

DOCKETED

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CALIFORNIA ENERGY COMMISSION

In the matter of:

Darden Clean Energy Project)
Opt-In Application for) Docket No. 23-OPT-02
Certification)
_____)

DARDEN CLEAN ENERGY PROJECT
STAFF ASSESSMENT PUBLIC MEETING

HARRIS RANCH RESORT
SOUTH BALLROOM
24505 WEST DORRIS AVENUE
COALINGA, CALIFORNIA 93210

IN-PERSON AND VIA ZOOM

WEDNESDAY, MARCH 26, 2025

5:00 P.M.

Reported by:

Elise Hicks

APPEARANCES

COMMISSIONERS

David Hochschild, Chair

Noemi Gallardo, Commissioner

CEC STAFF

Crystal Cabrera, Chief Counsel's Office

Alex Mayer, Chief Counsel's Office

Lisa Worrall, Siting, Transmission, and Environmental
Protection Division

Kaycee Chang, Siting, Transmission and Environmental
Protection Division

Brett Fooks, Siting, Transmission, and Environmental
Protection Division

Ann Crisp, Siting, Transmission, and Environmental
Protection Division

Eric Knight, Siting, Transmission, and Environmental
Protection Division

Elizabeth Huber, Director, Siting, Transmission and
Environmental Protection Division

Gabriel Roark, Assistant Tribal Liaison, Siting,
Transmission, and Environmental Protection Division

Carol Watson, Staff Biologist, Siting, Transmission, and
Environmental Protection Division

Wenjun Qian, Program and Project Supervisor, Siting,
Transmission, and Environmental Protection Division

PUBLIC ADVISOR'S OFFICE

Mona Badie, Office of the Public Advisor, Energy Equity,
and Tribal Affairs

APPEARANCES

PUBLIC ADVISOR'S OFFICE (cont'd)

Armand Angulo, Office of the Public Advisor, Energy Equity,
and Tribal Affairs

INTERPRETERS

Marc Gutierrez, Cal Interpreting & Translations

Ruben Castrejan, Cal Interpreting & Translations

PUBLIC COMMENT

Eliseo Gamino, Rural Communities Rising, School Trustee

Jose Espitia

Jose Ramirez

Rey Leon, The LEAP Institute, Mayor City of Huron

Stan Santos

Armin Garcia

Jamie Zweifler-Katz, Leadership Counsel for Justice and
Accountability

Sophia Markowska

Oralia Maceda

Natalie

Andy Cosentino, Fresno County Fire

Filipe Perez, City of Firebaugh

Esther Ramirez, Cantua Creek Resident

APPEARANCES

PUBLIC COMMENT (cont'd)

Elizabeth Knowles, Intersect Power

Becky Moores, Intersect Power

Maria Dolores Diaz, Cantua Creek

Espi Sandoval

Leticia Villegas

Angela Islas, Central California Environmental Justice
Network

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P R O C E E D I N G S

5:00 p.m.

WEDNESDAY, MARCH 26, 2025

MS. WORRALL: If we could pause for a moment?
Could everyone stand? We'd like to say the Pledge of
Allegiance.

(The Pledge of Allegiance is recited in unison.)

MS. WORRALL: Welcome. Thank you for coming and
taking the time to participate in today's meeting for the
staff assessment for the Darden Clean Energy Project. Just
give it a few moments to make sure that people who are
joining us via Zoom can join and wait for the signal. Oh,
we're all good. Okay, excellent. Thank you.

I just first would like to go through a few
housekeeping items.

First of all, my name is Lisa Worrall, and I am
the Project Manager for the Darden Clean Energy Project. I
work with the Siting, Transmission, and Environmental
Protection Division, or as we like to say, STEP.

This meeting is a hybrid meeting with attendees
in-person and also at the Harris Ranch Resort, and also
participating virtually via Zoom. And 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

1 captioning service can be stopped by exiting out of the
2 live transcript or selecting the hide subtitle icon.

3 For those of you participating in-person, please
4 be mindful of speaking into the microphone for those
5 participating online to hear, and for our court reporter,
6 who's actually running a little bit late due to traffic,
7 but will be here momentarily, so the court reporter can
8 transcribe accurately.

9 Finally, this meeting, like I said, is being
10 recorded. The court reporter is taking down notes. And,
11 also, Kevin has hit the recording button. And the
12 recording will be made available on the California Energy
13 Commission's website.

14 Next slide, please.

15 This is today's agenda. This slide provides an
16 overview of the agenda for today. The California Energy
17 Commission, also known as CEC, CEC staff will be presenting
18 their findings of the project, which is detailed in the
19 staff assessment. As you can see, there will be plenty of
20 opportunities for comments from California Native American
21 tribes, government agencies, elected officials, and
22 interested parties and members of the public.

23 With that, I will turn the mic over to our
24 Division Director, Elizabeth Huber.

25 MS. HUBER: Thank you, Lisa. And thank you all

1 for joining us today, both here and virtually.

2 So the CEC Siting, Transmission, and
3 Environmental Protection Division staff will present the
4 findings of the Darden Clean Energy Project. The CEC
5 professional staff is responsible for reviewing and
6 preparing an environmental and engineering assessments,
7 along with some other technical analyses of applications
8 submitted to the CEC by developers seeking a license to
9 build certain types and sizes of generating facilities,
10 including solar PV, and battery energy storage systems.

11 You will hear from Kaycee Chang, our CEQA Project
12 Manager and Unit Supervisor, on the status of the project.
13 You just met our Project Manager, Lisa Worrall, and she
14 will go over some highlights of what we look at from the
15 22-plus technical topical areas for our engineers and
16 scientists that we are required to do an analysis of under
17 the California Environmental Quality Act.

18 And then for some of these topic experts, we are
19 fortunate to have with us today our -- CEC's Siting Lead
20 Commissioner, Noemi Gallardo, our CEC Chair, David
21 Hochschild. You will also hear from both of them shortly.

22 And at the front table, I'd like to introduce our
23 CEC staff attorneys, Alex Mayer and Crystal Cabrera.

24 We also are fortunate to have the CEC's Public
25 Advisor, Mona Badie, and her Energy Equity and Public

1 Participation Manager, Armand Angulo.

2 And with that, I would now like to turn it over
3 to our leader in siting. And we're fortunate to have our
4 newest Commissioner over Siting, Commissioner Noemi
5 Gallardo.

6 COMMISSIONER GALLARDO: Buenas tardes. Good
7 afternoon, everyone. Thank you, Elizabeth, for the
8 introduction.

9 It is great to be back in Coalinga. We really
10 appreciate being in community and appreciate the warm
11 welcome from everyone. We're here to discuss the Darden
12 application, and we did have our scoping and informational
13 meeting back in October. We had a robust discussion then,
14 and I know that the staff of the Energy Commission was
15 really grateful to obtain a lot of insight directly from
16 the community, and so that did help inform the staff
17 assessment. So we'll be going through that assessment
18 today.

19 So I also wanted to note that the last time we
20 were here, our Executive Director, Drew Bohan, came and he
21 was (indiscernible) and got sick so, unfortunately, he's
22 not here for that reason. And I mention that because it is
23 really important to the leadership of the Energy Commission
24 to come and better understand the area by visiting, by
25 being with you, by learning and hearing directly from

1 residents. So we thank you all for being here, and again,
2 a warm welcome.

3 And also, we have here a special person for the
4 Energy Commission, our Chair, David Hochschild. He's the
5 Associate Commissioner on Siting Proceedings. So I'm lucky
6 to have him on as a partner on this proceeding, and I want
7 to hand the mic over to him for some special remarks. He
8 has a very unpredictable schedule, so it's always
9 impressive when we can make meetings and (indiscernible).

10 CHAIR HOCHSCHILD: Well, thank you so much,
11 Commissioner.

12 Good afternoon, friends. Thank you for being
13 here. I look forward to hearing your comments and taking
14 all your input. And I want to especially thank all the
15 Energy Commission staff who have been working on this
16 project and putting today's work together.

17 Just a few opening remarks.

18 We are in the middle of rapidly decarbonizing
19 California's electric grid. Almost two-thirds of
20 electricity today in California is coming from clean
21 sources of power, like solar energy and battery energy and
22 wind and so forth, and that is powering more and more
23 things, including the vehicle chargers outside the building
24 here today. And it's really, really important that we
25 maintain grid reliability as we ramps up to that energy

1 storage. It's particularly invaluable in that regard. We
2 got through the hottest summer in the history of the state
3 of California this summer, the highest electricity in the
4 history of the state, without any urgent (indiscernible)
5 and having Flex Alerts, you know, in large part because
6 we're deploying clean resources to help shore that up.

7 I want to just directly say at the outset, since
8 here we are in the early part of the 60-day public comment
9 period that we're in, that fire safety is absolutely
10 paramount to this process. We've never had a fire with any
11 battery project determined by the Energy Commission. We're
12 hell-bent on keeping it that way, and we're going to be
13 that absolute world-class fire safety with new battery
14 technology and controls to ensure that everything in this
15 world stays safe. So that's going to be one major focus.

16 And with that, I'll move over to the discussion
17 and hand it back to the Commissioner Gallardo.

18 COMMISSIONER GALLARDO: Thank you, Chair, for
19 being here and for emphasizing how important safety is to
20 us.

21 So I did want to, before we move forward, express
22 gratitude as well, first, again, to Fresno County. Is
23 there anyone here representing the county today? That's
24 okay. We weren't necessarily expecting anyone, but I
25 wanted to recognize you if you were.

1 And also, just again, the residents for being
2 here. We have folks on Zoom and in the room. We
3 appreciate that.

4 And then we want to remind everybody how
5 seriously we take public participation. So we do encourage
6 you to participate as much as you can here, as much as
7 you're willing. And there will be other opportunities also
8 to participate that you'll learn about in a little bit.

9 And then I also wanted to thank the staff for
10 their contributions to moving this proceeding along. Our
11 STEP Division, led by Elizabeth Huber, who we met earlier,
12 and then (indiscernible), who will be joining us all.
13 Again, they'll speak to you in a little bit. And our
14 support offices, also, you've heard a little bit about.
15 There's folks here from our Media Team, from our IT Team,
16 from our Office of the Public Advisor on Energy Equity, and
17 Tribal Affairs. So everybody's all in here.

18 And then, finally, I'd like to thank the
19 developer, Intersect Power, and their team for
20 collaborating throughout this process, for providing the
21 Energy Commission with all the information that staff
22 needed to help to be able to do their job. And so we are
23 grateful for you stepping up and doing all those things.

24 And then an important message that I wanted to
25 emphasize is that the Opt-In Certification process is not a

1 rubber stamp for projects. Some people originally thought
2 that that might be the case because it's supposed to be a
3 condensed process. But if you noticed, the staff
4 assessment is over 1,000 pages. This is it right here. So
5 it's a lot of work. And the staff has been very diligent
6 and meticulous and takes all of their work very seriously.
7 So I wanted to make sure that I emphasized that piece.

8 So today the staff will go through its
9 assessment. They'll take your comments. We also will be
10 accepting written comments into our docket system, so
11 that's a way for you to be able to get that information
12 into the record. The staff does review everything and
13 considers everything. The comment period will end on April
14 21st, 2025. So if you have anything that you do want to
15 contribute in writing, please do so right then.

16 And then after that comment period, the staff
17 will update its staff assessment and provide a
18 recommendation to the Commissioners. And the
19 Commissioners, at a business meeting, will decide whether
20 to vote to approve it or to deny it. So there's still more
21 to go here on our journey and we will -- let me see.
22 Alright, I think that's it for the process.

23 I'm going to hand it over now to our Public
24 Advisor, Mona Badie, who will talk to you about the various
25 other opportunities that you have to be able to participate

1 in that proceeding.

2 Mona, I'll hand the mic over to you.

3 MS. BADIE: Thank you. Good evening, everyone.

4 My name is Mona Badie. I'm a Public Advisor for the
5 California Energy Commission. And just beginning our time
6 here together today, I wanted to provide some brief
7 instructions about the blue cards.

8 If I could have one of our interpreters come out
9 briefly just to help me?

10 So we have Spanish language interpretation at
11 today's event. We're going to have two time periods to
12 comment. There's going to be an initial public comment
13 period, and there's going to be a main public comment
14 period.

15 The initial public comment period are for folks
16 that need accommodation because they cannot stay for the
17 duration of the event and want to comment before having to
18 leave. And there's a lot of reasons people can't stay
19 late, child care, other obligations, so we want to have
20 that initial public comment period as accommodation. And
21 then we'll also have a second main public comment period.
22 We're asking if you are staying for the duration of the
23 event that you deserve your comment for the May public
24 comment period.

25 And these are the blue cards for the folks that

1 are in-person. We're also going to take public comment on
2 Zoom. And I just wanted to mention, so for in the room,
3 we're going to have folks have double time on the
4 interpreter -- on the timer that you're going to see on the
5 screen. So I just want to let everyone know you'll see a
6 timer. It will be for three minutes, and then it will go
7 two times for the interpreter. And our interpreters are on
8 Zoom in that room, and we'll have an interpreter come out,
9 also, to interpret in the room. So if you are speaking
10 Spanish, everyone in the room will hear the English
11 interpretation of your comment. And we will do the same
12 during the Zoom comments as well.

13 I was thinking we had to interpret something, but
14 maybe not, because everyone is wearing a headset.

15 SPANISH INTERPRETER: I can repeat it to anybody
16 real quick.

17 MS. BADIE: Yes. Just introduce yourself, yeah.

18 SPANISH INTERPRETER: Yeah, I'm just going to
19 repeat this very briefly for the benefit of our Spanish-
20 speaking audience.

21 (Instructions are translated from English to Spanish
22 by the Spanish Interpreter.)

23 MS. BADIE: Thank you.

24 So this card will let us know if you'd like to do
25 comment during the initial public comment period. There's

1 a checkbox for that. And I will walk around the room to
2 collect new cards. You can also hand them to me at the
3 table.

4 (Instructions are translated from English to Spanish
5 by the Spanish Interpreter.)

6 MS. BADIE: Thank you. Thank you.

7 And I think with that, I'm going to hand it back
8 over to Lisa.

9 MS. WORRALL: Thank you so much, Mona.

10 The goal of today's CEC meeting is to present
11 staff's assessment of the Darden Clean Energy Project and
12 encourage public participation and feedback before the
13 comment period closes on April 21st at 5:00 p.m. Your
14 comments raising significant environmental concerns will be
15 summarized, analyzed, and included in our updated staff
16 assessment.

17 To provide an overview of the proceeding and the
18 components of our staff assessment, I welcome Kaycee Chang,
19 Supervisor of the CEQA Project Management Unit.

