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CALIFORNIA ENERGY COMMISSION  
LITHIUM VALLEY COMMISSION

In the matter of, )  
 )  
Lithium Valley ) Docket No. 20-LITHIUM-01  
Commission Meeting )  

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IN PERSON AND REMOTE VIA ZOOM VIRTUAL MEETING

**Primary Location:**  
Westmorland Union Elementary School  
200 South C Street  
Westmorland, CA 92281

THURSDAY, SEPTEMBER 29, 2022

2:00 P.M.

Reported By:  
Elise Hicks

## APPEARANCES

Lithium Valley Commissioners

Steve Castaneda  
 Rod Colwell  
 Roderic Dolega  
 Miranda Flores  
 James Hanks  
 Ryan Kelley  
 Arthur Lopez  
 Luis Olmedo  
 Silvia Paz  
 Alice Reynolds  
 Frank Ruiz  
 Manfred Scott  
 Thomas Soto  
 Jonathan Weisgall

CEC Staff

Erica Loza

Translator

Jeannette Hernandez

Chief Counsel's Office

Deborah Dyer

Presenters

Deana Carrillo, California Energy Commission  
 Lisa Ballin, Consensus and Collaboration Program,  
 College of Continuing Education, Sacramento State  
 Meagan Wylie, Consensus and Collaboration Program,  
 College of Continuing Education, Sacramento State

Public Comment

PS 1-Anonymous  
 Fernanda Vegas, Comite Civico del Valle  
 Cristina Marquez, IBW Local 569, Electricians and Power  
 Professionals  
 Sean Ellis, Local Union 230, Plumbers and Pipefitters  
 Union  
 Hector Meza, IBW 569  
 Nilda Ruiz, Alianza Coachella Valley  
 John Hernandez, 514J Brawley  
 Carmen Lucas, Kwaaymii Laguna Band  
 Courtney Ann Coyle, Attorney to Carmen Lucas  
 Eric Reyes, Los Amigos de la Comunidad  
 Ms. Steff

## APPEARANCES (Contd.)

Public Comment (Contd.)

Jared Naimark, Earthworks

Cecilia Armenta

Olga Tinker Gomez, Costanoan Rumsen Carmel Tribe

Manuel Reyes, San Diego and Imperial County Labor  
Council

Jose Flores

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1 P R O C E E D I N G S

2 September 29, 2022 2:06 P.M.

3 VICE CHAIR KELLEY: Hello, everyone. Welcome  
4 to the Lithium Valley Commission meeting.

5 MS. HERNANDEZ: (Dialogue in Spanish).

6 MS. LOZA: Hi, Janet. Can you jump over into  
7 the Spanish channel, please?.

8 MS. HERNANDEZ: Sure.

9 MS. LOZA: Thank you.

10 VICE CHAIR KELLEY: Today, we are meeting both  
11 in-person and through Zoom

12 MS. HERNANDEZ: (Dialogue in Spanish)

13 MS. LOZA: Janet --

14 MS. HERNANDEZ: Can you still hear me in the  
15 English channel?

16 MS. LOZA: Yeah.

17 MS. HERNANDEZ: What about now? One, two,  
18 three.

19 MS. LOZA: I can still hear you.

20 MS. HERNANDEZ: Oh. Something is going on  
21 here then. One, two three. One, two, three. I'm in  
22 the Spanish channel.

23 MS. LOZA: Towards the bottom of your screen,  
24 there should be like a little globe emblem and there's  
25 an option for English and Spanish. You should be able

1 to click on the Spanish channel.

2 MS. HERNANDEZ: I'm in there. Okay. One,  
3 two, three. Checking the audio. One, two, three.

4 MS. LOZA: I can still hear you in the English  
5 channel. Giana or IT, someone in IT, if we can help  
6 Janet?

7 Let me see if I can assign you as the  
8 interpreter. One second.

9 (Pause)

10 Okay? Okay. I think we're good.

11 VICE CHAIR KELLEY: Okay. So, as mentioned  
12 during the last meeting, with the adoption of Assembly  
13 Bill 189, which was signed by the Governor on June 30th,  
14 the Commissioners and members of the public can attend  
15 and participate in meetings remotely. We have one  
16 physical location today, and I want to thank the  
17 Westmorland Union Elementary School for providing their  
18 facilities.

