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**Comments on the Darden Clean Energy Project Draft
Environmental Impact Report (SCH# 2024091023)**

Additional submitted attachment is included below.



April 21, 2025
California Energy Commission
Docket No. 23-OPT-02

RE: Comments on the Darden Clean Energy Project Draft Environmental Impact Report (SCH# 2024091023)

To Whom It May Concern,

On behalf of the Center For Energy Efficiency & Renewable Technologies (CEERT), we submit these comments regarding the Draft Environmental Impact Report (DEIR)/Staff Assessment for the Darden Clean Energy Project proposed by Intersect Power in western Fresno County. We support California's transition to renewable energy but emphasize that this transformation must center environmental justice, public health, and long-term local benefit for the most impacted communities in the Central Valley. The Darden Project, due to its unprecedented scale and proximity to underserved rural populations, requires robust, enforceable conditions and a deeper commitment to equitable development.

PART I: Environmental Mitigations & Protections

A. Biological Resources & Habitat Protections

We support the project's proposed mitigation for impacts to Swainson's Hawk, San Joaquin Kit Fox, and Burrowing Owl, including the use of biological monitors and habitat avoidance measures (Staff Assessment p. 5.2-6 to 5.2-15). However, we also recommend:

- Requiring an onsite vegetation management plan to lessen impacts to Swainson's Hawk (5.2-97)
- Mandating conservation easements for long-term habitat durability.
- Supporting permanent protection and perpetual management of compensatory habitat for Burrowing Owl, in addition to artificial burrows onsite.
- Requiring post-construction monitoring for at least 10 years, in line with recommendations by the California Department of Fish and Wildlife (CDFW).
- Given that the project's approach is described as a 'scientific experiment' (5.2-99), including adaptive management strategies with success criteria and publicly available annual reports on nesting success and population health of key species. It is crucial to ensure that adaptive management plans have adequate funding for monitoring and implementing changes.



- Considering co-use strategies like habitat corridors post-decommissioning, ensuring dual use of solar sites and migration pathways.
- The California Energy Commission (CEC) requires stronger enforcement and monitoring of the Biological Resources Mitigation Implementation and Monitoring Plan (BRMIMP), including third-party verification and post-construction reporting, with publicly accessible documentation.

B. Air Quality & Dust Control

The San Joaquin Valley is in extreme nonattainment for 8-hour ozone and serious nonattainment for PM_{2.5} per both federal and state standards. The EIR identifies that PM₁₀ and NO_x emissions during construction may exceed SJVAPCD thresholds. While CO modeling did not exceed thresholds, we recommend precautionary air monitoring near Cantua Creek intersections during peak construction periods to validate model assumptions and protect sensitive receptors. While MM AQ-1 requires Tier 4 Final equipment ≥ 50 hp, this does not address smaller engines and ancillary equipment, which also contribute significantly to particulate emissions. We urge the CEC to expand this condition to all engine classes unless infeasible, with a required justification and public reporting. With overlapping construction phases across photovoltaic installation, substation work, and gen-tie development (EIR 5.1-20), cumulative daily emissions during peak months warrant enhanced on-site monitoring and flexible shutdown protocols. Given this, we recommend the following additional mitigation measures:

- Verified CalEEMod modeling for emissions forecasting; applying the Rule 9510 Indirect Source Review standard to reduce NO_x emissions by 20% and PM₁₀ by 45%, in alignment with SJVAPCD LORS.
- Nearest regulatory PM_{2.5} monitor is 13 miles north (Tranquility station), meaning localized real-time data does not exist for project-adjacent areas such as Three Rocks or Cantua Creek. The mitigation plan should go further by: prohibiting earthmoving activities during red flag wildfire or air quality alert days, requiring temporary PM_{2.5} monitors at the project fenceline to provide real-time alerts to nearby downwind communities.
- Using Tier 4 Final or electric equipment across all engine classes—not just ≥ 50 hp—unless infeasible with public justification.
- Dust suppression to be expanded beyond visual checks to include quantified particulate tracking.
- Coordination with Fresno County Department of Public Health to ensure worker and resident health alerts are issued during high-risk excavation or wildfire-prone days.

C. Water Resources

The project relies on groundwater extraction in a basin deemed critically overdrafted under SGMA (Staff



Assessment, p. 5.16-3). The Westside Subbasin, where the project is located, is classified as “critically overdrafted” and had an average annual groundwater overdraft of 1.8 million acre-feet between 2003 and 2017, making it one of the most overdrawn basins in California. The EIR concludes impacts to be less than significant due to the aquifer storage and recovery (ASR) approach using Westlands Water District surface water, but this rests heavily on speculative future water availability and cooperation with WWD. While temporary, this use could undermine regional sustainability goals. We recommend:

- Full transparency on water sourcing, consumption, and SGMA compliance.
- Integration of a groundwater recharge offset program.
- Clear enforcement of groundwater withdrawal limits during drought emergencies.
- The CEC condition project approval on an enforceable water budget and periodic SGMA-aligned reviews to ensure sustainable operations.
- Avoid disking land wherever possible to limit water demand for dust control

D. Transmission & Fire Risk

We support infrastructure that unlocks regional renewable development, but the extensive downstream transmission line upgrades—spanning up to 28 miles and involving new installations at multiple PG&E substations—present wildfire ignition risk due to increased line length and exposure to high-heat zones, particularly under worsening climate conditions. We recommend:

- The 15-mile gen-tie line and PG&E network upgrades must undergo wildfire risk assessments, especially as some segments could traverse high-heat corridors (Staff Assessment, Sections 4.3 and 5.7).
- The CEC should require detailed fire risk mapping along these new routes and incorporate conditions to pursue cost-effective wildfire mitigation measures, such as covered conductors or wildfire monitoring systems, especially near populated areas or wildfire-prone corridors, consistent with recommendations from the Fourth Climate Change Assessment for the San Joaquin Valley.
 - The analysis should draw on existing cost-benefit frameworks used in Wildfire Mitigation Plans (WMPs) submitted to the Office of Energy Infrastructure Safety (OEIS).
 - The CEC should coordinate with OEIS and PG&E (as the interconnecting IOU) to ensure fire mitigation aligns with their Wildfire Mitigation Plan. If PG&E builds or operates the intertie, it will likely fall under their WMP; however, if led by a private developer, they should be required to conduct a similar cost-effectiveness analysis and coordinate with relevant agencies



PART II: Community Engagement & Protections

A. Engagement & Outreach

The applicant has initiated early outreach, but many residents in Cantua Creek and El Porvenir remain unaware of the project's scale or timeline. The Community Benefits Plan outlines the applicant's use of a Fresno-based multicultural outreach consultant and indicates recurring annual reviews with partner organizations (CBP p. 2). However, there is no binding requirement that outreach continues past construction or that underrepresented voices are prioritized. We recommend:

- Hosting recurring public meetings with transportation, food, and childcare support and continuous two-way communication with local communities and residents.
- Requiring the Community Engagement Plan to include multilingual in-person outreach, a staffed project liaison, and a quarterly transparency report that summarizes feedback received and actions taken.
- Engagement should include recurring in-person meetings in rural towns, locally staffed resource centers for project updates and comment submission, and expanded communication through trusted community organizations.

B. Public Health & Cumulative Risk

The EIR identifies Valley Fever exposure as a risk (Staff Assessment, PH-1). In a region already burdened by PM2.5 and extreme heat, cumulative health risks must be more robustly addressed. According to the Fourth California Climate Change Assessment, heat-related hospitalizations have increased by 35% in Fresno County over the past decade. These risks will intensify during project construction and operations, particularly for vulnerable rural residents without access to cooling infrastructure or medical support. The assessment notes the risk of Valley Fever is significant but "less than significant with mitigation." We recommend that mitigation measures such as MM PH-1 be expanded to include post-construction monitoring for spore presence, periodic public health data collection, and mandatory collaboration with the Fresno County Department of Public Health. The Valley is already disproportionately affected by this disease, with elevated risk in the project's eastern zone due to disturbed soil and dry climate. We also recommend:

- Valley Fever mitigation beyond soil wetting, including onsite spore sampling and protective worker gear, including cumulative study on life-time health impacts related to air quality and Valley Fever exposure.
- Increased funding for community health studies and clinic capacity building.



- Heat resilience measures: weatherization grants, solar microgrid support, and energy bill credits for surrounding vulnerable communities, aligning with recommendations from the Fourth Climate Change Assessment.
- Expand MM PH-1 to include onsite spore sampling and post-construction tracking. Recommend integrating these with community clinic surveillance to address chronic exposure risk, particularly for immunocompromised residents.

C. Workforce Development

While 1,000+ construction jobs are estimated, only 16–24 permanent jobs are forecasted (Staff Assessment, p. 5.11-2). The project's partnership with Valley Build and a PLA (Project Labor Agreement) is a promising model. Per the CBP, Valley Build workshops will launch in Riverdale and nearby rural towns starting mid-2024 (CBP p. 3). This outreach should be codified into enforceable conditions. The Community Benefits Plan outlines Unemployment Insurance Code Section 14005, but it is not mandated in the Staff Assessment. We recommend incorporating this requirement. We also recommend:

- Concrete local hiring targets (e.g., 50% from Fresno County ZIPs).
- Union and pre-apprenticeship partnerships, especially with historically underrepresented groups.
- The CEC condition approval on public reporting of hiring metrics by gender, race, geography, and veteran status.
- Inclusion of child care and language services during training and hiring phases.

D. Fiscal & Infrastructure Equity

Projected local benefits include \$59M in sales tax and \$26M/year in property tax (Intersect Meeting Notes). Intersect Power's Community Benefits Plan commits over \$2 million in community investments over 10 years, with commitments to multiple partners including FCRTA, Fresno Housing Education Corps, and Central California Food Bank (CBP pp. 1–2). However, none of the submitted agreements tie contributions to the 35-year operational life of the project. We urge:

- Fresno County to adopt a formal policy dedicating a portion of tax revenue to Westside community infrastructure prioritizing rural underinvested communities (e.g., broadband, clinics, green spaces).
- Requiring a Fiscal Impact Mitigation Agreement to cover any strain on emergency services, as the solar facility is exempt from certain property taxes.



- Condition certification on the extension of community benefits to match the project's full lifecycle, including a midterm review and opportunity to redirect funds based on evolving community needs.

CONCLUSION

The Darden Clean Energy Project represents a major inflection point for energy development in the San Joaquin Valley. We urge the California Energy Commission to ensure this project is not only low-carbon but also community-led—with enforceable conditions that protect public health, promote workforce equity, and secure community governance over long-term outcomes.

We thank the Energy Commission for the opportunity to comment and welcome the opportunity to work with the Commission and Intersect Power to realize a project that becomes a model for clean energy development statewide.

Sincerely,

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