20 MS. CHANG: Thank you, Lisa. Hi, everyone.

21 Next slide, please.

22 Alright, good afternoon. My name is Kaycee
23 Chang, and as Lisa indicated, I supervise our STEP Division
24 project managers, and they oversee the development and
25 completion of the Opt-In staff assessments. So today I

1 will be sharing a summary of the Darden Clean Energy
2 Project.

3 Next slide, please.

4 The Darden Clean Energy Project is proposed on
5 approximately 9,500 acres located near Cantua Creek in
6 Fresno County. The project proposes an 1150 megawatt solar
7 photovoltaic, or PV, facility and up to 4,600 megawatt
8 battery energy storage system, or what you will hear, here
9 today, referred to as BESS. A 34.5 to 500 kilovolt or kV
10 step-up substation, allowing an increase in voltage to
11 transmit electricity. A 15-mile 500 kV generation intertie
12 line or gen-tie, and a 500 kilovolt utility switchyard.

13 Next slide, please.

14 So under the California Code of Regulations,
15 Title 20, Section 1881, for the CEC to issue a license for
16 any Opt-In project, the developer must meet all specified
17 project requirements. These components include, one, Opt-
18 In mandatory project requirements requiring that the
19 developer will use a skilled and trained workforce and pay
20 construction workers at least prevailing wages, subject to
21 statutory enforcement, or a project labor agreement.

22 It also requires that the developer has entered
23 into one or more legally binding and enforceable agreements
24 with -- or that benefit a coalition of one or more
25 community-based organizations.

1 It's also requiring that the developer show that
2 the construction or operation of the proposed facility has
3 an overall net positive economic benefit to the local
4 government that would have had a permitting authority over
5 the site and its related facility infrastructure.

6 And the CEC must find that the project will
7 comply with all applicable laws, ordinances, regulations,
8 and standards, also known as LORS. And if the project will
9 not comply with any applicable LORS, the CEC must find that
10 the project is required for public convenience and
11 necessity, and that there are not more prudent or feasible
12 means of achieving public convenience and necessity.

13 And lastly here, the CEC must also make findings
14 under the California Environmental Quality Act, or CEQA,
15 for any project that could have a significant impact on the
16 environment. And for each potential significant impact,
17 the CEC must find that the proposed project changes have
18 been required to avoid or substantially lessen the
19 significant impact, and this is accomplished by preparing
20 an Environmental Impact Report, or EIR.

21 Next slide, please.

22 So this slide shows how the 270-day timeline
23 breaks down into key deliverables. The statute does
24 identify certain circumstances, should they occur, whereby
25 the CEC would not be held to the 270-day timeline. And the

1 agencies that retain their permitting authority are
2 required to make their permitting decisions within 90 days
3 of a CEC decision to certify a project.

4 So I'd like to highlight that there is a
5 mandatory 60-day public comment period on the staff
6 assessment, and today we are hosting this public meeting to
7 take comment on the staff assessment. So we published the
8 Darden Staff Assessment, which includes the draft EIR on
9 February 18, 2025.

10 So after the 60-day comment period, the updated
11 staff assessment, which will include a final EIR, will be
12 made available at least 30 days prior to the public meeting
13 at which CEC will make its decision. And that meeting,
14 which we refer to as our business meeting, will occur in
15 Sacramento, with an option to attend virtually via Zoom.
16 So that updated staff assessment is anticipated by the
17 middle of May 2025, and then a decision approximately 30
18 days after.

19 Next slide, please.

20 So how did we get here?

21 On November 9th, 2023, staff received an Opt-In
22 application for the Darden Clean Energy Project. And staff
23 filed a Determination of Complete Application on September
24 19th, 2024, kicking off the staff assessment preparation
25 phase.

1 Then, on October 16th, staff hosted an
2 environmental, scoping, and informational meeting held at
3 this facility and online via Zoom.

4 And then on February 18th, as I mentioned, staff
5 filed that staff assessment. So we are taking comments on
6 the staff assessment today during the 60-day comment
7 period, and it closes on the 21st of April at 5:00 p.m.

8 Next slide, please.

9 So this slide lays out the next steps for this
10 proceeding. Once that comment period for the staff
11 assessment closes, CEC staff will prepare an updated staff
12 assessment, which will include responses to all comments
13 raising significant environmental issues and edits to the
14 analysis as necessary. And then CEC staff will file the
15 updated staff assessment in the Executive Director's
16 recommendation, their recommended decision on the project.
17 And then 30 days after the updated staff assessment is
18 filed, the proposed project will be presented at a business
19 meeting for a Commission decision of approval or denial.

20 Next slide, please.

21 So we want you involved. To stay current on
22 project activities, the CEC maintains a website for all
23 Opt-In projects, proposed projects, including the Darden
24 Clean Energy Project. The website includes links to the
25 document log, a link to e-comments and key dates, amongst

1 other links.

2 And thank you. That concludes my presentation,
3 and now I'll turn the mic over to our Public Advisor's
4 Office.

5 MR. ANGULO: Thank you, Kaycee.

6 Good evening. I'm Armand Angulo, Energy Equity
7 and Public Participation Manager with the CEC's Office of
8 the Public Advisor, Energy Equity, and Tribal Affairs. My
9 presentation will focus on my office's mission and role, as
10 well as how tribes, members of the public, and others can
11 participate in this proceeding.

12 Next slide, please.

13 The key part of our mission at the Office of the
14 Public Advisor, Energy Equity, and Tribal Affairs is to
15 support tribal and public participation in the CEC's
16 programs and policies. We are a free resource for anyone
17 interested in participating in CEC proceedings. You are
18 welcome to contact us directly with questions or requests
19 for assistance. I will share our contact information on
20 the last slide.

21 Next slide, please.

22 There are several opportunities to participate in
23 the Darden proceedings. One of the most popular ways to
24 participate is to follow the proceedings, secondly is to
25 comment on the proceedings, and thirdly, tribal

1 consultation is available from California Native American
2 tribes.

3 Next slide, please.

4 You can follow our proceedings in several ways.
5 You can review materials on our website, you can subscribe
6 for email updates, or attend public meeting events like
7 this one. The CEC's website is an excellent resource
8 containing specific webpages for each project.

9 The Darden webpage is to the left on my slide.
10 The Darden webpage has information on the proposed project.
11 Within the yellow highlighted boxes to the right of the
12 project description, you can find contact information, the
13 proceeding docket log, and a link to sign up for the email
14 updates under Subscribe: Darden Clean Energy Project.

15 The CEC has publicly accessible online dockets,
16 which are electronic folders where application materials,
17 public comments, notices, agendas, and other documents are
18 filed and available online. The docket log is pictured on
19 the right part of my slide. Materials in the docket are
20 linked and may be downloaded. CEC calendar events are
21 listed in our dockets with information emailed to relevant
22 subscription lists. Our events are generally held in a
23 hybrid format, allowing for both in-person and remote
24 attendance, or held fully virtual via Zoom, so the public
25 can attend from anywhere with access to an internet

1 connection or a phone.

2 Next slide, please.

3 Anyone can comment verbally at a CEC event or in
4 writing. Please note that comments submitted become part
5 of the public record, where access is available via the
6 internet. To comment verbally, attend the event, wait for
7 the instructions during the public comment period, and then
8 provide your comment. For hybrid events, you can comment
9 in-person, online via Zoom, or by phone.

10 The CEC also welcomes written comments. As
11 previously mentioned, the CEC website maintains a webpage
12 called a docket log for each project proceeding. Written
13 comments can be submitted to the docket log for this
14 proceeding at any time, but the most effective time to do
15 so is during the announced public comment periods. For
16 this proceeding, written comments on the staff assessment,
17 including the Draft Environmental Impact Report, or EIR,
18 may be submitted to the docket log no later than 5:00 p.m.
19 on April 21st, 2025. On our website, you can submit your
20 comment electronically by using our e-comment page, or
21 uploading a document such as a letter. You may also submit
22 comments via email, or by mail as detailed in the notice
23 for today's event.

24 As mentioned previously, if anyone in attendance
25 would like to comment but must leave before their name is

1 called, you are welcome to use the paper form provided.
2 You can note your comments on the form and give it to a CEC
3 staff member here, and we will document it for you. If you
4 need assistance to submit your comment, please contact the
5 CEC's Public Advisor's Office.

6 Next slide, please.

7 The third way to participate is tribal
8 consultation for California Native American tribes. The
9 CEC has mailed invitation letters for Tribal Consultation.
10 Gabriel Roark from our Siting, Transmission, and
11 Environmental Protection Division is attended remotely and
12 is your primary contact for tribal consultation. His
13 contact information is noted on the slide.

14 And Gabriel, you are welcome to share your video
15 again and say hi.

16 MR. ROARK: Good afternoon, everybody, and buenas
17 tardes. I am the Assistant Tribal Liaison for the Siting,
18 Transmission, and Environmental Protection Division. I am
19 attending remotely today and am available to answer
20 questions about Tribal Consultation or the Cultural
21 Resources section of the Staff Assessment. Thanks,
22 everybody, for attending today.

23 MR. ANGULO: Thank you, Gabriel.

24 Next slide, please.

25 We are here to serve, and your participation is

1 very important to us. The CEC's Public Advisor's Office
2 can assist you in participating in the CEC programs and
3 policies. You are encouraged to contact us at this email
4 address on this slide, phone number, or online at the web
5 address noted. Thank you very much for your interest in
6 this project and for attending and participating in this
7 evening's public meeting.

8 I would like to introduce our next speaker, Mona
9 Badie.

10 MS. BADIE: Hello, again. We're going to have
11 our initial public comment period this time. Again, this
12 is an accommodation for folks that can't stay with us for
13 the duration of the event. And if you want to make
14 comments before you have to leave, we've opened this
15 initial public comment period. And what we're going to do
16 is we're going to ask for, if there's any California Native
17 American tribes joining us or other governments joining us,
18 we're going to ask for your comments first, and then we're
19 going to go to -- in the room, excuse me, and then we're
20 going to go to Zoom, then we're going to go to general
21 public comment in the room, and then Zoom, so I appreciate
22 your patience as we toggle back and forth.

23 And we have two folks in the room who want to
24 make use of this initial public comment period, and the
25 first is Eliseo Gamino.

1 Eliseo, would you like to come up? And we're
2 going to have a timer on the screen for three minutes, and
3 I'm going to just give you the mic, and just a reminder to
4 spell your name for the recording.

5 MR. GAMINO: Yes. Don't start the time yet,
6 though.

7 MS. BADIE: No.

8 MR. GAMINO: Eliseo, E-L-I-S-E-O, Gamino,
9 G-A-M-I-N-O. I'm also a school trustee. I already have
10 six years as a trustee in Fresno County, but I'm also a
11 father, a teacher, an educator, and a community advocate,
12 and so a board member of Rural Communities Rising, so I'll
13 be speaking in those hats that I wear. I will mention, I
14 will be speaking Spanish, as well.

15 (Speaking Spanish.) I believe there's a
16 translation there. Okay, perfect.

17 Okay, first of all, I want to start by saying
18 that when I say we support Rural Communities Rising, as
19 well as other local organizations, our investment here in
20 the heart of San Joaquin Valley, it's an honor to welcome
21 green energies, clean energies here to the valley, and
22 we're definitely in support of it.

23 There are some concerns, though, because we want
24 to make sure that there's equity and that there's
25 inclusion. And what I mean by that is that over the years,

1 as a father and as an advocate, we have been organizing
2 communities, organizing to a point of 36 communities in
3 Rural Communities Rising to talk about the benefits of
4 clean energy coming here in the valley, but also some of
5 the impacts that put some of these farm working families,
6 low-income families at a disadvantage.

7 Just last week, I went with a few members and we
8 personally walked and knocked on doors, and some families
9 were not aware of the providing input today, that there was
10 transportation. Thank you for providing that access to
11 transportation so they can be here. But it's hard to
12 reach, and I don't blame you for it, but this is why we go
13 to the towns and we communicate, and we want to make sure
14 that you understand also where we're coming from.

15 A lot of times, these rural communities, and I
16 say this also to Fresno County at large, we talk about
17 giving resources and community benefits, but sometimes the
18 outskirts of Fresno County, things don't get trickled down.
19 And so it's so important that you guys have an operator
20 that focuses on equity, that focuses on inclusion, and we
21 definitely advocate, and we're in support of the program.

22 We represent over 600 members that are elected.
23 The trustees that are elected to the board from the
24 families themselves. We do surveys in Spanish and English.
25 We go old-fashioned, knocking doors, talking, getting to

1 know the community. And this is why I'm here, because it's
2 so important to make sure that the most impacted are not
3 left out, including Arroyo Cantua, Three Rocks. I talked
4 with two members this past weekend, and they were telling
5 me (speaking Spanish), but I have to drive an hour now just
6 to keep employed because this is land (indiscernible).

7 Families have been displaced. And it's important
8 not to lose sight that we want, also, something in return,
9 whether it's -- if it's electricity, we appreciate it. Can
10 some of these families get a reduced benefit because it is
11 energy, clean energy, that's produced here. These are some
12 of the -- Fresno County is one of the poorest, most taxed
13 counties in the state of California.

14 And with that, I believe that was my time. Thank
15 you for the opportunity to allow me to speak. Thank you.

16 MS. BADIE: Thank you so much.

17 And we have one other commenter for this comment
18 period, Jose Espitia. Excuse me, Espitia. And I would ask
19 that Marc or Ruben, please help us in the room. Yes,
20 Ruben, okay.

21 MS. ESPITIA: (Via Spanish Interpreter.) Okay.
22 My name is Jose Espitia. I represent Five Points. We want
23 to inform everything that has to do with this project. We
24 want (indiscernible) of all the residents. We want
25 (indiscernible) to speak for (indiscernible) of the

1 economic support (indiscernible) for our comments. We want
2 the support, the financial support, to come directly to our
3 community. That's it.

4 MS. BADIE: Thank you.

5 Alright, and then we're going to transition over
6 to Zoom. If you would like to make use of the initial
7 public comment period as an accommodation because you
8 cannot stay for the duration of the event, and you'd like
9 to comment at this time, please raise your hand. And the
10 raise-hand picture on Zoom looks like an open palm on your
11 screen. And if you're joining us by phone, you'll press
12 star nine. Those are the ways to raise your hand.

13 And I have J. Ramirez. J. Ramirez, I'm going to
14 open your line. You'll unmute on your end. There's going
15 to be a timer on the screen. We are asking for comments to
16 be three minutes or less, and it is helpful to capture the
17 record. If you could please state and spell your name
18 before beginning.