19 We are providing interpretation services in  
20 Spanish for attendees at the physical locations and  
21 those participating through Zoom on computers or  
22 tablets. The Zoom interpretation function does not work  
23 for attendees who are only joining by phone. Erica Loza  
24 from the Energy Commission will now speak in Spanish to  
25 inform our Spanish-speaking audience how to use the

1 service.

2 MS. LOZA: Buenas tardes. Daré instrucciones a  
3 aquellos de ustedes que quieran escuchar la reunión en  
4 español. Hay un intérprete disponible a través de la  
5 plataforma Zoom. Para unirse al canal en español, haga  
6 clic en el ícono del globo pequeño en la parte inferior  
7 de su aplicación Zoom.

8 Seleccione el canal donde dice S-p-a-n-i-s-h.  
9 Luego haga clic en la frase siguiente donde dice "Mute  
10 Original Audio" para silenciar el audio original. Si  
11 tiene preguntas, o si gusta hacer algún comentario, por  
12 favor de oprimir el icono de la mano alzada y abierta o  
13 envíenos un mensaje en español a través de la función de  
14 preguntas y respuestas para ayudarlo.

15 Back you you, Vice Chair Kelley.

16 CHAIR PAZ: Is it on? Great.

17 To ensure that all members of the public have  
18 access to the meeting under the Bagley-Keene Open  
19 Meeting Act, we ask that all Lithium Valley  
20 Commissioners connected via teleconference select and  
21 remain on the English Channel for the entirety of the  
22 meeting, preferably with cameras on.

23 Energy Commission staff can you please review  
24 the general instructions?

25 MS. LOZA: Yes. This is a hybrid meeting



1 being conducted with a physical location and via  
2 teleconference. This meeting is being recorded as well  
3 as transcribed by a court reporter. The transcript will  
4 be posted to the docket with a 15-day public comment  
5 period. The recording of the meeting will be available  
6 on the Lithium Valley Commission webpage. The Spanish  
7 interpretation will not be recorded or transcribed.

8           Members of the public connected via  
9 teleconference will be muted during the presentations,  
10 but there will be opportunities for public comment at  
11 times throughout the meeting. For public commenters, we  
12 will ask you to state and spell your name and state your  
13 affiliation if any when speaking. However, state law  
14 permits you to remain anonymous if you choose, so  
15 providing your name and affiliation is voluntary.

16           There is a Q&A window in the Zoom application  
17 in which you can use to type questions and comments and  
18 Staff will relay these comments as appropriate. For any  
19 comments made in Spanish, the interpreter will render  
20 those comments into the English for the non-Spanish-  
21 speaking participants and to ensure those comments are  
22 included on the record and in the transcript.

23           The presentation materials from this meeting  
24 will be made available through the docket in English and  
25 Spanish versions after the meeting. Please note that

1 the Spanish version may post a few days after the  
2 English version.

3 Next slide, please.

4 Public comments can be submitted at any time  
5 through the e-commenting system accessed through the  
6 Lithium Valley Commission webpage. For more information  
7 on the Lithium Valley Commission, you can access the  
8 webpage as shown here.

9 And you can also review all materials  
10 submitted to the docket at the link provided below the  
11 website address which can be found on the webpage as  
12 well.

13 Back to you Chair Paz

14 CHAIR PAZ: Let's please move to the roll  
15 call. Will the Energy Commission please call the roll  
16 of Commissioners. Remote participants do not need to  
17 state your location as you did in prior meetings.

18 MS. LOZA: Okay. Commissioner Castaneda?

19 COMMISSIONER CASTANEDA: Here.

20 MS. LOZA: Commissioner Colwell?

21 Commissioner Dolega?

22 COMMISSIONER DOLEGA: Present.

23 MS. LOZA: Commissioner Flores?

24 Commissioner Hanks?

25 COMMISSIONER HANKS: Here.

1 MS. LOZA: Vice Chair Kelley?

2 VICE CHAIR KELLEY: Here.

3 MS. LOZA: Commissioner Lopez?

4 Commissioner Olmedo?

5 COMMISSIONER OLMEDO: Here.

6 CHAIR PAZ: He's walking in. He said here.

7 MS. LOZA: Okay. Chair Paz?

8 CHAIR PAZ: Here.

9 MS. LOZA: Commissioner Reynolds?

10 COMMISSIONER REYNOLDS: Here.

11 MS. LOZA: Commissioner Ruiz?

12 COMMISSIONER RUIZ: Present.

13 MS. LOZA: Commissioner Scott?

14 COMMISSIONER SCOTT: Present.

15 MS. LOZA: Commissioner Soto?

16 Commissioner Weisgall?

17 COMMISSIONER WEISGALL: Present.

18 MS. LOZA: Okay, we have 10 Commissioners

19 present. Back to you, Chair Paz.

