

DOCKETED	
Docket Number:	20-LITHIUM-01
Project Title:	Lithium Valley Commission
TN #:	246812
Document Title:	Center for Biological Diversity comments on draft report
Description:	N/A
Filer:	System
Organization:	Center for Biological Diversity
Submitter Role:	Public
Submission Date:	10/25/2022 3:01:13 PM
Docketed Date:	10/25/2022

Comment Received From: Center for Biological Diversity
Submitted On: 10/25/2022
Docket Number: 20-LITHIUM-01

Center for Biological Diversity comments on draft report

Additional submitted attachment is included below.



VIA Upload to Docket No. 20-LITHIUM-01

October 25, 2022

Blue Ribbon Commission on Lithium Extraction in California
c/o California Energy Commission
Docket No. 20-LITHIUM-01

Re: Draft Report of the Blue Ribbon Commission on Lithium Extraction in California Pursuant to Assembly Bill 1657

Dear Commission Members,

These comments are submitted on behalf of the Center for Biological Diversity (“Center”) regarding the *Draft Report of the Blue Ribbon Commission on Lithium Extraction in California Pursuant to Assembly Bill 1657*. The Center has worked to protect the environment in the California deserts for over two decades including work to protect species and habitats as well as air quality in Imperial County. The Center strongly supports efforts to shift our energy needs away from fossil fuels to renewable resources including energy storage and geothermal resources. The Center participated in the planning for renewable energy in the California deserts and on a project basis for many solar, wind, and transmission projects to facilitate renewable energy. The Center is very hopeful that the new direct lithium extraction technologies from brines may avoid the need for large open pit mines and large evaporation ponds associated with other lithium extraction domestically and reduce reliance on imported lithium for battery storage which has significant environmental and human rights impacts associated with its extraction in many places. The Center has participated in and followed the Lithium Valley Commission process closely.

The California deserts, including in Imperial County and Eastern Riverside, are rich in biodiversity, and cultural resources, and the tribal workshop identified many cultural values in this area including sacred landscapes. There are also abundant solar and geothermal resources in this area. Unfortunately, this area also has highly impaired air quality that impacts human health as well as the health of the environment. While much of the air quality impacts are caused by the drying of the Salton Sea, that is not the only source of air quality impacts. Other human activities that disturb intact soils and vegetation, such as road and site grading and vehicle traffic, can significantly increase particulates and other dangerous emissions further degrading air quality and increasing impacts to human health and the environment.

The Center largely supports the Commission's key findings and recommendations including, but not limited to: the need for health impacts assessments; data collection, tracking reporting, and transparency; community and tribal priorities, outreach, and engagement; planning for regional infrastructure; and worker and community safety.

Below the Center also provides specific comments and suggestions on several of the draft recommendations (with ~~strike through~~ for deletions and **bold** for insertions):

Community and Tribal Priorities and Perspectives:

Second bullet point should be revised to reflect the need for translation of more than just summary documents to facilitate community participation in the CEQA process as follows:

- Require state and local public agencies to provide ~~a language summaries~~ **translations** prepared in the primary languages of community residents for the following types of materials: permits, California Environmental Quality Act (CEQA) documents, regulatory reports, monitoring reports and other information regarding project status and operations.

Fifth bullet point should be revised to reflect that new projects should not contribute to further deterioration of air quality and the need to improve air quality to protect community health.

- Require that lithium production projects integrate mitigation measures, beyond those required by CEQA, that address the importance of working to restore the balance of nature and preserving ecosystems and cultural landscapes and take into account cumulative impacts **to ensure no additional deterioration in local and regional air quality from the direct, indirect, cumulative or growth inducing impacts of the projects and to ensure an improvement in air quality to benefit local community health.** For example, if lithium recovery from geothermal brine moves forward, some of the funding resulting from the projects should be allocated to restoration of the Salton Sea.¹⁸ Ensure all legally required and other appropriate tribal consultation is completed. Consider legally required consultation a floor, not a ceiling. Provide funding for additional oversight by the state and establish best practices and communication protocols in coordination with Tribes to ensure meaningful consultation with Tribes occurs and provide additional time for this consultation.

A. Actions that Will Support the Further Development of Geothermal Power that have the Potential to Provide the Cobenefit of Lithium Recovery from Existing and New Geothermal Facilities

First bullet point should be revised to reflect the need to fully consider the needed fresh water inputs for these processes in the context of the current, and likely future, water supply shortages in the region.

- Require the Imperial Irrigation District to identify the specific **fresh water input** needs for anticipated projects comprehensively, not in isolation, but considering all the known developers' plans to bring new geothermal power plants on-line by 2024 **and beyond** with facilities using DLE technology to recover lithium from geothermal brine, **and to identify specific water sources and/or offsets for these new water needs as Colorado River supplies are decreasing and voluntary or mandatory cuts are or may be implemented.**

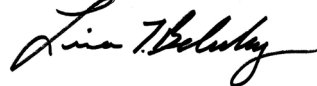
F. Potential Economic and Environmental Impacts to the State Resulting from Extraction, Processing, and Production of Lithium from Geothermal Brines and Lithium-Dependent Products: Environmental Impacts

Second bullet point should be revised to reflect the need for reuse, recycling and other efficiency measures for lithium, waste products, as well as water and energy.

- ~~Encourage~~ **Require** lithium recovery project developers to implement circular processes (~~beyond~~ **reuse, recycling, and beyond**) **for lithium**, energy and water efficiency measures, and other advanced environmental design approaches when designing facilities and operations **including reducing waste streams.**

Thank you for considering these comments. The Center looks forward to reviewing the Commission's final Report.

Sincerely,



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