19 MR. RAMIREZ: Yes. Can you hear me?

20 MS. BADIE: Yes.

21 MR. RAMIREZ: Okay. My name is Jose Ramirez.
22 It's J-O-S-E, last name is R-A-M-I-R-E-Z. I actually
23 represent Rural Communities Rising. I'm the current
24 Interim Executive Director for Rural Communities Rising.
25 We are a non-profit organization that just got started

1 recently. However, you know, we have a lot, too, that we
2 would like to share.

3 First, we are very generally supportive of the
4 Darden Project. Of course, the project started prior to
5 our inception, but we plan to have a board in place by the
6 end of April. And we currently have -- we plan on having
7 21 board members that represent the west side of Western
8 Fresno County. And so, currently, we are working towards,
9 like I said, having broad representation. And as my
10 colleague mentioned a little while ago, we've been able to
11 engage and register about 600 residents in Western Fresno
12 County, again, to have this board representation.

13 Number two, the founding board, like I said, is
14 generally supportive of the Darden Project, but we would
15 certainly like to have the broader community be part of
16 these discussions that are taking place and fully engage
17 the representatives of this project. And we, of course,
18 encourage the CEC to champion policies and/or promote
19 legislation that legitimately positions organized impacted
20 communities with their own multi-community representative,
21 like the non-profit that we represent, that -- and then,
22 and also, lead the entities in a way where it's engaging
23 energy developers with respect to community benefit
24 agreements and community siting reviews.

25 And we also understand that there's going to be

1 some communities that might not be in favor and might not
2 want to have these large-scale utilities in their backyard,
3 and so we respect that. We believe that by doing so,
4 impacted communities will predominantly become advocates
5 for clean energy development.

6 So thank you again for the opportunity to share a
7 few comments. That concludes my comment period.

8 MS. BADIE: Thank you. Thank you for your
9 comments.

10 And I'm not seeing any other raised hands on
11 Zoom, so I'm going to turn the mic back over to Lisa.

12 COMMISSIONER GALLARDO: Lisa, may I make a
13 comment real quick?

14 MS. WORRALL: Of course.

15 COMMISSIONER GALLARDO: I forgot to recognize a
16 team from the Energy Commission earlier. Our Chief
17 Counsel's Office has been on this journey with us, so I
18 wanted to make sure I recognize them. Giving Lisa a little
19 bit of time to get there.

20 Also, earlier, I think we asked for government
21 leaders, elected officials to introduce themselves. I do
22 see the mayor in the room, in case he wants to talk to me
23 to introduce himself (indiscernible).

24 MAYOR LEON: Well, buenas tardes, good afternoon.
25 My name is Rey Leon, and as you can see, I'm a Cal Bear.

1 The reason I'm wearing this is because every year we
2 host -- what's up, David? -- every year we host students
3 from Berkeley, alternative breaks from UC Berkeley, and
4 today we have -- well this week, we have nine kids, and
5 they help us out in the community gardens. They're doing
6 the e-trike bike ride today in our -- with the program, and
7 just help with a bunch of stuff, and getting exposed to the
8 farmworker experience, take them to the fields, take them
9 to the UC Research Center down the way, and so forth.

10 But it's my pleasure to be here, it's great to
11 see David. He hasn't come and done the tour. I know
12 (indiscernible) has already done it.

13 CHAIR HOCHSCHILD: I did it today. I did it
14 today.

15 MAYOR LEON: (Indiscernible) was waiting for you.
16 I know Patricia did it briefly, but also the former
17 Commissioner, who is now back at CPUC, Karen --

18 COMMISSIONER GALLARDO: Karen Douglas. Karen
19 Douglas.

20 MAYOR LEON: Yeah, Commissioner Douglas, my ex-
21 counselor from CERN (phonetic), and so (indiscernible).

22 CHAIR HOCHSCHILD: That's a lot of peer pressure
23 here.

24 MAYOR LEON: I'm adding it up. I'm adding it up.
25 And it's my pleasure to be here.

1 And so, you know what, now that I'm on the mic,
2 can I just do my public comments? I might as well take
3 care of it. I'm ready, so good afternoon.

4 And you know, I've been doing air quality policy
5 and environmental justice systems change since 2002, and
6 have been part of the fights in the legislature for AB 32,
7 SB 100, a lot of the policies that have, I think, brought
8 us to the point in which California is now the greenest
9 state in the country.

10 And we continue to be innovative. We have a non-
11 profit called the LEAP Institute based in Huron,
12 California, which is nine miles away from here, great
13 tacos, come and visit. And I'm also, of course, the mayor
14 of the hometown, my hometown, where my father arrived in
15 1951 as an undocumented orphan farmworker from Michoacan,
16 who became a (speaking Spanish), became, you know, a
17 resident and a citizen and so forth, and a businessman.

18 But I'm very proud of this area. I'm very proud
19 of being from the west side. And you guys have heard me
20 speak before, whether it's within the state of the capital
21 or somewhere else in the country, I always make sure to
22 mention that west side is the best side, you know, because
23 I also grew up on the west side of my community. You know,
24 and I'm very proud of this region. It's just unfortunate
25 that we're always overlooked, undermined. You know, the

1 resources are scarce in our area.

2 One of our struggles in the city is for our high
3 school. You know, we don't have our own high school.
4 We're the only city between Sacramento and Los Angeles with
5 no high school or its own school district.

6 You know, my brother, he dropped out of 10th
7 grade numerous years back, got a job in a harvesting
8 company, Ferguson Harvesting. Last year, that company
9 closed its doors because no longer were hopeful of the
10 cotton industry. They sold their combines and displaced a
11 lot of farmers, you know, because it just wasn't possible
12 anymore.

13 You know, with all these orchards that are not
14 labor-intensive, with all these solar parks coming in that
15 are also not labor-intensive, you know, from my assessor,
16 Paul Decos (phonetic), what he shared was that every 1,000
17 acres of prime or subprime farmland, no matter why it's
18 happening, but every 1,000 acres represents 50 jobs on the
19 field, on the farm, 200 jobs off the farm, 250 jobs. So I
20 got to calculate, you know. So at minimum wage, what does
21 that mean in the lifespan of a solar panel? 20 years.

22 Well, my calculation is \$115 million out of the
23 local economy in 20 years -- I mean, no, in the -- yeah, in
24 20 years. Then my calculation of how much is being made
25 per gigawatt hour in the 20 years is, I think it was like,

1 it's \$800 million. So it's a good change; right?

2 But I think what's important and the reason why
3 I'm sharing this is because, let's be mindful. You know,
4 even though we're talking about, well, the drought's going
5 to happen, yeah, but why is it happening? And let's not
6 get into diving into dissecting that, but it's not the
7 farmworkers' fault that that's happening, you know? But
8 it's the farm workers that are being displaced.

9 You know, no longer will kids be able to drop out
10 of 10th grade and get a job, because there's not going to
11 be no jobs in those fields. They're going to have to have
12 some skills. And if the quality of education in our
13 schools is where it's at, then that's not right.

14 So basically what I'm saying is that all of us
15 are part of the same team, and these resources that we're
16 going to be able to generate on these properties, these
17 lands, should be coming back to empower and help prepare
18 and employ these residents from these areas. Otherwise,
19 we're going to kill these communities. And I say it not
20 just as an environmental justice leader, an elected
21 official, and somebody from the community, but somebody
22 that's working hard and trying to prevent that.

23 You know, Commissioner Noemi, thank you very much
24 for coming down here to Huron with Advisor Jimmy. You
25 know, I gave him a tour of the renewable technology

1 products that we're manufacturing. You know, I'm not
2 talking about it, we are doing it. My brother, who was a
3 displaced farmworker, well, he's one of our guys. He's in
4 EV maintenance. We got welders. We got builders. I
5 invite you all to come through to check it out.

6 So we're building what we call climate -- mobile
7 climate resilient refuge products, technologies.
8 Basically, it's a shade trailer. We've done it with a
9 bunch of technology, including solar battery storage, air
10 quality monitor, and just a bunch of cool stuff. But we're
11 building it, and people are getting paid to do it. They
12 have those skills. You know, through the Uplift the Valley
13 Green Workforce Development Program, we've trained solar
14 installers, EV maintenance, EV charger maintenance. You
15 know, we are currently doing a commercial to encourage
16 mechanics to do EV maintenance. That's from your guys'
17 money. Thank you. We're finishing that up right now.

18 We are also going to be training folks in
19 rainwater systems installation through DOC, working with
20 Westlands Water District. But Huron is one of the first
21 cities to install a rainwater systems ordinance. So with
22 new homes, it comes rainwater systems ready, and apartment
23 complexes with full-fledged rainwater systems. So we did
24 it before San Francisco, and we're not even
25 (indiscernible).

1 You know, so we're up on it, because we know the
2 importance and the value of water. We know the importance
3 and the value of work, because our work ethic is like no
4 other. Farmworkers are the strongest workers in all the
5 land. I firmly believe in that.

6 So I look forward to having continue the
7 conversation. David, you got to come down, come see it,
8 you know, because there's a way we can get out of this, and
9 then we can prevent the worst situation. But it's all
10 about quality of education. It's all about scholarships,
11 internships, fellowships. You know, it's all about
12 upskilling, reskilling.

13 You know, I sit on the board of the Center for
14 Energy Efficiency and Renewable Technology. So I've met a
15 lot of the companies that do renewable energy, and they
16 don't reflect the demographics of California. We need to
17 see some of that happen here, or else people are going to
18 have the door shut on them, you know, forever. In terms of
19 getting into the industry, being actual, you know, agents
20 and players within the agency, we need to do some work
21 there as well.

22 But thank you very much for indulging me, and
23 good to see everybody here.

24 UNIDENTIFIED MALE: (Indiscernible) you took 20
25 minutes.

1 MS. BADIE: Thank you. We don't have a timer
2 for --

3 MAYOR LEON: I was here, man.

4 MS. BADIE: We don't have timers for California
5 tribes and other government entities. Thanks.

6 We have one more comment on Zoom that we'd like
7 to get to before we transition back to the presentation.

8 So Stan Santos, I'm going to open your line.
9 You'll unmute on your end. We will have a timer on the
10 screen for three minutes. And just a reminder to please
11 spell your name for the record before you begin.

12 MR. SANTOS: Okay. Very good. Yeah, thank you
13 very much. And I appreciate having the opportunity to be
14 here with you, at least virtually. I'd like to just make a
15 couple of comments very quickly.

16 You know, during COVID, the west side suffered
17 horribly. And one of the projects that I worked with as a
18 technology officer with the Central Valley Leadership
19 Roundtable, Eliseo and some of my other colleagues are
20 here, was just testing and realizing the disparity in the
21 availability to -- for access for the rural students.

22 And around that time -- or rather I should say in
23 August of 2020, the Centers for Disease Control held a
24 listening session with several community leaders from the
25 west side. And the lack of broadband was the top item of

1 concern. And CDC officials stressed the need for increased
2 dissemination of information during the pandemic, which was
3 impossible when families were sheltering and unable to
4 communicate with service providers.

5 They subsequently shared a presentation titled
6 Incorporating Social Determinants of Health into an
7 Analysis of Health Disparities in Rural Communities. And
8 there was two or three very significant conclusions.
9 Health outcomes statistics track closely with high versus
10 low broadband access. COVID-19 deaths were twice as high
11 in counties with less than 60 percent broadband access.
12 And based on hypothesis testing, higher broadband access
13 suggest reduced infant mortality, cancer mortality, and
14 diabetes prevalence, increased life expectancy, and reduced
15 COVID-19 death rates.

16 So there's a causation relation between broadband
17 and health. And if anything is going to be invested into
18 these communities, any type of community benefits aspect,
19 we would hope and we would urge everyone involved to
20 recognize these social determinants of health and invest in
21 broadband access, which could be done right alongside the
22 infrastructure that's going to be put in place for the
23 solar transmission and storage. Because they could be
24 joint poles, they could be joint structures, there could be
25 undergrounding, and it would be a huge benefit, which is

1 not otherwise happening in the west side.

2 So I am working with Rural Communities Rising.
3 I'm supporting their efforts to gain as much benefit for
4 these underserved and unserved communities. And I think
5 this will be a huge opportunity for us to further that work
6 which we have already begun. And so I would urge you and
7 hope that you will consider this for any investments that
8 would be derived from these projects.

9 I thank you very much.

10 MS. BADIE: Thank you.

11 And again, this is the initial public comment
12 period for folks that can't stay with us for the duration
13 of the event. And we're going to have another main comment
14 period later. Our plan is to hear from everyone who wants
15 to comment today.

16 And we have one more commenter on Zoom. Armin
17 Garcia, I'm going to open your line. Just a reminder,
18 we'll have a timer on the screen for three minutes. And if
19 you could please spell your name for the court reporter
20 that will help our record.

21 MR. GARCIA: My name is Armin, A-R-M, as in Mary,
22 -I-N, as in Nancy, last name Garcia, G-A-R-C-I-A.

23 I want to raise one issue that I think needs
24 further consideration here in that a lot of these
25 communities are unincorporated and, basically, this work is

1 being developed on their area. You know, they are directly
2 impacted by this. And in doing so, there is no
3 representation for these communities.

4 I want to point out earlier on the question about
5 whether there were anybody -- if there's anybody from
6 Fresno County present there? In my opinion, that's an
7 issue because Fresno County is the one responsible for
8 representing these communities.

9 So what am I saying here, is the California
10 Energy Commission needs to go above and beyond their
11 efforts to go in there and connect with these communities.
12 So, you know, the community engagement part is critical.

13 I also want to reemphasize a comment that was
14 made by one of -- the second individual that talked in
15 Spanish. And they pointed out that, you know, if there's
16 any benefits to be handed out, you know, please make sure
17 that those benefits wind up at the community. So that is a
18 critical aspect.

19 The third thing, I want to reemphasize a point
20 that Mayor Leon made, is that if we consider the amount of
21 investment or amount of revenue that's being generated,
22 first of all, from a capital perspective, how much of
23 that's being invested, and second, how much revenue is
24 being generated, what percentage of that remains in the
25 community? Because if it's 100 percent, that is called an

1 extractive economy.

2 And the question that we need to face upon
3 ourselves here is asked, what amount is being reinvested?
4 Is this about, you know, handing out turkeys during
5 Thanksgiving? My hope it's above and beyond that. The
6 idea here is to include these communities in the economic
7 cycle so that it creates opportunity.

8 Thank you.

9 MS. BADIE: Thank you for your comments.

10 and I'm going to hand it back over to Lisa.

11 MS. WORRALL: Great. Thank you so much, Mona.

12 Okay, just for those of you who might have just
13 joined this meeting, we're here tonight to present the CEC
14 staff assessment on the Darden Clean Energy Project, and to
15 listen to public comments.