20 CHAIR PAZ: Thank you. Next slide, please.

21 Okay. So, for today's agenda, we will center

22 our discussion on the Draft Report that was released

23 last week. And the workplan to submit it to the

24 legislature on December 1st, as discussed last month. I

25 am suggesting a slight change in the order of the

1 agenda, and that is to move administrative items, item  
2 number two, after item number three, our discussion on  
3 the Draft Report to the legislature, to ensure that we  
4 have adequate time to hear from all of the  
5 Commissioners. We will then open to public comment  
6 after we discuss all of the items in that agenda item.

7           We will first start the discussion with a  
8 staff presentation providing an overview of report  
9 development. And, at our request, the Energy Commission  
10 has obtained an independent third-party facilitator to  
11 support our discussion today on the draft and help  
12 identify both areas of agreement, and where we need to  
13 have further discussion. The facilitator is from the  
14 Consensus and Collaborative Program of California State  
15 University Sacramento, and is familiar with our region,  
16 and also works with the Environmental Justice Advisory  
17 Committee at the California Air Resources Board.

18           We will then discuss our schedule and workplan  
19 in more detail, to review the dates and the required  
20 work to finalize the report and a possible status letter  
21 to be sent to the Legislature. The Draft Report was  
22 provided later than was anticipated, and I appreciate  
23 each of the Commissioner's efforts to review it in  
24 advance of today's meeting. We want to ensure that the  
25 final report reflects Commissioner's perspectives, and

1 the discussions in each of the upcoming meetings until  
2 we approve the report will be vital to achieving that  
3 goal.

4 If you are unable to attend any of the  
5 upcoming meetings, please let us know as soon as  
6 possible. We will be posting the transcript of each  
7 meeting. If you cannot attend a meeting, I ask that you  
8 read the meeting transcript, so you are informed of your  
9 fellow Commissioners' input during that meeting

10 Next slide, please.

11 I'd like to introduce Deanna Carrillo, she's  
12 the Director of the Energy Commission's Renewable Energy  
13 Division to provide an overview of the development of  
14 the Draft Report.

15 MS. CARRILLO: Thank you, Chair Paz.

16 Good afternoon, my name is Deanna Carrillo, I  
17 have had the pleasure of meeting some of you at prior  
18 meetings. For those who don't know me, I am the  
19 Director of the Renewable Energy Division at the CEC.  
20 And my team is supporting the work of the Lithium Valley  
21 Commission, and I am here today to provide you a brief  
22 presentation of the development of the Draft Report.

23 Can we go to slide 10, please?

24 My goal today is to briefly outline the  
25 statutory framework that created the Commission and set

1 the requirements for the Commission's work in the  
2 development of a report to the Legislature. To share  
3 the CEC's approach in supporting the development of the  
4 report and provide a brief summary of the public  
5 participation and the feedback process incorporating  
6 into the draft report. Excuse me.

7           Next slide, please.

8           The Blue-Ribbon Commission was created by  
9 Assembly Bill 1657 in 2020, and it was supported by four  
10 legislative findings and declarations. The first, was  
11 that world demand for lithium is expected to grow as  
12 much as tenfold in the next decade, but virtually none  
13 of it is produced in the United States.

14           The second, the Salton Sea geothermal resource  
15 area is well-positioned to become a competitive source  
16 of lithium that could satisfy more than one-third of  
17 today's development -- excuse me, of today's supply.  
18 And development requires investment and removal of  
19 barriers.

20           And that there is a national security  
21 rationale for supporting the production of a domestic  
22 supply of lithium, as it's identified as a critical  
23 mineral resource. And that the opportunity for lithium  
24 production in California has the potential to unleash  
25 billions of dollars of new economic infrastructure

1 development.

2 Next slide, please.

3 The CEC -- next slide, please. Thank you.

4 The CEC was asked to establish and convene the  
5 Commission. And without its own independent resources or  
6 staff, the CEC has been providing administrative and  
7 technical support to the Commission. The statute also  
8 established specific requirements for each Commissioner,  
9 which ensures a broad and diverse representation of  
10 perspectives.

