features to reach the adjacent pole location. If the feature cannot be driven across, it is anticipated that a steel plate will be placed over the feature to allow for safe crossing of work trucks or other construction equipment. If any damage to a roadside feature occurs, then any temporarily disturbed ditch or depression can be restored to its preconstruction condition. These features are typically not considered jurisdictional as they do not connect to waterways, do not display a recent presence of water, do not display an ordinary highwater mark, nor do they contain riparian vegetation. Regardless, we are addressing the Lahontan RWQCB's requests in a timely fashion.

### 129. Responses to Lahontan Water Board March 2025 Inquiries

In working with CEC Staff and the Lahontan RWQCB, including an additional information exchange on March 6, 2025, Hydrostor has decided to remove the evaporation pond and reverse osmosis system as potential project design features. Instead, most water created from operations of the facility will be reused in the system immediately. We are evaluating options to manage residual volume with the objective of minimizing potential haulage offsite, including treating the water for reintroduction to the process. If required, any volume will be hauled offsite to an appropriate treatment facility in compliance with all applicable laws, ordinances, regulations, and standards.

By way of background:

- As noted in this request, Lahontan RWQCB staff provided the CEC with a request for information for the WRESC on December 20, 2024.
- CEC staff then submitted the Lahontan RWQCB information request to us on January 13, 2025, under CEC Data Request Set 6 (TN 261072), and the Applicant submitted its responses to CEC staff's data request on January 31, 2025 (TNs 261500, 261511, 261515, and 261516).
- Discovery closed on January 13, 2025.
- On February 19, 2025, the Lahontan RWQCB provided a letter seeking additional information.
- The Lahontan RWQCB letter was filed to the docket on February 24, 2025 (TN 261932).

### 130. DSOD Jurisdiction: Condition of Certification for Engineering Design Review

It is important to note the first time potential DSOD jurisdiction is discussed is in the Supplemental AFC filing in March 2024, which was deemed Data Adequate in July 2024. (See, for example, Supplemental Application for Certification (AFC), pp. 2-17, 5.4-8, and 5.4-16.) It was anticipated at the time of filing that the hydrostatically compensating reservoir would not be DSOD jurisdictional. DSOD provided preliminary review and provided a verbal opinion that the reservoir design as provided in September 2024 is jurisdictional, based on DSOD's views on whether the dam height is measured from original or finished grade. Further, it is important to note that CEC Staff did not provide us the email exchange of information between CEC and DSOD dated January 13, 2025 until it was docketed March 12, 2025, two months after Staff's receipt and two months after the close of Discovery.

While the reservoir's jurisdictional status has not been formally determined, we believe it is prudent for CEC Staff to assume the reservoir design set forth in the SAFC and subsequent filings. We have been working with CEC Staff in information exchanges, including an exchange on March 10, 2025.

While engineering reviews continue, it is prudent for CEC Staff to assume in parallel that the reservoir may be DSOD jurisdictional and continue to work with us and DSOD on these issues. In particular, we continue to believe that CEC Staff can assume DSOD jurisdiction and work with us to craft a Condition of Certification that allows the DSOD engineering design review and California Water Code compliance to occur post-certification similar to other compliance measures post-certification such as the California Building Code.

Cheers,

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**Laurel Lees**

Senior Director, Development – Permitting (North America)



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**From:** Chang, Kaycee@Energy <kaycee.chang@energy.ca.gov>

**Sent:** Wednesday, February 26, 2025 8:00 AM

**To:** Laurel Lees <laurel.lees@hydrostor.ca>; Curt Hildebrand <curt.hildebrand@hydrostor.ca>

**Subject:** Follow-up Requests on Biological and Water Resources for Willow Rock Energy Storage Center (21-AFC-02)

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Dear Curt and Laurel,

We are requesting additional information needed for a complete staff analysis of the Willow Rock Energy Storage Center (WRESC). The information related to Water Resources was previously requested in CEC's Data Requests Set 6 (TN 261072), but additional details are needed. An updated request related to Biological Resources is being made because the request for incidental take authorization of two species recently was confirmed by the applicant, and additional information is needed to supplement prior responses from Data Requests Set 4 (TN 259326).

The Committee's Second Revised Scheduling Order provides a 15-day timeframe for the applicant to file the requested information to the docket, making the due date March 12, 2025. If you are unable to provide the information requested, need additional time, or object to providing the requested information, please email me within 10 days of receipt of this email.

If you have any questions, please email me.