16 To recap, we've presented already that the
17 proposed project includes a 1,150 megawatt solar PV, or
18 photovoltaic system, a 4,600 megawatt-hour battery storage
19 system, also known as BESS, B-E-S-S. We just finished our
20 initial comment period, public comment period, for those
21 who were unable to stay until the end of the meeting.

22 Now, CEC technical staff will be sharing their
23 findings and conclusions for some of the key technical
24 areas that we believe are of interest to the public. And
25 these are the technical areas within the staff assessment.

1 We will then turn to all of you here in the room,
2 and also on Zoom, to listen to your feedback and any
3 comments that you have. With your comments and those
4 posted to the project docket system, we will be posting our
5 updated staff assessment, which will include a Final
6 Environmental Impact Report, and that's going to be by the
7 end of May. This report will include responses to all
8 comments that are raising significant environmental issues.

9 We recently received several questions from the
10 community, just the last week or so, and just wanted to let
11 you know that we'll be considering these questions as we
12 prepare our updated staff assessment.

13 Next slide, please.

14 This staff assessment has been prepared based on
15 CEC staff independent analysis. Staff has reviewed the
16 application, the responses to the CEC's request for more
17 information supplied by the Applicant. Staff has conducted
18 additional research and have coordinated closely and
19 consulted with local, regional, state, and federal
20 agencies, including responsible and trustee agencies.

21 This slide shows the environmental and
22 engineering technical topic areas that are addressed in the
23 staff assessment.

24 Next slide, please.

25 When addressing potential environmental concerns,

1 CEC staff must propose mitigation measures to avoid or
2 substantially lessen any possible significant impacts.
3 These mitigation measures will become a part of the
4 proposed conditions of a project's CEC license if one is
5 issued.

6 This slide highlights the key technical areas
7 that CEC staff has identified as areas of particular
8 interest to the public. Staff conclude that these
9 technical areas, among others, would have impacts that can
10 be reduced to a less than significant level with the
11 incorporation of mitigation measures. We will discuss
12 these topics further.

13 Next slide, please.

14 I'd like to turn the mic over to Carol Watson.
15 She's participating remotely via Zoom as she had an urgent
16 family emergency and so needed to participate remotely.
17 She's going to be addressing biological resources.

18 Carol, perhaps if you can raise your hand so that
19 Kevin can see you and we can unlock your mic?

20 Okay, Carol, can you --

21 MS. WATSON: Can you hear me?

22 MS. WORRALL: Yes, there you are. Go for it.

23 MS. WATSON: Can you hear me? Good evening.

24 MS. BADIE: Yep, we hear you.

25 MS. WATSON: Okay. You can hear me loud and

1 clear. Can you see me as well?

2 UNIDENTIFIED MALE: Yes.

3 MS. WATSON: Excellent. Excellent. Good
4 evening. My name is Carol Watson. I'm sorry I'm not there
5 in-person. I am the CEC staff biologist on this project.
6 And this evening, I will be presenting the biological
7 resources review for the Darden Clean Energy Project as
8 part of the staff assessment. My review will provide an
9 overview of key environmental considerations, environmental
10 impacts, mitigation measures, and how the project aligns
11 with permitting requirements under AB 205.

12 Next slide, please.

13 The Darden Clean Energy Project is required to
14 comply with multiple environmental regulations. This is a
15 partial list. The full list of laws, ordinances,
16 regulations, and standards, also called LORS, is available
17 in the staff assessment that includes the Draft EIR.

18 Tonight, I'll be highlighting wildlife protected
19 by the Federal Endangered Species Act, the California
20 Endangered Species Act, the Migratory Bird Treaty Act, and
21 the California Fish and Game Code. Also of regional
22 importance is the Fresno County General Plan. The CEC is
23 responsible for determining whether the project conforms
24 with these legal requirements and that any impacts to
25 biological resources are properly evaluated, and as I'll

1 explain further in a moment, fully mitigated.

2 One of the primary environmental concerns
3 associated with this project is the loss of agricultural
4 foraging habitat due to land conversion. The site does not
5 contain rare plants, natural vegetation communities,
6 wetlands, or riparian areas. However, it does provide
7 habitat for several special status species, which require
8 mitigation measures to avoid, minimize, and mitigate
9 potential impacts.

10 Next slide, please.

11 Staff has reviewed and independently verified the
12 Applicant's supplied information, conducted a site visit,
13 and performed agency outreach and literature and database
14 reviews. These efforts have resulted in the development of
15 17 comprehensive, site-specific, and agency reviewed
16 measures. These measures would be implemented by the
17 project owner with CEC oversight throughout the life of the
18 project.

19 As part of AB 205 and pursuant to the Warren-
20 Alquist Act, CEC has the authority to issue state permits,
21 including the issuance of incidental take permits under the
22 California Endangered Species Act, which would typically be
23 administered by the California Department of Fish and
24 Wildlife. I believe we have representatives of the
25 California Department of Fish and Wildlife with us via

1 phone today.

2 For this project, the Swainson's hawk, which is
3 listed as threatened, and the burrowing owl, which is a
4 candidate for state listing, both require special
5 consideration. Habitat mitigation and ongoing monitoring
6 would be necessary to ensure compliance with environmental
7 regulations, and therefore, staff's assessment includes
8 incidental take authorization under our in-lieu permitting
9 authority for both these species. I'll discuss that a
10 little bit further.

11 Next slide, please. Thank you.

12 Burrowing owl may be impacted by this project
13 primarily due to nest disturbance, mortality, or
14 displacement during construction or operation activities,
15 which should be avoided or mitigated. Additionally,
16 permanent protection of 200 acres of off-site burrowing owl
17 habitat would also be required.

18 For the Swainson's hawk, the primary concern is
19 the loss of foraging habitat as agricultural land is
20 converted to project development. These activities may
21 disrupt behavior such as nesting. To mitigate this impact,
22 the project includes multiple comprehensive mitigation
23 measures such as pre-construction surveys, non-disturbance
24 buffers with monitoring, on-site revegetation efforts, the
25 installation of artificial nesting structures, preservation

1 of on-site nesting trees and newly planted trees, and if
2 necessary, off-site habitat conservation through easements
3 or other measures.

4 Next slide, please.

5 Other species are present or potentially present
6 that have been evaluated and considered in this process.
7 Generally, the proposed on-site revegetation plan would
8 provide broad benefits to wildlife such as nesting birds
9 and Crotch's bumblebee. American badger are also known to
10 occur on the project site. And San Joaquin kit fox occur
11 west of I-5. Measures specific to protection of these
12 species are included. Staff has also proposed a two-year
13 monitoring effort of the solar array based, in part, on
14 consultation with the U.S. Fish and Wildlife Service, who
15 may be present virtually with us today.

16 With that said, I'd like to turn the mic over to
17 Brett Fooks to address battery safety.

18 MS. WORRALL: Hi everybody. Thank you so much,
19 Carol, for that. That was great.

20 It's been a bit, so I'm thinking perhaps maybe we
21 take a 15-minute break, then come back, and then we'll have
22 a presentation from Brett Fooks on battery safety.

23 So, Kevin, can you bring up the break slide? Oh,
24 no, not Kevin, it's Jack. Can you bring up the break
25 slide?

1 Okay, how about we get back to 6:25 so we can
2 start promptly at 6:25? So if we can put that on the break
3 slide reminder? Thank you.

4 (Off the record at 6:10 p.m.)

5 (On the record at 6:31 p.m.)

6 MS. WORRALL: Okay, so welcome back everybody.
7 We just came back from a little bit of a break. And we'd
8 like to open up to see if, first of all in-house if anyone
9 has any questions or comments related to biological
10 resources, can you raise your hand and I can come to you
11 with the microphone? Make sure you state and spell your
12 name, speak closely to the mic so those who are on Zoom can
13 hear, and also the court reporter can hear, because we
14 really want to hear your comments and any questions.

15 So if anyone has any questions or comments for
16 biological resources, can you raise your hand? Good.

17 MS. ZWEIFLER-KATZ: Hi, I'll further comment
18 later, but this is Jamie Zweifler-Katz with Leadership
19 Counsel.

20 My question is I've looked at environmental
21 impact reports for solar projects where in the biological
22 resources section is evaluated the impact of heat sort of
23 immediately above the project. I don't see that assessment
24 in the Biological Resources section of this DEIR, so I'm
25 wondering if that is presented as a part of the Final

1 EIR -- or DEIR and Final EIR?

2 MS. WORRALL: Okay, I'm just going to repeat that
3 for the Zoom people because you have to be like almost on
4 top of this thing. Jamie was wondering about the heat
5 effect analysis. There wasn't -- he didn't see one, didn't
6 see one inside the staff assessment in Biological
7 Resources, and was wondering if that's something that would
8 be part of the updated staff assessment. And it may be
9 either biology staff, or it may actually be air quality
10 staff, either Carol -- I don't know, Wenjun Qian, if you
11 can raise your hand?

12 MS. QIAN: Hello, can you hear me?

13 MS. WORRALL: Yes. Yes, we can hear you, Wenjun.

14 MS. QIAN: Hi.

15 MS. WORRALL: THANK YOU.

16 MS. QIAN: Thank you for your comment. And we
17 are diligently working on this and trying to gather
18 information on this, and we will try to respond to this
19 comment in our updated staff assessment.

20 MS. WORRALL: Okay, thank you, Wenjun, for that.

21 Let's turn -- first of all, any more people have
22 questions or comments for biological resources in the room?
23 Okay, I'm not seeing anyone.

24 Kevin, do we have anybody?

25 Anyone who's on Zoom who would like to have

1 questions or comments regarding biological resources, if
2 you can please raise your hand and that way --

3 MS. BADIE: Star nine for the phone.

4 MS. WORRALL: -- or star nine and joining by
5 phone. Yeah, we unmute.

6 Armin Garcia, you can go ahead now. You've been
7 unmuted.

8 MR. GARCIA: Yes, my name is Armin Garcia.

9 MS. WORRALL: Can you state, also, state and
10 spell your name? thank you.

11 MR. GARCIA: Armin Garcia, A-R-M, as in Mary,
12 -I-N, as in Nancy, last name Garcia, G-A-R-C-I-A

13 So the question I've got is really more focused
14 on Valley fever, and just really curious as to what
15 mitigation strategies are in place and what studies support
16 these mitigation strategies? A lot of construction work in
17 the Central Valley, workers have gotten ill from Valley
18 fever.

19 And, you know, in addition to the workers, what
20 efforts are being done to ensure that Valley fever doesn't
21 spread to the community?

22 Thank you.

23 MS. WATSON: That's a great question. And I'm
24 going to imagine that Brett Fooks is going to address that
25 next, or perhaps Dr. Alvin Greenberg.

1 MS. WORRALL: Right, I believe they can answer
2 that question. They're going to be having a presentation
3 coming up. We just want to make sure we get any questions
4 regarding biological resources or any comments on Zoom.
5 And if we don't have any, you know, that's fine.

6 We can then move over to the next slide and have
7 Brett Fooks come up and talk about battery safety and also
8 probably talk about Valley fever and workforce and --

9 COMMISSIONER GALLARDO: Lisa, this is --

10 MS. WORRALL: Oh, I'm sorry, Commissioner.

11 COMMISSIONER GALLARDO: -- Commissioner Gallardo.

12 MS. WORRALL: I'm sorry about that.

13 COMMISSIONER GALLARDO: No, my bad. Real quick,
14 can we clarify, are we going to have staff respond to the
15 questions? Because I think it would be easier to
16 understand the question, understand the questions if we go
17 one by one, like answer the question, or is this just
18 comments?

19 MS. WORRALL: Well this was -- if staff had
20 questions and it was something that could be easily
21 answered and wasn't super complex, then we were going to
22 try and take the time. But this is just really just
23 opening up for biological resources-specific questions, and
24 then we're going to open up for battery safety questions,
25 Brett Fooks's area. And then we're going to have general

1 public comment and questions and do, you know, what we can.
2 Unless it's very complex --

3 COMMISSIONER GALLARDO: Okay.

4 MS. WORRALL: -- and more, we need to look into
5 it. We may need to look into some things.

6 COMMISSIONER GALLARDO: Okay, can you respond, if
7 the public does ask a question, could you at least tell
8 them we will be able to answer that one or we cannot at
9 this time --

10 MS. WORRALL: Yes, we can do that.

11 COMMISSIONER GALLARDO: -- just to be clear?
12 Because I thought the first question was a good question,
13 just whether or not we're doing that assessment or, you
14 know, something that we're skipping, and that's -- but I
15 don't know if that's an easy question to answer or not. So
16 it would just be great to clarify.

17 MS. WORRALL: It isn't an easy question. It's
18 not so easy to answer. We looked at that. It's something
19 that we need to kind of dig into a little bit. It's more
20 of a nuanced response, I think, and it may take a little
21 time.

22 COMMISSIONER GALLARDO: Okay.

23 MS. WORRALL: And so that's something that would
24 be considered in the updated staff assessment.

25 COMMISSIONER GALLARDO: Okay, which is fair, but

1 I think it's helpful to explain to the public --

2 MS. WORRALL: Yeah, sorry.

3 COMMISSIONER GALLARDO: -- who may not

4 understand, you know, how it functions.

5 MS. WORRALL: Right, sorry if I didn't make that

6 clear.

7 Okay, yes, sorry, one more question on Zoom. Oh,

8 yes, Sophia Markowska, you're going to be unmuted right now

9 and you're able to talk. If you spell your name, that

10 would be helpful. Thank you.

11 MS. MARKOWSKA: Yes, hi, can you hear me?

12 MS. WORRALL: Yes.

13 MS. MARKOWSKA: Yes, so my name is Sophia

14 Markowska, S-O-P-H-I-A M-A-R-K-O-W-S-K-A. And I've heard

15 some concerns about how the re-vegetation plan will be

16 implemented and any impact that will have on irrigation or

17 SGMA. So I was wondering if there's any information on

18 that or if you plan to address that a little more in depth

19 in the Final EIR?

20 MS. WATSON: I can answer that. That's a great

21 question. So there is existing analysis, and also

22 mitigation measures in the current Draft EIR for biology.

23 Were you unable to find that or were -- I don't -- so some

24 of the mitigation measures, to be more clear, let me just

25 expand on that a little bit.

1 Some of the mitigation measures addressed the
2 timing, the type of plant palette, which means the type of
3 seeds that would be used, if those would be native, the
4 type of watering regime, even the type of -- you know, the
5 analysis looks at things like grazing by sheep used to
6 manage the vegetation.