11 Slide 13, please.

12 The Statute tasked the Commission with  
13 reviewing, investigating and analyzing eight -- prior  
14 slide please. Eight specific statute topics. These  
15 here are just summaries of these topics, there is more  
16 detailed language in the statute, and in the Draft  
17 Report.

18 Next slide, please.

19 To lead the exploration of these topics, the  
20 Commission created sub-bodies to develop workshops and  
21 bring information to the broader Commission for public  
22 discussion. In January, it was determined that the  
23 Legislative and Regulatory issues were being raised in  
24 each workshop, so no specific workshop was scheduled.

25 There was also a group of Commissioners --

1 Commissioners Olmedo and Ruiz, Vice Chair Kelley, and  
2 Chair Paz -- who met to discuss how to better engage  
3 with the community and Tribal representatives.

4 Next slide, please.

5 Since its establishment in 2020, the  
6 Commission has held over 20 public meeting, I think this  
7 is our 21st, with translation and interpretation, on the  
8 topics of AB 1657, as well as community and tribal  
9 perspectives. Several of those meetings have been held  
10 here in Imperial County to provide better access to  
11 local community members. And a docket was established to  
12 serve as a centralized location for information and  
13 public comments. Fact sheets and documents have also  
14 been translated into Spanish, as well as Purepecha.

15 Next slide, please.

16 A proposed report Framework was proposed in  
17 May 2021. And the struct- this structure was  
18 subsequently been modified through the topics of the  
19 meetings. The Draft Report reflects the discussions of  
20 the issues required under the law, and also includes the  
21 Commission's focus on ensuring community and tribal  
22 perspectives are represented.

23 The Draft Report includes 44 draft  
24 recommendations for consideration. They are often cross  
25 statutory topics. You'll see similar, some may consider



1 redundant or slight nuances in the different sections on  
2 some recommendations. Staff pulled what it heard as the  
3 key recommendations into executive summary -- but those  
4 might be different to the Commissioners. There may be  
5 fewer, or there may be more. And as we worked, we  
6 worked to ground the report in the experience of the  
7 residents in Imperial and Riverside Counties.

8           Next slide, please.

9           The Draft Report was published last Wednesday,  
10 and the Spanish translation of the report was posted  
11 yesterday, which creates a 30-day -- the 30-day public  
12 comment period will close October 28th. The CEC has  
13 had the Executive Summary translated into Spanish.  
14 Actually the whole report has been translated into  
15 Spanish, and the Executive Summary will be translated  
16 into Purepecha.

17           We're seeking Commissioner, community, and  
18 stakeholder feedback on areas of refinement,  
19 strengthening and other modifications. These  
20 discussions will be facilitated by a third-party  
21 facilitator. This is just an initial discussion, with a  
22 second discussion with Commissioners anticipated at the  
23 next meeting.

24           And while the schedule is being discussed  
25 later in the agenda, we are working on scheduling

1 Community and Tribal Workshops the week of October 17th,  
2 and we'll be working with local community-based  
3 organizations to help spread the word.

4 Next slide, please.

5 And with that, I would like to introduce Lisa  
6 Ballin with the Consensus and Collaboration Program at  
7 Sacramento State. And I am hearing that our audio  
8 problems are only here in Westmorland and not online.

9 Lisa? Thank you for joining us today.

10 MS. BALLIN: Good afternoon, everybody. Can  
11 you hear me okay? Sound, sounds better.

12 Okay, super. Thank you, Deanna. As Deanna  
13 said, my name is Lisa Ballin. I'm with Sacramento  
14 State's Consensus and Collaboration Program. And CCP  
15 works with public agencies and stakeholders to implement  
16 collaborative processes with the aim of improving public  
17 policy outcomes. So, I just want to say good afternoon,  
18 Chair Paz, Vice Chair Kelley, and all the Commissioners  
19 in the room and online. Nice to be here.

20 So, my role here today and at the next few  
21 meetings is to provide neutral third-party facilitation  
22 for the Commission's discussion around the Draft Report  
23 to the legislature. I'm wondering if I stand in a  
24 certain position if -- okay. Let me know if the sound  
25 is okay.

1 I'm here to support and guide the conversation  
2 and to make sure that all the Commissioners have an  
3 opportunity to provide their perspectives, to foster  
4 constructive dialogue, and to assist you in resolving  
5 potential differences around the report's content. So,  
6 with me today and participating remotely is my colleague  
7 Megan Wylie. She is taking notes in the background to  
8 help us synthesize the comments that are made today.