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## **BIOLOGICAL RESOURCES**

### **BACKGROUND**

On January 27, 2025, staff inquired if the applicant wanted to seek incidental take authorization due to the high likelihood of occurrence of burrowing owl (*Athene cunicularia*) and Crotch's bumble bee (*Bombus crotchii*) at the site during project construction. Information was previously provided for Crotch's bumble bee as part of Data Request Response 95 (Data Requests Set 4; TN 259326);

however, the response did not provide adequate information as would be included in an incidental take permit (ITP) application and instead provided a conceptual plan for the species.

The project area has the potential to support burrowing owl and Crotch's bumble bee, two species recently approved for candidacy for listing under the California Endangered Species Act (CESA) by the California Fish and Game Commission. Under CESA, a candidate species for which notice has been given under Fish and Game Code, section 2074.4 is afforded the same protections as a threatened or endangered species (Fish & G. Code, § 2085), including the prohibition on take without appropriate authorization. These species were documented by the applicant during project related surveys. Crotch's bumble bee was detected flying adjacent to the site and burrowing owl burrows were detected south of the site.

CEC staff was notified via email on January 29, 2025, that the applicant would be requesting take coverage for both species.

The application does not have necessary information for staff to prepare the appropriate analysis in coordination with California Department of Fish and Wildlife (CDFW). Staff must have additional information that would typically be included in the form of an ITP application to CDFW.

Staff also reviewed Attachment DR123-1 Supplemental Preliminary Delineation of Jurisdictional Waters dated January 2025. Staff does not concur with the applicant's conclusions that many of the small drainage features that were included in the revised report would be non-jurisdictional and requires a better justification for the exclusion.

## **DATA REQUEST**

127. Please provide all information that would be required in an ITP application for CESA-listed or candidate species, specifically Crotch's bumble bee and burrowing owl, including an impacts analysis and proposed mitigation measures (Cal. Code of Regs., tit.14, § 783.2). Staff is requesting the applicant provide the following:

- a. A species related analysis including covered species habitat impacts;
- b. An analysis of whether and to what extent project activities could result in the taking of the species covered by the CEC license;
- c. An analysis of whether the issuance of the incidental take authorization for Crotch's bumble bee and burrowing owl would jeopardize the continued existence of a species including an analysis of the species capability to survive and reproduce, and any adverse impacts of the taking on those abilities in light of: 1.) known population trends, 2.) known threats to the species, and 3.) reasonably foreseeable impacts on the species from other related projects and activities;
- d. The proposed measures to minimize and fully mitigate the impacts for the proposed taking of Crotch's bumble bee and burrowing owl;
- e. A proposed plan to monitor compliance with the minimization and mitigation measures and

- the effectiveness of the measures for both species; and
- f. A description of the funding sources and the level of funding available for the implementation of the minimization and mitigation measures.

Information regarding the project description, schedule, and location has already been provided.

Information on what is required in a typical ITP application can be located here:

<https://wildlife.ca.gov/Conservation/CESA/Permitting/Incidental-Take-Permits>

128. For non-jurisdictional drainages, provide the same level of detail and rationale as features identified as jurisdictional. Provide shape files so features can be viewed on a map and inspected in the field.

- a. Include any evidence that the length of the feature would exclude the drainage from consideration by the CDFW or Lahontan Regional Water Quality Control Board as non-jurisdictional.

## **WATER RESOURCES**

### **BACKGROUND**

Lahontan Regional Water Quality Control Board (Water Board) staff provided the CEC with a request for information for the WRESC on December 20, 2024. CEC staff then submitted the Water Board's information request to the applicant on January 13, 2025, under CEC Data Request Set 6 (TN 261072). The applicant submitted its responses to CEC staff's data request on January 31, 2025 (TNs 261500, 261511, 261515, and 261516). Water Board staff reviewed the applicant's responses and determined they are incomplete or insufficient, as detailed below. The information Water Board staff requested on December 20, 2024, is pertinent to understanding and evaluating the potential impacts the project may pose to water quality and in identifying appropriate waste discharge and monitoring requirements. On February 19, 2025, the Lahontan RWQCB provided a letter with their determination that the applicant's response is incomplete or insufficient and outlined outstanding information needed for review. This letter was filed to the docket on February 24, 2025 (TN 261932).