7 If you could be -- if there's a more specific
8 question, then I can refine my answer a little more for
9 you.

10 MS. MARKOWSKA: Yes, hi, sorry I was unmuted
11 again. Can everyone hear me?

12 MS. WATSON: Yes.

13 MS. MARKOWSKA: Yeah, so what I've heard is that
14 there's still some concerns over how watering for the
15 revegetation would take place and that it might not be
16 doable or feasible. So I was just wondering if, you know,
17 if that is still a concern? And I'm hearing this, you
18 know, from other organizations, so I just wondered if this
19 was a concern that, you know, you guys still see or if it's
20 going to be addressed more or if you don't have those same
21 concerns?

22 MS. WATSON: That's a great question. I
23 understand. Thank you. I understand better now.

24 Yes, absolutely. The way that the mitigation
25 measure is laid out, which mirrors what the Applicant had

1 proposed and that is then enshrined so far or recommended
2 by staff, is that it's designed as a scientific experiment
3 in a bit of a way so that there would be several iterations
4 as necessary of planting palettes. And if we have the
5 project proponent on the line they could probably explain
6 better than I.

7 But I think that a good way to think of it is
8 that they might not be successful on the first go-round, or
9 even the second planting, and that is the way that the
10 mitigation and the Condition of Certification, these terms
11 are synonymous under the CEC license, those are the way
12 that it is envisioned, that they would have some time to
13 come to success with a planting palette, given the lack of
14 natural water, given the depleted nature of the soils on
15 site, if that begins to answer your question?

16 MS. MARKOWSKA: Yeah, so with the seed palets,
17 I'm assuming that would also apply to nesting trees for
18 Swainson's hawk that are planning on being planted there,
19 that if it fails they would just continue to plant nesting
20 trees; is that accurate?

21 MS. WATSON: That is accurate, yes, that's my
22 understanding. And that would go on for years, yeah, as
23 success criteria are managed or met. Success criteria are
24 outlined in the Draft EIR and staff's assessment. It's a
25 rather lengthy condition, a couple different conditions for

1 Swainson's hawk and burrowing owls in particular.

2 MS. MARKOWSKA: Okay, thank you.

3 MS. WATSON: Mm-hmm.

4 MS. WORRALL: We do have the Applicant
5 representatives. Becky Moore is here. She can talk a
6 little bit, if you like, about the work that is in the
7 staff's analysis.

8 Armand, do we have any more questions on Zoom,
9 biological resources related, or comments?

10 MS. BADIE: I'm not seeing any other raised
11 hands.

12 MS. WORRALL: Okay, great. Thank you. I'd like
13 to turn the mic over.

14 Thank you so much Carol for that, that was very
15 helpful, and thank you for answering those questions.

16 I'd like to turn the mic over to Brett Fooks, and
17 he will deal with battery.

18 MR. FOOKS: Good evening. I wanted to speak to
19 Mr. Garcia's question with regard to Valley fever. We do
20 address it in the staff analysis, specifically in Worker
21 Safety Fire Protection on pages 4.4-14 through 15. And the
22 mitigation measure, as Carol mentioned, we call them
23 conditions of certification, would be Worker Safety 11.
24 And also it's addressed in the Public Health section on
25 page 5.10-19. And there's another condition of

1 certification called Public Health 1, where we address both
2 Valley fever with regards to worker safety for the on-site
3 people, and then generally to the public as well.

4 So I hope that helps. And that's kind of our
5 analysis that staff has done for Valley fever down here, so
6 I hope that helps.

7 Kaycee?

8 MS. CHANG: Oh, it's gone to sleep.

9 MS. WORRALL: Our laptop has gone to sleep.

10 MR. FOOKS: Alright, good evening everyone. My name is
11 Brett Fooks. I'm the Manager of Safety and Reliability
12 Branch within the STEP Division of the California Energy
13 Commission. My colleague, Paul Miller, the author of the
14 Hazards section, is here tonight. And my colleague, Dr.
15 Alvin Greenberg, the author of the Worker Safety and Fire
16 Protection section, is on Zoom with us. Next
17 slide, please.

18 The project would include BESS, battery energy
19 storage systems, in containers, specifically the Tesla
20 Megapack 2 XL, that would hold lithium iron phosphate
21 cells. These cells are placed into trays, and there are
22 three trays per module, and three modules make a rack, as
23 you can see in the slide up ahead.

24 Staff's evaluation determined that with CEC-
25 required mitigation measures, any potential hazards from

1 large lithium-ion BESS installations, like fire and
2 explosion, would be less than significant, as would be
3 shown in this presentation, and in more detail in staff's
4 DEIR.

5 Next slide, please.

6 There are several codes and standards that the
7 project would be required to follow, if approved. The
8 project would follow the latest edition of the California
9 Fire Code, with an emphasis on Chapter 12, Section 1207.
10 This chapter addresses the installation, operation,
11 commissioning and decommissioning of energy storage used
12 for generating or storing energy.

13 It would also follow the 2023 edition of the
14 National Fire Association's -- Protection Association's
15 855, which reflects the current best practices for
16 preventing explosions and safely contain fires for battery
17 energy storage systems, if one were to occur.

18 Additionally, the project would be required to
19 follow UL 9540 and 9540A. The former is an industry
20 standard safety standard that ensures that all components
21 for BESS are integrated and tested as a whole system. The
22 latter is a test method used to evaluate the fire safety
23 hazards associated with a thermal runaway event.

24 Also applicable is the newly adopted California
25 Public Utilities Commission General Order 167-C, which

1 establishes stricter standards for maintenance and
2 operation of BESS and increases oversight of emergency
3 response plans.

4 Next slide, please.

5 The BESS would be required to have several
6 engineering and administrative controls. Engineering
7 controls for the Tesla Megapack 2XL include internal
8 sparkers. The purpose of these sparkers is to burn off
9 small amounts of flammable gases in the containers during
10 an abnormal event, such as a thermal runaway, before they
11 build up to create an explosive risk.

12 In the unlikely event that these flammable gases
13 continue to build up, the Megapack 2XL also comes with
14 deflagration panels. These panels are located on top of
15 the container and act as a safety valve by preventing any
16 explosions safely upward through these panels. This would
17 ensure the integrity of the container and the safety of
18 people or structures nearby.

19 The project would also be required to follow
20 administrative controls. One of these controls is the
21 requirement for containers shipped to the site to have a
22 state of charge below 30 percent. Doing so decreases the
23 risk of fire.

24 Additionally, the project would also be required
25 to develop emergency response plans that would have to be

1 reviewed and coordinated with the local fire departments.

2 Next slide, please.

3 In the unlikely event of a fire incident at the
4 BESS, due to the engineering and administration controls,
5 there are several mitigation measures that would be
6 required to ensure that the Fresno County Fire Protection
7 District can safely respond. The project would be required
8 to establish a command and control protocol. It is
9 essential to have training provided by the project owner
10 and first responders to establish roles and
11 responsibilities ahead of time. This ensures that people
12 would be ready to perform emergency duties during the
13 detection, initiation, and possible escalation of a BESS
14 fire.

15 Additionally, a dedicated command and control
16 center would be provided outside the BESS facility so that
17 an incident commander can safely and remotely assess the
18 situation and determine the course of action to combat a
19 fire incident.

20 The project would also be required to provide
21 thermal and infrared cameras for real-time monitoring and
22 early detection of potential fire incidents.

23 The project would also be required to provide
24 water tanks and hydrants on site for use. As an example,
25 this would allow first responders to cool surrounding BESS

1 units from radiant heat.

2 The project would be required to have contracts
3 in place to commence real-time on-site and off-site air
4 monitoring in the event of a fire. These measures would
5 ensure that the Fresno County Fire Protection District
6 would have the necessary tools to deal with an on-site fire
7 incident.

8 Next slide, please.

9 CEC staff have been in coordination with the
10 Fresno County Fire Protection District staff about all
11 aspects of the project. I want to highlight that the FCFPD
12 would review and comment on fire protection programs for
13 the BESS.

14 Additionally, staff has imposed a mitigation
15 measure that would require the project owner to establish
16 an annual joint training program with FCFPD. The Fresno
17 County Fire Protection District would also review and
18 comment on emergency response plans that are prepared for
19 the project.

20 Staff determined that the project would have an
21 impact on fire protection services. Therefore, staff-
22 proposed mitigation requires the project owner to provide
23 funding to FCFPD to ensure the project's impacts to these
24 fire protection services are less than significant. These
25 measures would help ensure that the FCFPD is fully prepared

1 to deal with any incident that could occur at the project
2 site.

3 In closing, this project would be required to
4 meet strict safety and environmental standards and, if
5 built and operated, would be the largest battery energy
6 storage system built to date in the state of California.
7 CEC is invested in safe and reliable BESS projects being
8 built in California so that we can achieve our goal of
9 supporting California's transition to clean energy. Staff
10 are requiring safety measures that would be part of project
11 approval and would be monitored and enforced for the life
12 of the project.

13 Dr. Greenberg and I would like to thank Chief
14 Dustin Hail, Assistant Chief Andy Cosentino, who I believe
15 is here tonight, and Division Chief for Operations Ryan
16 Michaels for their time and expertise in the many meetings
17 for making this a better project.

18 Alright, I'll turn it back over to Lisa.

19 MS. WORRALL: Thank you so much, Brett, for that.

20 I'd like to open up for questions in the room on
21 battery.

22 Okay, we've got (indiscernible). We'll let you
23 go first. And remember to speak very closely and --

24 MAYOR LEON: Will do. Once again, I'm Rey Leon,
25 Mayor Leon, City of Huron, which is nine miles southwest of

1 here. And I'm just hoping that we are learning the lessons
2 of what has taken place in Moss Landing, right, to ensure
3 that we prevent any type of scenario like what they've
4 experienced. I don't know what batteries they had out
5 there. I know they're lithium. I don't know if there was
6 a Tesla, whatever, powerpacks or whatever. But, you know,
7 it sounds like all of their batteries were, I don't know,
8 just not separated, you know? If one would have went out
9 and the rest wouldn't have, maybe it would not have been
10 such a disaster; right?

11 But I don't know. I'm not that expert in it, but
12 I'm just saying, you guys are. We got, you know, the
13 technicians with the CEC and our leaders from the
14 Commission, so let's do everything possible to prevent any
15 of any scenarios such as what happened at Moss Landing take
16 place here, not just because it's not a good thing to see
17 happen, it will impact everything and everyone, but mostly
18 it will impact my community, which is south-south-east of
19 that tract. And believe me, we smell the feedlot, and then
20 that's going to be kind of above that, so that stream of
21 air comes all the way down. There will be a
22 (indiscernible) on a vulnerable community that will, you
23 know, be disastrous and expensive and so on and so forth.

24 So every single thing we can do to prevent that,
25 I don't know if this is the case where the precautionary

1 principle has to kick in, in terms of there being a bond
2 that will be the amount of what the disaster would cost,
3 you know, to take care of, you know, or what would need to
4 happen there, but, you know, this Moss Landing is a scary
5 situation.

6 So thank you.

7 MS. WORRALL: Thank you so much for that.

8 MR. FOOKS: Lisa, just real quick, to respond.

9 MS. WORRALL: Oh, yes, let's respond.

10 MR. FOOKS: Because you had some questions in
11 there, staff has -- the CEC staff have been out to Moss
12 Landing. And specifically for anyone who's on Zoom, we do
13 talk about this, about -- because you're right, Moss
14 Landing is different than the Darden Clean Energy Project.
15 There are substantial differences. One being chemistry.
16 They're not the same, so I will mention one for Darden,
17 which is lithium iron phosphate. Sorry, we're getting kind
18 of technical here. The one at Moss Landing was a nickel
19 manganese cobalt. It's a higher energy density.

20 I think the biggest thing, as you pointed out, is
21 for fire propagation perspectives, is these are completely
22 different. These are containers, so these would be
23 separate containers of so much stored energy versus inside
24 a building where it's harder to contain the fire, as we
25 obviously learned on January 16th.

1 So I do want to point out that those are some
2 major differences, and it will really help. More
3 importantly, with the codes and standards and things that
4 we're requiring, it's a very highly unlikely event. But if
5 it were, life's not perfect, things can happen, but the
6 reality is they're very different. And we're providing the
7 tools and things for the Fresno County Fire Protection
8 District. They would not look like Moss Landing. Like I
9 really want to emphasize the differences between these two
10 projects.

11 CHAIR HOCHSCHILD: Yeah, I'll just add a little
12 bit.

13 I was at the Moss Landing fire. I spent two days
14 there. Never again, okay? We're absolutely committed to
15 world-class safeties. That configuration, in my view, is
16 the worst of all. So, this is a 2019 vintage NMC
17 chemistry, which is, you know, higher risk of thermal
18 runaways. And it was an indoor configuration, and it was
19 stacked, okay, and it's a really large facility.

20 So the new sets that's going in is LFP, much
21 better chemistry from that perspective, and they're
22 outdoors in closed metal shipping container on a pad with
23 spacing between the units, and then telemetry, so that if
24 there is any heat gain, they can detect the turnoff right
25 away, and a few other measures as well.

1 So what happened is the code that got adopted in
2 2022 is really strict. And so, you know, that early
3 stuff -- and you know, this, by the way, happened with our
4 phones, too. You guys remember the Samsung fires with cell
5 phones, you know, and there is a learning curve,
6 unfortunately, with this technology. Luckily, there
7 haven't been any injuries or fatalities from these
8 incidents.

9 But this is something we are laser focused on.
10 We just convened a gathering of 35 of the top experts in
11 the battery industry to focus on this, along with CAL FIRE
12 to ensure full safety for the whole fleet going forward.

13 So I thank you. Alright, thank you.

14 MAYOR LEON: and with that, I depart.

15 CHAIR HOCHSCHILD: Okay.

16 MS. WORRALL: Thank you for that. Thank you,
17 Chair.

18 MS. ZWEIFLER-KATZ: Hi, I'm Jamie Katz, or Jamie
19 Zweifler-Katz, J-A-M-I-E Z-W-E-I-L-E-R dash K-A-T-Z.

20 Two questions. One, in terms of the coordination
21 with local fire safety, we hear from residents in nearby
22 communities that one of their key concerns is that there is
23 not a local fire station. And so I'm wondering if that
24 coordination with fire departments will include investments
25 in that and assurances that appropriate fire suppression

1 capacity is available?

2 The second question is, in the event of this
3 fire, how -- of a fire, how would residents be notified of
4 that in order to evacuate?

5 Thank you.

6 MS. FOOKS: So for your first question, I would
7 say, we have done a few relative impact analysis and worked
8 with the FCFPD to determine that there is, obviously, an
9 impact. And we do have mitigation, or what we call
10 conditional certification, that would require a project
11 owner to help fund a specific dollar project funding to
12 eliminate those impacts. So I do think that's happening.
13 We work with them, and we have a conditional certification
14 that would require the Fresno County Fire Protection
15 District to work with the project owner to come up to that
16 reasonable amount of funding, for your first question, to
17 address that.