9 So, I wanted to take a moment to review the  
10 general approach for these next few discussions. As  
11 Deanna mentioned, the next agenda item includes a  
12 schedule discussion for reviewing the report. But right  
13 now, I just wanted to let you know the sequence of  
14 discussions so you know what's coming up, and give you  
15 some context for the discussion today and how it fits  
16 into the overall plan.

17 So, the goal of this first discussion today is  
18 to hear your initial general feedback on the Draft  
19 Report. We want to make sure we hear from all the  
20 Commissioners. Time permitting, we may have some time  
21 to have some dialogue about that comment, but we'll see  
22 how we go timewise.

23 I'll say a little bit more about today's  
24 discussion in a moment. But at the next meeting, which  
25 is potentially late October/early November, you guys

1 will decide that after, we'll have the next meeting --  
2 it will be after the close of the public comment period.  
3 And the intention at that meeting is to review all the  
4 feedback that we got from Commissioners at this meeting  
5 and subsequently via email -- I'm sorry, via written or  
6 oral comments, as well as all the input that we heard  
7 from the public in the workshops and in public comments.  
8 And we'll take a deeper dive into potential revisions to  
9 the draft report at that time.

10           So, the third meeting in this sequence, likely  
11 later November, will review a proposed final report.  
12 And at that meeting we'll try to resolve any potential  
13 remaining tensions around different perspectives for the  
14 final report. And then, I believe, the vote will be  
15 taken.

16           I'll take a minute to break for any questions,  
17 but I just wanted to give you a little more detail on  
18 today's discussion. So I thought we'd start by going  
19 around the table -- (AUDIO FEEDBACK). Should I turn  
20 this off and maybe see if I'm loud enough? Keep going?

21           Okay. Sorry about that.

22           Okay. So, for today, we're going to just  
23 basically go around the table. I'll invite Chair Paz  
24 and Vice Chair Kelley to go first if you'd like. And  
25 I'm just going to go from left to right and then

1 everybody who's participating online, and we just want  
2 to give everybody a chance to just give us their initial  
3 feedback.

4           And some prompting questions for that feedback  
5 are, what are your general thoughts on the report? And  
6 from your perspective, which sections or topic/topics of  
7 the report might warrant further discussion by the  
8 Commission? And possible revisions to the report and  
9 why. And if you do suggest certain revisions, we just  
10 request maybe if you can explain if it's clarifications,  
11 additions, modification, just so Staff can start to get  
12 a sense of what kind of changes you're looking for.

13           So, during this meeting, we're not looking for  
14 detailed or specific editorial comments. There'll be a  
15 chance for Commissioners to submit a letter or give oral  
16 comments to CEC following this meeting by October 10th.  
17 So, we're just trying to keep it the broad overarching  
18 priority comments during this meeting.

19           So, to make sure we have enough time for  
20 everybody to give at least a first round, we'd like for  
21 everybody to keep their comments to five minutes if  
22 possible. And Silvia Palma-Rojas is going to help us.  
23 When you're approaching about 30 seconds left, she'll  
24 raise the yellow card. And when you reach five minutes,  
25 she'll raise the red card. And I'll just give a hand

1 for those who might not be able to see that.

2           So, we're trying to finish this item by 4:00  
3 P.M., and then if everybody's spoken once and we have  
4 time, we'll go around again and see if we can get into a  
5 little conversation. And then when we've got a few  
6 minutes left, I'll see if I can summarize and reflect  
7 what we've heard. And Meagan, who is taking notes  
8 remotely, might assist me in that.

9           So, just a few discussion guidelines before we  
10 jump in. Just a reminder that all perspectives are  
11 welcome and valued and the focus today is on the Draft  
12 Report, so we're trying to keep the comments on that  
13 document. And I don't think it's an issue here, but  
14 just making your comments in a respectful and  
15 constructive way is always beneficial.

16           So, with all of that, any questions before we  
17 dive into Commissioner feedback? Just about how the  
18 conversation's going to go? And I don't see any online.  
19 Okay. Super.

20           So why don't we get started. Chair Paz, would  
21 you like to start us off with your comment?

22           CHAIR PAZ: Well, thank you, Lisa. And before  
23 I get started, I believe that it might be a little bit  
24 low, especially when you speak, for people in the back.  
25 So, I do encourage people, if you want to take this time

1 to move a little bit closer?