### **DATA REQUEST**

129. As a follow-up to Data Request 69 (Data Requests Set 3; TN 259256) and Data Request 121 (Data Requests Set 6; TN 261072), please provide all information requested by the Water Board, including:

- a. Complete information on the geology, hydrogeology, and groundwater quality of the project site.
- b. Complete characterization of waste, including sample dates or when the data was generated,

laboratory analytical methods and reports, or full constituent analysis, and manufactured specifications for the chemical additives for the closed loop system.

- c. Detailed surface impoundment (Waste Management Unit or WMU) design plan (engineered drawings), including an Action Leakage Rate (ALR), the minimal and maximum amount the primary WMU liner may leak, and details regarding the leachate collection and removal system design, capacity, and operation that justify the ALR.
- d. Description of the proposed surface impoundment liner system, including specifications for high-density polyethylene (HDPE) liner thicknesses, minimum compaction specification for the subgrade liner, and the hydraulic conductivity of each liner component.
- e. Construction Quality Assurance (CQA) plan to ensure proper construction of the WMU.
- f. Information on a detection monitoring program (DMP), including the installation of water quality monitoring systems (unsaturated zone monitoring, e.g., pan lysimeter and monitoring wells), appropriate for detecting at the earliest possible time, a release from the WMU; record keeping, the establishment of background water quality values, identification of monitoring parameters (constituents), monitoring frequency, and data analysis (non-statistical and statistical). The DMP should include a proposal for the establishment of Water Quality Protection Standards (WQPS) or background water quality values. WQPS proposals typically include the identification of the groundwater monitoring wells that will be used to collect groundwater samples for laboratory analysis, including the site upgradient of background monitoring well, and data analysis methodologies (i.e., statistics that will be used to calculate background water quality values, then used to compare future groundwater laboratory analytical results against).
- g. A work plan considering site specific conditions, proposing the installation of unsaturated zone and groundwater monitoring well points, a site map identifying the locations of monitoring points, drilling and well development methods, proposed monitoring well depths and well construction specifications, and sampling and analysis procedures and methodologies.
- h. An updated operations and maintenance plan that includes, but is not limited to, a description of day-to-day operations in relation to the WMU, routine visual observations of the WMU and associated infrastructure, WMU non-operable notifying procedures, procedures for system shutdowns and repairs, and frequency and procedures for sludge removal (WMU cleanout) activities.
- i. Information for the closure/post-closure plan, such as the disposal of the liner system material and closure costs.
- j. A known or reasonably foreseeable release plan (KRFRP) that demonstrates financial responsibility for initiating and completing corrective action for all known and reasonably foreseeable releases from the WMU.
- k. A complete and thorough delineation report that documents the presence of surface water features (ephemeral, intermittent, and/or perennial) in and adjacent to the project area.

## **BACKGROUND**

If the berm around the compensation reservoir is or will be in excess of 6 feet in height, measured from the original grade, and would be storing more than 50 acre-feet of water, it would meet the definition of a jurisdictional dam pursuant to Water Code sections 6002 and 6003, which would



require approval by the Division of Safety of Dams (DSOD) of California Department of Water Resources (DWR). However, the issuance of a certificate by CEC shall be in lieu of any permit, certificate or similar document required by any state, local or regional agency under the Warren Alquist Act, including approval for jurisdictional dams. CEC staff is coordinating with DSOD on whether the compensation reservoir meets applicable requirements for a jurisdictional dam. The applicant indicated in a previous communication that the berm would be outside the jurisdiction of the DSOD.

As part of Data Requests Set 6, staff requested information to resolve this discrepancy or all details about the berm and the compensation reservoir necessary for DSOD approval as a jurisdictional dam. On January 27, 2025, as part of the Data Request Responses (TN 261314), the applicant indicated they are “currently working to obtain a formal jurisdictional determination from DSOD and [are] working with CEC Staff to integrate the processes into the timeframe set forth in the Scheduling Order.”

## **DATA REQUEST**

130. As a follow-up to Data Request 122 (Data Requests Set 6; TN 261072), please continue providing written updates on obtaining a formal jurisdictional dam determination from DSOD.