18 And then the second one, like we mentioned, there
19 will be emergency response plans, and that's where things
20 will be detailed; right? They don't exist today, but they
21 will be -- the project owner will be developing these.
22 They will be reviewed by CEC staff, and also by the local
23 fire district, to ensure that notification protocols and
24 all of those things are implemented correctly for anyone
25 living near the site. So an incident commander,

1 specifically your local fire department, FCFPD, would then
2 go down and know what to do in a case of an emergency, like
3 whether to notify nearby residents to shelter in place or
4 whatever the case may be depending on the situation on the
5 site.

6 So I hope that answers your question.

7 MS. ZWEIFLER-KATZ: Thank you for that.

8 MS. WORRALL: Yeah, can we have a translator in
9 here, please?

10 MR. ANGULO: He's coming up.

11 MS. WORRALL: Okay, he's coming. Thank you so
12 much, Ruben.

13 MS. MACEDA: (Via Spanish Interpreter.) My name
14 is Oralia Maceda with the (indiscernible). My question is,
15 what are we going to do with the panels when they don't
16 work anymore? And we're noticing the contamination that is
17 causing these (indiscernible). We think about the plastic
18 bags. We were using them in this. And now we are
19 (indiscernible), we're thinking about these solar panels.
20 What's going to happen with these batteries? What's going
21 to be the end here? At the end of the day, they go back to
22 the recycle places in (indiscernible). What's going to
23 happen?

24 CHAIR HOCHSCHILD: Can you translate for her?

25 SPANISH INTERPRETER: Yes.

1 CHAIR HOCHSCHILD: Okay. Thank you for the
2 question. It's an excellent question.

3 So now there has been great progress on our
4 ability to recycle 100 percent of solar panels and
5 batteries. So really, just in the last two years, the
6 industry has figured out how to do this. And there are
7 companies now, like SOLARCYCLE for solar panels and Redwood
8 Materials for batteries, that are recovering all of the
9 glass and aluminum frames and other materials.

10 Now, for this technology that's going for the
11 Darden Project is slightly different, and this Academy of
12 Telluride for first solar. And they, I don't know -- I
13 don't know if there's a developer that can speak to that,
14 but that technology is a little bit different than the
15 silicon recycling. I don't know if there's someone from
16 Intersect here who wants to speak to the end of life. I
17 know that the first solar used to have a feed that they
18 would collect to be able to recover the cost of fully
19 recovering the panels at the end, but I'm not sure if
20 anyone wants to speak to that.

21 I'll just say, you know, the last thing, our goal
22 for the state of California is 100 percent recycling of all
23 of these materials.

24 Oh, did you want to speak too?

25 MS. WORRALL: No, I think what you've covered is

1 --

2 CHAIR HOCHSCHILD: Okay.

3 MS. WORRALL: -- what we would reiterate.

4 CHAIR HOCHSCHILD: Okay. Yeah.

5 MS. WORRALL: So thank you.

6 Can you spell and state and spell your name?

7 MS. MACEDA: (Via Spanish Interpreter.) Oralia,

8 O-R-A-L-I-A, Maceda, M-A-C-E-D-A.

9 MS. WORRALL: Do we have any more, you know, fire

10 safety?

11 NATALIE: Hi. Good afternoon, my name is

12 Natalie. I work with the Central California Environmental

13 Justice Network. And I just want to just ask, will there

14 be -- like will the EIR analyze like the end of life of

15 like the battery storage system? Just because it's

16 important that these storages and these batteries don't end

17 up in San Joaquin Valley communities because communities

18 like Buttonwillow, Kettleman City, and (indiscernible) are

19 already dealing with a lot of the effects of landfills and

20 toxic waste that comes from those landfills.

21 So I think it's important to include that end of

22 life process that was for battery energy and storage. And

23 I just wanted to uplift that. Thank you.

24 MS. WORRALL: Thank you.

25 MS. FOOKS: To answer your question, the way that

1 we approach that is if they're given -- if it is approved
2 as a project, and they're given a license to construct and
3 operate, they're also responsible for the decommissioning
4 of those items. And one of the conditions or mitigations
5 that we have is they're required to present to us a closure
6 plan and a complete how they're going to take it down and
7 take it back down to grade, settle the earth or whatever,
8 but we will -- they won't be able to abandon it, per se.
9 You know, we will have conditions of certification, and
10 that's how we deal with end of life with regards to
11 projects once they are no longer viable, if you will.

12 So I hope that helps. It's a condition, it's COM
13 15 or COM -- where we require closure plans a year in
14 advance, then we impose additional conditions of
15 certification to deal with, just as you mentioned,
16 recycling the things, whatever we can do, and make sure
17 that it's not (indiscernible) with the community
18 (indiscernible).

19 MS. WORRALL: Do we have any more questions on
20 battery safety in the room?

21 Okay, I'll turn to Zoom. Do we have anyone who
22 has questions on battery safety? If you can raise your
23 hand or star nine, press star nine.

24 Okay, Stan Santos, we're going to open your mic.
25 Alright. Go ahead.

1 MR. SANTOS: Okay. Yeah, hi.

2 MS. WORRALL: State and spell your name, please.
3 Thank you very much.

4 MR. SANTOS: Okay, Stan Santos, S-T-A-N
5 S-A-N-T-O-S.

6 I'm sorry, I wasn't able to hear because the
7 sound quality is kind of poor, but my question is from
8 having worked in telecom and worked in controlled
9 environment vaults with battery systems, we have
10 monitoring, and it was environmental, that had high heat,
11 moisture, combustible, et cetera. And I'd like to know
12 what kind of systems you have?

13 But I'd also like to know, you said you're going
14 to have monitoring, but there's a question of the
15 connectivity of the system to your monitors and whether
16 that's going to be optical fiber and whether you're going
17 to have enough capacity in the fiber to be able to monitor
18 such a large amount, just the sheer volume of information
19 that has to be constantly being processed, and what is
20 going to be your platform? Is it going to be a fiber-based
21 or if it's going to be a satellite? Because we do not have
22 a lot of confidence in a satellite-based if you need real-
23 time reporting to avoid either the system overheating or
24 having a blowup or explosion or something, or a fire.

25 So I'd like to see if your engineers or

1 technicians would agree with that assessment and that they
2 would -- if they could shed some light on the type of
3 monitoring system? Because that would really adversely
4 affect all of the surrounding communities, and that would
5 be a huge concern that we would have.

6 Also, if that's all going to be installed and
7 monitored and the systems are going to be installed by a
8 union or IBEW-type or telco union workers who have been
9 trained and certified in all of the necessary aspects and
10 job functions.

11 That would be it. Thank you very much.

12 MS. FOOKS: Yeah, I don't think we have the
13 technical detail at this time to know how the battery
14 management systems will be reporting back. Presumably it
15 will be remote, given that Tesla does that, but we'll have
16 to go back to that. Thank you for your comment.

17 MS. WORRALL: Okay, do we have any more?
18 Alrighty.

19 Armin Garcia, you're unmuted. If you can state
20 and spell your name? Thank you very much.

21 MR. GARCIA: My name is Armin, A-R-M, as in Mary,
22 -I-N, as in Nancy, and Garcia, G-A-R-C-I-A.

23 My question -- well, first of all, the CEC has
24 done an extraordinary job of funding alternative types of
25 batteries. And there are batteries that have a better

1 levelized cost of energy than lithium-based batteries that
2 have zero thermal runaway. And one example is a vanadium
3 flow battery.

4 So my question here is, I mean, why aren't these
5 batteries being utilized in this particular situation,
6 especially given the fact that there is, like I said, zero
7 thermal runaway and no risk of emitting contaminants to the
8 environment? Vanadium flow batteries are organic in
9 nature, so they're very ecofriendly. And so the question
10 remains, why aren't these batteries being considered?

11 Thank you.

12 CHAIR HOCHSCHILD: This is David Hochschild,
13 again, with the Energy Commission.

14 We do not select battery chemistry. That is for
15 the market to determine. We, at the Energy Commission,
16 have funded a wide variety of battery chemistries,
17 everything from vanadium, such as you're citing, to
18 chromium, to zinc and iron air, and other long-duration
19 chemistries, compressed air. And then it's really up for
20 the developer and communities developing these projects to
21 look at the characteristics and select.

22 The thing that we are absolutely insistent on is
23 safety. And as I mentioned, there has been a big shift
24 within the lithium-ion space from NMC to LFP, which is a
25 lower temperature, lower energy kind of intensity chemistry

1 within lithium.

2 But we have funded and supported. We will
3 continue to support a number of non-lithium chemistry as
4 part of our research and development investments.

5 MR. FOOKS: And then, just to follow on, in our
6 Alternative section of the Draft EIR, we did consider
7 vanadium flow battery. And it was ruled out as an
8 alternative due to commercial use.

9 MS. BADIE: There are no other questions from
10 Zoom.

11 So Lisa, if it's okay, if you wanted to move on
12 to a public comment at this time, we can start.

13 MS. WORRALL: Great. Thank you so much. Thank
14 you, everybody.

15 And back to Mona.

16 MS. BADIE: Alright. Hello again. Mona Badie
17 with Energy Commission's Office of the Public Advisor,
18 Energy Equity, and Tribal Affairs.

19 This is going to be our main and final comment
20 period. And if you're in the room with us, we're asking
21 folks to please fill out one of these blue cards. That's
22 going to let us know you'd like to comment in the room.
23 And if you're on Zoom, you'll use the raise-hand feature.
24 On your screen, it looks like an open palm, or star nine if
25 joining by phone.

1 And what we'd like to do is reserve space at the
2 start for California Native American tribes and other
3 governmental entities. And so on the cards, we've had some
4 folks turn in for government. And also, if you are on Zoom
5 and you're from a tribe or a governmental entity, please
6 raise your hand.

7 Alright, so I'm going to start with folks in the
8 room. And we have Andy Cosentino, Fresno County Fire. I
9 don't know if you're still in the room with us. And then
10 just a reminder to please spell your name for the court
11 reporter. And we're asking for comments to be -- oh, no,
12 for government, we don't have a timer. Sorry about that.

13 MR. COSENTINO: Thank you. Andy Cosentino,
14 Assistant Chief with Fresno County Fire, A-N-D-Y
15 C-O-S-E-N-T-I-N-O (indiscernible). I guess it's fitting
16 after the battery storage system that we go first.

17 I just want to speak on our comments during the
18 staff assessment period. We did note, for those that are
19 in the community, that, one, we want to be a good partner
20 with the developer, as well as the community. And so as it
21 sits, where this lies, it lies right in the middle of two
22 response areas. One is stationed right out here from
23 Harris Ranch and the other in Tranquility. And so our main
24 condition is to not reduce services that we are already
25 supplying to the community. We've made that very apparent

1 with Darden. They've been very positive to work with
2 through a lot of different discussions, as well as the CEC.

3 I would reference that with the CEC, that you
4 consult the 2024 Fresno County General Plan on what it
5 takes for new development within the County of Fresno, as
6 well as design and response plans. So those are the items
7 that we're looking at. We're looking to take them into
8 consideration, the recent developments and battery energy
9 storage.

10 But from a fire perspective, we're looking at all
11 emergency services. So medical aids, wildland fires in the
12 area, vegetation fires, the different auxiliary incidents
13 that come from projects like this, like motor vehicle
14 accidents and those things of that nature. So we are
15 taking that into account. We are working with both the
16 developer, as well as the CEC, and we appreciate the
17 opportunity to comment. And thank you for your concern
18 that you brought up (indiscernible).

19 That's the end of my time.

20 MS. BADIE: Thank you.

21 And next we'll hear from Felipe Perez from the
22 City of Firebaugh. Do you want to come up.

23 And if we can have Ruben? Yes.

24 MR. PEREZ: Felipe Perez, F-E-L-I--P-E, Perez,
25 P-E-R-E-Z. I'm a former Mayor of Firebaugh, a

1 councilmember, active councilmember.

2 (Via Spanish Interpreter.) I'm just to be the --
3 in the board of -- board member. I also work on different
4 types of projects. I have too many hats. I am a public
5 servant. (Indiscernible.) I love to help people manage
6 not only my community but the surrounding communities.

7 When they asked me to find leaders around the
8 community to represent us, I really liked the idea because
9 there are a lot of leaders in our communities. And thank
10 you to all of these communities around this area and the
11 ideas their leaders that are helping us.

12 Especially, I'm part of the board members, but
13 it's not permanent, so we have to find new members. That's
14 why we have 18 communities around us and we have only one
15 that's got all these benefits.

16 I have spoken to about 1,000 persons, and the
17 question comes up, why do we not have a fire department in
18 our area, in Cantua Creek, please? That's one of the
19 concerns of them, and they worry about it.

20 I'm a public servant, and I've been working from
21 Firebaugh to Coalinga, and I like to go and knock on the
22 doors. As a board member, my objective is to unite all
23 these communities to have a voice. And to have all of
24 these groups helping us, because one group cannot do
25 everything. But together, we can achieve a lot of things.

1 I know like, as you, as public servants, your job
2 is to help all these communities around these communities,
3 especially west of Fresno. I have done many, many surveys
4 with people and a lot comes to mind, how are we going to
5 pay the bills? That's what we're asking. I know the
6 government is going to be getting a lot of money, and we
7 want just a little bit of funds to go to these communities.
8 I have experience. I know (indiscernible) you guys are
9 going to try to do whatever you guys can do to help these
10 communities a little bit.

11 Thank you very much. And I know that you're
12 going to do your best to help all these communities.

13 MS. BADIE: Thank you.

14 And next, we're going to hear from Esther
15 Ramirez. And just a reminder, Esther, please spell your
16 name for the record. And then we're asking for comments to
17 be three minutes or less. Thank you.

18 MS. RAMIREZ: Hello. My name is Esther,
19 E-S-T-H-E-R, Ramirez, R-A-M-I-R-E-Z. I'm a Cantua Creek
20 resident.

21 We understand community benefit agreements have
22 been made with organizations. We as a community want to be
23 included directly with Darden to enter into a community
24 benefits agreement. We will feel the impacts directly.
25 Please consider our community.

1 And Darden, we will see you on April 24th.
2 Thank you.
3 MS. BADIE: Thank you.
4 Alright, do we -- oh, okay.
5 COMMISSIONER GALLARDO: Oh, excuse me. Before
6 moving forward, because I don't have a mic right now, when
7 you're talking about direct benefits, are you talking about
8 -- when you're referring to the direct benefits, are you
9 talking about to the city, to --
10 MS. RAMIREZ: (Indiscernible) our community. Due
11 to the EIR report, the requirement is for them to deal with
12 the community, talk to them.
13 MS. BADIE: Talk into the mic so we can hear you.
14 MS. RAMIREZ: Oh, I'm sorry.
15 MS. WORRALL: Speak into the mic.
16 MS. RAMIREZ: Okay. I'm talking about the EIR
17 that requires community involvement, dealing with the
18 companies, and dealing with the communities. And we
19 understand, there's other organizations that have been
20 dealt with. I know the school has got a piano program for
21 the next two years. They've got money already promised.
22 And they're going to continue with the, I think, through
23 the maintenance people to continue that. We, as a
24 community right next door to the school, were part of it.
25 We want benefits too. And we're asking, but

1 we're not an organization, we're a community. But if they
2 can only deal with organizations, then we're out. So what
3 benefit do we get? Do we have to wait for the batteries to
4 explode, or the traffic that's going to built up when all
5 the cars are coming and going. The workers are not local.
6 You can see the other solar projects. They just want to
7 get the hell out of Dodge. They drive fast. They cut you
8 off. They don't care. They're not from the community. We
9 are.

10 That's all we're asking, so does that make sense?

11 COMMISSIONER GALLARDO: Thank you so much for
12 making that clarification. It's really helpful to be able
13 to understand fully what is being asked.

14 And from what I hear, there's someone from the
15 developer who would like to speak or respond, I guess, to
16 this query.

17 MS. KNOWLES: Yeah. No, I appreciate the
18 comment, and I appreciate meeting -- having the opportunity
19 to meet with you and the rest of the community members
20 earlier today. But we have designed the Community Benefits
21 Plan so that -- excuse me. My name is Elizabeth Knowles.
22 I'm the Director of Community Engagement for Intersect
23 Power.

24 So we designed the Community Benefits Plan to be
25 flexible. We do have a variety of organizations that we do

1 have agreements in place with. Those agreements stipulate
2 that we can work with them on a yearly basis to determine
3 where the funds are spent.

4 So for example, one of our partners is the
5 Central California Food Bank. We have explicitly expressed
6 that we want the funds to be spent on the west side, so we
7 want those to support the Cantua Creek, the urban market
8 (phonetic). We also want them to support the Farm Workers
9 Program. So we will continue to do that on a yearly basis.
10 We need your input to help us determine how future
11 community benefits are spent.

12 We also have a variety -- we also have a portion
13 of funds that are set aside for this reason. When we wrote
14 the Community Benefits Plan, we knew that we still had
15 engagement to do. We knew that the needs would continue to
16 change, that we would have more conversations in the
17 future. So we have allocated a portion of those funds for
18 conversation benefits.

19 So I look forward to having future conversations
20 with you. We are having an open house on April 24th in
21 Cantua Creek. It will be a great opportunity for folks to
22 come and learn about the project, but also learn about the
23 community benefits.

24 One of our partners is Tree Fresno. Tree Fresno
25 is very established in Fresno, in the City of Fresno, but

1 not yet on the west side. Our funds are going to be used
2 to help bring a large planting to the western Fresno County
3 area. We need the community's input as to where that
4 planting will occur. Will it be at Cantua Creek Elementary
5 School? Will it be on the west side?

6 So we're really looking to use that forum as an
7 opportunity for folks to come in and say, this is how we
8 want those funds spent, so we look forward to having future
9 conversations with you there.

10 Also, in regards to local hiring, so we are
11 very -- we are strong supporters of the ValleyBuild Pre-
12 Apprenticeship Program. This is a program that helps give
13 exposure to the local unions, and hopefully eventually ends
14 up with potential career opportunities on our site. So we
15 are a strong supporter of the ValleyBuild Program. We are
16 sponsoring workshops across western Fresno County. They
17 will be at the open house on April 24th. And we are also
18 planning on having a career fair this summer, so another
19 opportunity where folks can come, learn about career
20 opportunities with a project, and hopefully end up on the
21 project working with us.

22 COMMISSIONER GALLARDO: Thank you, Elizabeth, for
23 making that clarification. This is Commissioner Gallardo
24 again.

25 I also want to note that the plan, the Community

1 Benefits Plan that you are referring to, is in the docket
2 that you can access at the Energy Commission website. If
3 you do want to look at more of the details, that is in that
4 plan.

5 And, Elizabeth, I actually also have a question
6 about community benefits, and I apologize for disrupting
7 here. But since you are in the hot seat at the moment, I
8 just thought we should clarify it.

9 So I saw, I think there are seven agreements. I
10 would like clarification on whether those are all local,
11 because I think one of them surprised me, which was an
12 agreement with Cornell University, which didn't seem local
13 to me, and I looked for it, and I didn't see too much about
14 it. So I'm just curious if you could speak generally, all
15 local, not local --

16 MS. KNOWLES: Yeah.

17 COMMISSIONER GALLARDO: -- and then that one
18 specifically?

19 MS. KNOWLES: Yes, absolutely. So all of the
20 organizations that we're partnering with are either based
21 in Fresno and have services in western Fresno County, or
22 our donations are going to work to have their services
23 extended to western Fresno County. So they all are local
24 organizations.

25 In regard to the Cornell study, and I'm going to

1 actually have Becky comment on that.

2 MS. MOORES: Sure. Becky Morres, Director of
3 Environmental and Permitting with Intersect Power.

4 The Cornell University agreement is a little bit
5 unique. Cornell University is the group that is going to
6 be assisting us with our scientific study on the site to
7 support our mitigation for Swainson's hawk and burrowing
8 owls. So that agreement up front was able to fund some of
9 their startup work on that scientific study. We are
10 supporting the funding of that. And so it will maybe
11 benefit the project by doing that research on the
12 revegetation and the impacts and potential benefits to
13 those species.

14 So it is kind of the outlier of those agreements
15 to an outside organization, but they are specialists in
16 their field. They are very well suited to supporting this
17 type of research. So that's what we saw with that
18 agreement.

19 COMMISSIONER GALLARDO: Okay. Thank you. And
20 everybody will get stressed out on this end if you don't
21 spell your name. Could you please spell your name, Becky?

22 MS. MOORES: B-E-C-K-Y M-O-O-R-E-S.

23 COMMISSIONER GALLARDO: Thank you.

24 MS. BADIE: Okay, we're going to begin public
25 comment. And next, we're going to hear from Maria Dolores

1 Diaz.

2 And if you could come, Ruben, also come out and
3 do interpretation?

4 MS. DIAZ: Good evening. My name Maria Diaz.
5 I'm from Cantua Creek. One of these people that lives in
6 this community that's going to be impacted with this
7 project.

8 I have understood that some agencies have been
9 funded economically, but not us. Our area has been
10 impacted by this project. Some of our farmworkers, they
11 have -- they don't have a job. And for other side, they
12 fight over there, they have weather. We are very poor,
13 especially when we have -- when we talk about fires. In
14 these situations, they don't want to insure the houses
15 because of these events.

16 Our water bills also are very high. At the
17 present time, I owe \$2,000 just for the water. Also, we
18 don't have insurance for that.

19 And also, it impacted me that I have a Tesla
20 battery and I don't have much information. And if there is
21 a fire, what's going to happen?

22 I agree with this project. I understand that
23 it's going to help the green environment. And the other
24 side, how is it going to affect us? How is it going to
25 benefit us? And what's going to happen with our house if

1 there's a fire?

2 That's it.

3 MS. BADIE: Thank you.

4 Alright, next, we're going to hear from Jamie
5 Zweifler-Katz.

6 MS. ZWEIFLER-KATZ: Jamie Zweifler-Katz,
7 J-A-M-I-E Z-W-E-I-F-L-E-R dash K-A-T-Z, with Leadership
8 Counsel for Justice and Accountability. We work alongside
9 Cantua Creek and El Porvenir residents who have been
10 following project updates to better understand the
11 project's impacts.

12 We appreciate CEC staff for working with
13 residents to ensure they are able to attend this meeting.
14 We urge the Commission to answer residents' questions ahead
15 of a revised staff assessment to provide an opportunity for
16 residents to incorporate responses into their comments on
17 the project.

18 Leadership Counsel will submit written comments
19 to uplift these concerns and others. We look forward to an
20 amended EIR that addresses these impacts, includes
21 sufficient mitigation measures, and fully evaluates an
22 appropriate range of alternatives. We look forward to a
23 process where residents' priorities are centered and
24 meaningfully incorporated into this project.

25 As the first project to reach this stage in the

1 CEC's Opt-In Certification process -- oh, it's working
2 again -- it is essential that the CEC not only does right
3 by residents here, but sets a high standard for projects in
4 the future.

5 The CEC needs to ensure that the communities
6 closest to these projects receive community benefits. The
7 residents we work alongside have identified specific
8 priorities for a potential community benefits agreement,
9 and we are in communication with the developer about these
10 priorities. The Community Benefits Plan must be amended to
11 include the priorities of Cantua Creek, El Porvenir, and
12 Five Points residents. This is an indispensable
13 opportunity for the CEC to demonstrate that its commitments
14 to environmental justice and a just energy transition are
15 not just words, but meaningful action.

16 Thank you.

17 MS. BADIE: Thank you.

18 We're still hearing comments in the room, and
19 then we're going to transition to Zoom. So next in the
20 room, we have Espi Sandoval. I don't know if I said it
21 correctly.

22 MR. SANDOVAL: Hi. My name is Espi Sandoval and
23 I'm a resident of Fresno County for 53 years, since 1972.
24 And welcome to the Appalachian of the West. We have the
25 poorest communities, and they didn't become poor by

1 accident. If you understand, you know why.

2 We're people that pick the crops, like myself.
3 I'm a former farmworker. I'm a former city council of
4 Kerman, a community. I'm a former principal of Tranquility
5 High School. Some of these ladies right here, I taught
6 their kids. I was a teacher at Cantua Elementary, a
7 teacher at Elm Elementary. If you don't recognize those
8 guys, you guys are not from here. And if you do, thank
9 you.

10 I'm also a teacher from Tranquility High, a
11 teacher in (indiscernible) Elementary. I'm a long-time
12 educator. And to me, it saddens me to see what's
13 happening.

14 Also, you know, I've got involved with Rural
15 Communities Rising because I really believe in giving the
16 power to the people. I don't think Darden -- I don't like
17 to criticize them, but I don't think they did their
18 homework, because the agencies that they got given money
19 to, that's never going to come to these communities. I
20 know that for a fact. I've been here 52 years. Nothing's
21 changed. You guys are dropping everything, believe me. It
22 reminds me of the teachers that come to Cantua and leave.
23 Reminds me of the teachers that come to Tranquility High
24 School. They come, they give their teaching, and they go
25 back to Clovis. You understand?

1 You guys are coming from Sacramento. I don't
2 know where you're coming from, but you're here, and you're
3 going to be leaving. Darden is just dropping in, taking
4 advantage of our communities, just like the farmers have
5 done. Now, the richest farmer in Central Valley has never
6 had to shovel. You guys know that.

7 One thing that you've got to remember, we have
8 absentee farmers. They're not even here. They live in
9 Texas, but yet their farmworkers are working their lands.
10 Most of these farmers got rich and bought their homes on
11 the coast. People stay here. People can't really buy what
12 they need.

13 So when I tell you, Appalachian of the West,
14 Huron is the poorest community in the state. Mendota,
15 Firebaugh, where we have the Councilman of Lupita Perez
16 (phonetic). My community, Tranquility, San Joaquin,
17 Cantua, that's where I grew up, Mendota. I live in Kerman.
18 But you need to understand, we have real issues here, and
19 some of us are not understanding. You know what? Bring in
20 Tree Fresno. What are they going to do, plant trees? I
21 can plant trees. You understand what I mean? Or we're
22 going to bring more boxes of food from the food bank. That
23 happens every day. But who's going to pay their bills?
24 This young lady that owes \$2,000 in water, what's going to
25 happen?

1 So I think you need you to remember that I'm an
2 educator, I'm a community advocate, and I'm a member of my
3 community. And I want everybody here to understand,
4 please, look at our communities. Darden, please, look at
5 our communities so you know what you're doing. You know,
6 what does Cornell have to do with this? What does food
7 have to do with us? We get food all the time. I see food
8 being thrown away because, after a while, they dump so much
9 food with us that you don't understand that.

10 Not everybody, I'm going to tell you right now,
11 not everybody needs a lot of food because we have
12 hardworking people that work so they don't ask for food.
13 But at the same time, a lot of us think that we're all
14 hungry, that we're all human. Immigrant people are the
15 hardest working people. We built this country, we built
16 this land.

17 So that's all I have to tell you. Thank you and
18 I appreciate it.

19 (Applause)

20 MS. BADIE: Thank you for your comment.

21 Alright, next, we're going to hear from Leticia
22 Villegas.

23 MS. VILLEGAS: (Via Spanish Interpreter.) Good
24 evening. My name is Leticia Villegas. I'm resident of
25 Five Points. I am a resident of Five Points and I

1 currently worry about these solar panels. I understood
2 that from where I live, it's going to be three miles. And
3 I want to ask you, please, if this is approved, what
4 worries us is the homes, they're falling down and we want
5 to be here. We want the funds to go directly to our
6 community and we don't want it to go to the businesses.
7 Because the first priority is that our homes are falling
8 down.

9 As a farmworker, I work during the -- when the
10 weather is hot, and then at the end of the day, come home,
11 and not having air conditioning if the weather has been
12 hot. If these funds come to us, we want to use it to
13 repair our homes, the streets, the air conditioning. But
14 please, we want to be listened to.

15 MS. BADIE: Thank you for your comment.

16 And I wanted to just do -- we have one more blue
17 card, but if there's anyone else who wants to comment in
18 the room?

19 (Off mic colloquy)

20 MS. BADIE: Oh, sorry, yes. I was just -- no, we
21 have yours.

22 Is there anyone else in the room? I wanted to
23 get your blue cards now, and then we're going to transition
24 over to Zoom.

25 Oralia Maceda?

1 MS. MACEDA: (Via Spanish Interpreter.) I am
2 Oralia Maceda. Firstly, I have a question.

3 When is the next meeting to find out if this plan
4 is going to be approved or (indiscernible) get approved?
5 She's going to answer later, when you have a date? That's
6 just one question.