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Thank you,  
Kaycee

**Kaycee Chang (she, her, hers)**

Supervisor

CEQA Project Management

Siting and Environmental Branch

Siting, Transmission, and Environmental Protection Division

1-916-232-6319

California Energy Commission

Website: [www.energy.ca.gov](http://www.energy.ca.gov)



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**From:** [Laurel Lees](#)  
**To:** [Chang, Kaycee@Energy](#); [Curt Hildebrand](#)  
**Subject:** Re: Follow-up Requests on Water Resources - Drill Cuttings Pond for Willow Rock Energy Storage Center (21-AFC-02)  
**Attachments:** [Outlook-California.png](#)  
[Outlook-s2zxufia.png](#)  
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[Outlook-youtube.png](#)  
[Outlook-linkedin.png](#)

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Hiya Kaycee,

Like other projects, we intend to comply with SWRCB Water Quality Order 2003-0003-DWQ by submitting a Notice of Intent to Comply with the Statewide General Waste Discharge Requirements for Discharges to Land with a Low Threat to Water Quality (General WDRs) in advance of construction activities. In the interim, CEC Staff can state that we will comply with the Order and include a Condition of Certification that requires us to submit a NOI to the Lahontan RWQCB with the specified information requested. We acknowledge we will conform to Provision C.6 of WQO 2003-0003-DWQ and that no discharge will be initiated until the Discharge Monitoring Plan is approved.

By way of background:

- As stated in this request, on July 19, 2024 the SAFC was deemed Data Adequate / Data Complete.
- On August 7, 2024, Lahontan RWQCB staff responded with initial comments from CEC Staff.
- On September 23, 2024, CEC staff included Lahontan RWQCB staff comments with Data Request 3.
- On October 23, 2024, we responded to Data Request 3.
- There was no Motion to Compel, or no other indication from CEC Staff that our responses were not satisfactory until approximately four months later after the close of Discovery.
- Between then, there were follow-up Data Requests in CEC Data Requests Set 4, Set 5, or Set 6 that provided opportunities to collaborate on the topic.
- On January 13, 2025, Discovery closed.
- On the February 26, 2025 call with us, Lahontan RWQCB and CEC Staff raised their view that drill cuttings pond activity would need to proceed under SWRCB Water Quality Order 2003-0003-DWQ.
- On March 4, 2025, Lahontan RWQCB staff provided the information they would need to evaluate the drill cutting ponds with respect to Statewide General Water Quality Order WQO No. 2003-0003-DWQ.

Cheers,

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**Laurel Lees**  
Senior Director, Development – Permitting (North America)



Remote – Carpinteria, California  
Offices in Toronto, Melbourne, & Denver

  
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**From:** Chang, Kaycee@Energy <kaycee.chang@energy.ca.gov>  
**Sent:** Monday, March 10, 2025 9:36 AM  
**To:** Laurel Lees <laurel.lees@hydrostor.ca>; Curt Hildebrand <curt.hildebrand@hydrostor.ca>  
**Subject:** Follow-up Requests on Water Resources - Drill Cuttings Pond for Willow Rock Energy Storage Center

(21-AFC-02)

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Hi Laurel and Curt,

As a follow-up to our call with the Lahontan RWQCB on February 26, 2025, where the drill cuttings pond activity and SWRCB Water Quality Order 2003-0003-DWQ was raised, please see below the associated information request.

Please let me know if you have any questions.

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## **WATER RESOURCES**

The applicant's supplemental application for certification (AFC) for the Willow Rock Energy Storage Center (WRESC) filed on March 1, 2024, states in part that *"a lined drill cuttings pond will be required that will hold up to approximately three times the shaft volume in water to support the boring operations"*, during two phases of advanced compressed air energy storage (A-CAES) cavern access shaft installation: 1) Drilling access shafts for cavern construction 2) Drilling access shafts to initiate A-CAES cavern operation (TN 254806, Section 2.1.11, p.p. 2-17 & 2-18).

On July 19, 2024, CEC staff notified the Lahontan Regional Water Quality Control Board (LRWQCB) that a complete supplemental AFC for the WRESC had been received and requested a review of the supplemental AFC package with respect to whether waste discharge requirements (WDRs) would be necessary (TN 258495).

On August 7, 2024, LRWQCB staff responded with initial comments which included the request for the following information from the applicant (TN 258495):

1. Specific end use/disposal and characterization of all liquid waste streams including boring/drilling waste.
2. Boring waste may be subject to State Water Resources Control Board (SWCRB) Water Quality Order (WQO) 2003-0003-DWQ.

CEC staff included LRWQCB staff comments with Data Request 3 that was submitted to the applicant on September 23, 2024 (TN 259256).

The applicant's response to Data Request 3 on October 23, 2024 (TN 259675) did not address drill cutting ponds coverage under the SWRCB water quality order 2003-0003-DWQ.