7 I'm going to make a comment. I work with the
8 Environmental Justice Network. And we work with the
9 community of Five Points. It is very important, as the
10 resident of Five Points said, that we need to be listened
11 to. And we want to be notified when we have these
12 meetings. And with all the things that we are having to
13 explain about the communities, they worry about, if this is
14 approved, all of these motor vehicles that are going to be
15 coming around, or they're going to bring materials and
16 they're going to be welding. The position of the residents
17 is that they should pay attention to the streets. The dust
18 that this project is going to provoke. And to mitigate
19 this dust, a good idea is to have planting trees around the
20 streets (indiscernible).

21 And very important is community agreements. And
22 they should be reviewed, even though -- even though we have
23 been working with them, that they work with organizations.
24 And they need to be revised so the community members are
25 the ones that get the benefits. We want to make sure that

1 this Commission, that they have in mind the community. So
2 everyone in the communities have the (indiscernible).

3 Thank you.

4 MS. BADIE: Thank you.

5 Okay, we're going to transition now to the Zoom
6 commenters. So if you're joining us on Zoom, you're going
7 to use the raise-hand feature on your screen, it looks like
8 an open palm, and that's going to tell us if you'd like to
9 comment. And if you're joining by phone, you're going to
10 press star nine. That's going to let us know you'd like to
11 comment. And again, this is the main and last comment
12 period.

13 And we have one hand up. Angela Islas, I'm going
14 to open your line, Angela. Just a reminder to please state
15 and spell your name for the record. We're asking for
16 comments to be three minutes or less. Angela, if you could
17 unmute. There you go.

18 MS. ISLAS: Can you hear me?

19 MS. BADIE: Yes.

20 MS. ISLAS: Okay. So my name is Angela Islas,
21 A-N-G-E-L-A I-S-L-A-S, and I'm with the Central California
22 Environmental Justice Network. Just wanted to thank you
23 for the opportunity for hosting this EIR public hearing,
24 and the opportunity, especially for our organization, to
25 invite Five Points residents to attend this hearing. I

1 think it was very critical to have these residents present
2 because the reality of what the EIR had highlighted in a
3 very general way is the vicinity and miles that this
4 community will be from the project. And so the reminder
5 here is that they are about three miles north-south from
6 the project -- or excuse me, southwest from the project.

7 So in this case, you know, we're really wanting
8 to get more specific information regarding the impact
9 overall of extreme heat for this community. I think that
10 it's critical that when we're looking at the amount of
11 solar panels that will be within the mile range from Five
12 Points, you know, we're seeing or kind of assuming the risk
13 of temperatures increasing based on just the infrastructure
14 of the solar panels. So the ask here is to really try to
15 look into an extreme heat impact study for the community of
16 Five Points and identify those negative impacts or risks
17 that that could cause.

18 And again, this is a general, you know, highlight
19 that we're seeing with Five Points, you know, acknowledging
20 that transportation is a need, safe walking paths is a need
21 for this community. But when it comes to the environmental
22 side of the impact, you know, we want to understand what
23 that really is going to look like on a very like longer
24 timeline scale for this community to just, you know, see
25 like overall, like is this project really going to benefit

1 us if in reality it's going to harm our public health and
2 just increase like the heat overall in their area?

3 And then just lastly, with 30 seconds left, just
4 want to reinforce about workforce development. We're
5 looking at retired agricultural lands, which means that
6 there will be an impact to labor, impact to farmworkers.
7 So we want to ensure that the project is trying to foresee
8 a reinvestment in being able to create adequate and
9 equitable programs that will support farm workers to
10 transition into potential labor in like the clean energy
11 space, et cetera.

12 So just wanted to put those two points out there
13 again. Again, thank you so much for the opportunity to
14 comment. I'm just looking forward to the next steps in
15 understanding the process still for the EIR.

16 MS. BADIE: Thank you for that comment.

17 And I think, Lisa, do you have a mic so as to
18 discuss --

19 MS. WORRALL: Right. Right, I do. Thank you,
20 Mona.

21 Yes, kind of leading into the next steps, I
22 wanted to talk about -- there was a question about, you
23 know, additional meetings. For the CEC, there will be a
24 business meeting that's going to be held in Sacramento, but
25 it will be remote. It will be, also, remote as well, so it

1 will be via Zoom as well. And the public are more than
2 welcome to participate in that.

3 We are looking to publish the updated staff
4 assessment kind of mid to late May, and we'll have it out
5 for 30 days, as required by law, and then it will go to the
6 next business meeting. Right now that's scheduled June --
7 oh, sorry, July 11th -- no, not July, what am I saying?
8 July 30th. However, the Commission may decide to hold a
9 special business meeting. And if they do so after the 23rd
10 of June, that will still be past the 30 days.

11 And then I'm going to hand this over to Becky
12 Moores to -- oh, okay --

13 MS. MOORES: We're going to have Elizabeth.

14 MS. WORRALL: -- Elizabeth --

15 MS. MOORES: Yeah.

16 MS. WORRALL: -- okay, Elizabeth Knowles to talk
17 about their future plans for meetings.

18 MS. KNOWLES: Yes. Thank you.

19 So we will be, as I mentioned earlier, we will be
20 having a community-wide open house at Cantua Creek
21 Elementary School on April 24th from 5:00 to 7:00 p.m. It
22 will be an opportunity to come and hear more about the
23 project specifically from the team who is developing the
24 project. We will also have our community benefits partners
25 there so they can talk about the services that they are

1 offering that are local to the westside residents.

2 We will also have members -- we will also have
3 folks from the Workforce Development Board there to discuss
4 the ValleyBuild Program, as well as Mortenson, who is our
5 PVC contractor who is actually building the project. They
6 will be there to talk about potential career opportunities
7 and small business opportunities for local businesses
8 wanting to work on the project.

9 Following the community-wide open house, sometime
10 this summer, the date is still to be determined, but we
11 will be having a job fair for anyone interested in pursuing
12 a career on one of our -- on our project.

13 MS. BADIE: Thank you. This is Mona at
14 California Energy Commission. I just wanted to also note
15 that we accepted comments here today. Those will be
16 addressed in the Final Environmental Impact Report.

17 Also, the comment period for more written
18 comments will be until April 21, 2025. If you docket
19 something in Spanish, we will have it translated and it
20 will be addressed in the Final Environmental Impact Report.

21 We also accept public comments at the business
22 meeting. That's the meeting that Lisa had mentioned. But
23 of course, it's so helpful if every comment is received by
24 April 21. Then we can make sure we're addressing and
25 discussing each comment that's received. At the business

1 meeting, that's the later stage of the event, we will still
2 accept public comment. But the best chance of having your
3 comments addressed will be if we get them before April
4 21st.

5 MS. WORRALL: Thanks. Oh.

6 MR. PEREZ: I know that you mentioned that you
7 guys are going to have the 24 -- April 24th meeting in
8 Cantua. Can you guys --

9 (Off mic colloquy)

10 MR. PEREZ: (Indiscernible.) I know that you
11 guys mentioned that you guys are going to have an April
12 25th meeting; right? Okay, one suggestion is if the people
13 don't speak Spanish, like you guys have a headphone,
14 instead of other people that we speak, you know, more like
15 today, if people don't speak English or Spanish, or
16 whatever it is (indiscernible), instead of -- because
17 when -- thank you so much for the work that you did, but
18 when we are here, a lot of us here today, is talk
19 (indiscernible) I stopped because he needs to translate.

20 Instead of that, if you guys have a headphone
21 here or something and you're here, somebody is translating
22 for you guys, at the same time, you're not going to lose
23 what we are saying. We are not going to lose what we want
24 to say, because all of the people are generally leaning
25 over here and they want to give you a message to you guys,

1 and you guys too. But sometimes we lost what we are trying
2 to say. We are lost because we stopped. The person has to
3 speak. And sometimes it's not what we are saying.

4 So yeah, what I -- my suggestion is if you guys
5 can have headphones for you guys, the people that don't
6 understand English is going to have a headphone, please.
7 Because when I was here, I lost myself.

8 Thank you.

9 MS. BADIE: Oh, wait. Lisa, can we get the
10 microphone? There's one more.

11 MS. WORRALL: Oh, uno mas? Okay.

12 MS. BADIE: And the Interpreter.

13 MS. WORRALL: Interpreter? Yeah, can you get the
14 Interpreter?

15 MS. MACEDA: (Via Spanish Interpreter.)
16 (Indiscernible.) I have a question. You're saying that
17 there's going to be a job fair. (Indiscernible) approved
18 (indiscernible). That is my confusion. Because
19 (indiscernible) approved and they're going to have these
20 job fairs.

21 COMMISSIONER GALLARDO: I can respond if you give
22 me the mic.

23 MS. WORRALL: Did people understand that in
24 English as well? Kevin, are we okay?

25 COMMISSIONER GALLARDO: Yeah.

1 MS. WORRALL: Okay. That's okay.

2 COMMISSIONER GALLARDO: So the question is about
3 whether the project is already approved, given what we are
4 hearing from the developer, that there is these community
5 meetings already established, a job fair already
6 established. So to the community, it may sound like
7 everything is already solidified and done.

8 (Speaking Spanish.) So I was just explaining
9 that the project is not approved yet, that there is still a
10 lot of analysis that the staff needs to do, that the final
11 decision will be taken by the Commissioners at a business
12 meeting that is sounding like it is going to be in July,
13 potentially. And in the meantime, the developer is trying
14 to educate the community about their plans, what they are
15 thinking of doing, wants to receive information and insight
16 from the community about whether you are going in the right
17 direction.

18 So I am a certified interpreter, so I think I
19 qualify to be able to interpret. But if there is anything
20 that I left out or you would like to correct, please feel
21 free to do so. Okay.

22 MS. WORRALL: Great. Thank you so much. Thank
23 you, Commissioner Gallardo. Thank you so much, everybody.

24 MS. BADIE: Wait. Elizabeth wants to speak.

25 MS. WORRALL: Oh, okay. Elizabeth Huber.

1 MS. HUBER: Yeah, hi. For the court reporter,
2 you all know me already, you know, from five hours ago.
3 Elizabeth Huber. I'm the Division Director for Siting,
4 Transmission, and Environment Protection for the CEC.

5 A point of clarification. We do assign -- you
6 know, we try to notice as soon as possible for the entire
7 calendar year when we are going to have business meetings.
8 In statute for Opt-In, we do, as we presented, we try to do
9 it within 270 days of an application meeting being
10 complete, that you all learned that term tonight.

11 And so I know many of you already are on our
12 LISTSERV, but please continue to watch our website, and we
13 will try to find a way for the Public Advisor to notify if
14 we do have a special business meeting in order to do it as
15 close as feasible to the 270 days, so it could be by the
16 end of June versus July 30th.

17 So I just want to make that point of
18 clarification, because we don't want anyone to be surprised
19 if it ends up being a little earlier than the July
20 identified business meeting.

21 Yes?

22 MS. ZWEIFLER-KATZ: I just wanted to ask, if
23 you're going to hold a special business meeting, how much
24 notice will you provide?

25 MS. WORRALL: Oh, so your mic has to be on. Yes,

1 Elizabeth, that's a good question. Yeah.

2 MS. HUBER: Yeah, good comment. (Indiscernible.)

3 MS. ZWEIFLER-KATZ: Just wanted to clarify, if

4 the CEC is going to hold a special business meeting to

5 discuss this project, how much -- how much ahead of time

6 will it provide the public notice of that special meeting?

7 MS. HUBER: Wonderful question. And as we shared

8 in our process this evening, by the 240th day, we have to

9 present -- publish our updated staff assessment, and at

10 that time we will have identified if a special business

11 meeting outside the normally scheduled July business

12 meeting that's already noticed, so a minimum of 30 days in

13 advance. Does that work? Thank you. Got a thumbs up for

14 those in virtual.

15 MS. WORRALL: Okay. That's about it.

16 Can we bring up the next slide? Anyway, oh,

17 yeah, I don't need a slide. I just wanted to wrap this

18 meeting up.

19 And a final reminder that the comment period --

20 sorry -- the comment period for the staff assessment closes

21 by 5:00 p.m. -- when does it -- April 21st. And so we

22 appreciate all your comments.

23 And now I'd like to turn the mic over to

24 Commissioner Gallardo for some closing comments. Thank you

25 everyone for participating today.

1 COMMISSIONER GALLARDO: Thank you, Lisa.

2 (Speaking Spanish.) I just wanted to thank
3 everyone for joining us. I know it's late, so we really
4 appreciate everyone staying until the end and holding on.
5 We definitely appreciate getting to know the area that
6 might be affected by the project, the people who have a lot
7 of information to share because they know that area, and we
8 don't necessarily, so it's helpful to have that. So I
9 encourage everybody to continue participating in the
10 engagement opportunities that the developer is holding, and
11 also to communicate with us if there's anything that
12 community members want to share with us. Staff is
13 available. And we also are accepting everything through
14 our docket to keep it in the record.

15 So, staff, thank you for sticking with this and
16 for all that you did to get us here and for all you will
17 continue doing. This is a major milestone. As someone
18 mentioned earlier, it's the first project that's gotten
19 this far. We're still on track in terms of time, but,
20 again, this is not a rubber stamp. We want to do this
21 correctly, and so we appreciate everybody stepping up to do
22 that and being committed.

23 And I'll turn it over to the Chair.

24 CHAIR HOCHSCHILD: I just wanted to add my thanks
25 for all of you for being here and for sharing your

1 thoughts, and also to encourage anyone who has anything
2 more they'd like to add, we accept written comments as
3 well. And you can send a letter.

4 And then, also, at the meeting, the next we have
5 on this, even if you can't travel to Sacramento, you can
6 participate, and we encourage you to participate and
7 provide public comments at the meeting, which will be
8 virtually.

9 And finally, just for the developer, can you
10 repeat again the meeting you're going to host, and where
11 and when is that? Yeah, just for everyone. Thank you.

12 MS. KNOWLES: Okay. The community open house
13 will be on April 24th, confirming that, I've only said it
14 like five time, April 24th from 5:00 to 7:00 p.m. at Cantua
15 Creek Elementary School.

16 CHAIR HOCHSCHILD: Okay. Great.

17 MS. KNOWLES: Dinner will be provided so that
18 that helps, you know, incentivize people to come.

19 COMMISSIONER GALLARDO: And job fair, the job
20 fair?

21 MS. KNOWLES: And the job fair, if the project is
22 approved, will happen sometime this summer.

23 COMMISSIONER GALLARDO: Got it.

24 MS. KNOWLES: But we will have information about
25 career opportunities and small business opportunities at

1 the open house on the 24th.

2 COMMISSIONER GALLARDO: Alright. I have the
3 honor of adjourning this meeting. Again, thank you so much
4 and have a good night.

5 (The meeting adjourned at 8:14 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 17th day of April, 2025.



ELISE HICKS, IAPRT CERT**2176

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

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.



MARTHA L. NELSON, CERT**367

April 17, 2025