During a call on February 26, 2025, with the applicant, LRWQCB and CEC staff raised again that the drill cuttings ponds activity would need to be permitted under SWRCB Water Quality Order 2003-0003-DWQ.

On March 4, 2025, LRWQCB staff provided the information they would need to evaluate the drill cutting ponds with respect to Statewide General Water Quality Order WQO No. 2003-0003-DWQ. Please also reference:

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

## DATA REQUEST

1. Verify the low threat category for the proposed waste discharge from table 1 of WQO 2003-0003-DWQ. Definitions to the discharge categories are in Attachment 1.
2. General description for how the waste will be generated.
3. Approximate volume of waste to be discharged.
4. What pollutants or constituents could be present in the waste discharge and their approximate concentration.
5. Answers to questions VII-XV on the Statewide General Waste Charge Requirements (page 15 of this pdf:  
[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)).
6. A project map, to scale, showing the location and size of the proposed discharge location on the ground.
7. A Discharge Monitoring Plan, as described in Provision C.6 of WQO 2003-0003-DWQ, and reiterated here:
  1. All pollutants believed to be present in the discharge\*\*
  2. Approximate concentration of pollutants in the discharge
  3. Monitoring locations
  4. Monitoring frequencies
  5. Report schedule (dates that reports will be submitted to the Regional Board)

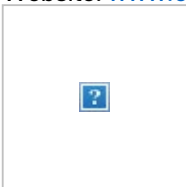
\*\*Material Safety Data Sheets (MSDS) and additional laboratory analysis may be required to evaluate the discharge and approve the DMP.

Thank you,  
Kaycee

### **Kaycee Chang (she, her, hers)**

Supervisor  
CEQA Project Management  
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**From:** [Laurel Lees](#)  
**To:** [Chang, Kaycee@Energy](#)  
**Cc:** [Curt Hildebrand](#); [Veerkamp, Eric@Energy](#)  
**Subject:** Re: Seeking Clarification on DSOD Activities and Question on Evaporation Pond  
**Attachments:** [Outlook-California.png](#)  
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Hiya Kaycee,

### **DSOD Activities**

See Response 130. Setting aside the subjective nature of making a determination on percentage of design, we are not aware of any LORS requiring a 30% design at this time.

### **Evaporation Pond**

See Response 129.

As discussed with CEC Staff, the Cultural Resources Phase II Report will be available by March 18, 2025. On March 11, 2025, CEC Staff indicated they have enough information for now.

Cheers,

--

**Laurel Lees**  
Senior Director, Development – Permitting (North America)



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**From:** Chang, Kaycee@Energy <kaycee.chang@energy.ca.gov>  
**Sent:** Tuesday, March 11, 2025 12:28 PM  
**To:** Laurel Lees <laurel.lees@hydrostor.ca>  
**Cc:** Curt Hildebrand <curt.hildebrand@hydrostor.ca>; Veerkamp, Eric@Energy <Eric.Veerkamp@energy.ca.gov>  
**Subject:** Seeking Clarification on DSOD Activities and Question on Evaporation Pond

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Hi Laurel,

Thank you for gathering your team yesterday to meet with the CEC. Following our meeting, I wanted



to seek clarification on DSOD activities and circle back on the evaporation pond removal.

### **DSOD Activities**

I understood Hydrostor reached out to DSOD in September 2024 requesting a jurisdictional determination. From our conversations with DSOD, based on information they received in September, the reservoir is far from being non-jurisdictional. We heard from DSOD that DSOD had not completed its jurisdictional determination as they provide owners an opportunity to adjust their concepts before completing their review and reaching a conclusion. For the project designed as is, DSOD can conduct a cursory review with adequate information, including the design concept, which may take 1-2 months. With the 30% design, they would do a more complete review that could take 3-6 months. Can you confirm if Hydrostor has provided DSOD with what is needed for an application or the 30% design?

### **Evaporation Pond**

Can you please email and file to the docket information about removing the evaporation pond? Or do you have an estimated date of doing so?

I have in my notes that you plan on getting us some of the bio info requested in the 2/26 email (i.e., ITP equivalent info) by 3/13, other bio/water info requested in the 2/26 email (jurisdictional water delineation) by 3/18, and the Phase II cultural resources report by 3/18. Please correct if not accurate.

Thank you so much,  
Kaycee

### **Kaycee Chang (she, her, hers)**

Supervisor  
CEQA Project Management  
Siting and Environmental Branch  
Siting, Transmission, and Environmental Protection Division  
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