2 MS. BALLIN: Maybe it's better if I stand over  
3 there also, while you (INDISCERNIBLE).

4 CHAIR PAZ: Okay. Thank you. And to start my  
5 comments, I first want to share with my colleagues and  
6 the public, sort of the way that I took this report.  
7 Because I think that's going to frame just, you know, my  
8 input moving forward. But I -- in the process of doing  
9 -- listening to the various subtopics and doing the  
10 analysis, what came out to me as maybe the best  
11 possible offer that we could give the Governor's Office,  
12 the legislature, was a series of considerations. So,  
13 what are the things that they need to be considering as  
14 they move forward in this path towards lithium, or  
15 developing Lithium Valley?

16 And, we do have recommendations, and we were  
17 asked to provide recommendations and we'll discuss those  
18 in more detail maybe in future meetings. But again, in  
19 the context of even those considerations, I think that  
20 the state must consider that there might still be  
21 unanswered questions. And that there might be  
22 unanswered questions regarding the cumulative  
23 environmental impacts, the cumulative economic impacts,  
24 and what it means even for the industry to go from  
25 extraction to processing the lithium to be able to put

1 it in market.

2           So, I don't think that in the process of these  
3 20 meetings that we've had, that we were able to answer  
4 many of the detailed questions around that, because I  
5 mean obviously there's pilot projects we're just  
6 starting. But I think that's something that the state  
7 needs to keep in mind as they're weighing in, right?  
8 Future investments, what path they're going to take  
9 forward? And, you know, weather -- you know where are  
10 the places where they might need additional information,  
11 whether it's on any of these items that I think there's  
12 additional questions that they might need to pause or  
13 take a different direction until they answer some of the  
14 questions that are critical.

15           The other comment that I'm taking away with  
16 this first read of the report, it's that we still don't  
17 know the geographic boundaries of Lithium Valley. I  
18 appreciate that the report includes a -- almost like a  
19 history of this Lithium Valley vision. And in my  
20 reading of the report, it's not clear whether the state  
21 is thinking about a larger area in which they are going  
22 to be growing the supply chain, for example. Or, if  
23 we're looking at only Imperial County.

24           So, I think that's something that needs to be  
25 answered. And perhaps, if it's not already clear in the



1 report as we dive into the more specifics, whether this  
2 commission wants to make a recommendation around what  
3 the boundaries should be. That's still an open  
4 question.

5 So, those are my two sort of general comments  
6 to start, and I will hand it over and invite Vice Chair  
7 Ryan Kelley.

8 VICE CHAIR KELLEY: Thank you, Chair Paz. My  
9 initial feedback in reading the Draft Report is I am  
10 concerned about the definition of Lithium Valley. As we  
11 understand it and as we've known, the Known Geothermal  
12 Resource Area, the area where lithium extraction will  
13 take place, and the vast majority I hope of the  
14 development will occur, is in Imperial County in an area  
15 of 80,000 acres that we're doing our level best to  
16 master plan with a specific plan and programmatic EIR.  
17 So, I do not support that recommendation, and that we do  
18 have a written response that we are drafting in response  
19 to all of the recommendations.

20 But most specifically, inclusion of areas  
21 outside of the development and the mineral resource is  
22 something that I had spoken against a year ago, and I'll  
23 continue to speak against today. Thank you.

24 MS. BALLIN: Alright. Could I just ask, you  
25 mentioned a specific recommendation that you had

1 concerns about. If you had a reference for that.

2 UNIDENTIFIED SPEAKER: We can't hear you.

3 MS. BALLIN: You still can't hear me? Is the  
4 mike -- whoop.

5 UNIDENTIFIED SPEAKER: Much better.

6 MS. BALLIN: Oh, the mic's on. I'm closer to  
7 it.

8 (Laughter)

9 MS. BALLIN: I was just asking if you had a  
10 reference for the specific recommendation. If not  
11 handy, we can just come back to that. We'll come back  
12 and fill that in. Okay. Super.

13 So, let's -- we'll just start from the left  
14 and go down the table. Commissioner Hanks?

15 COMMISSIONER HANKS: Thank you. I have a  
16 prepared statement. My impressions are that the report  
17 assumes a relatively negative perspective regarding  
18 lithium recovery and the lithium industry, and engages  
19 in much unfounded speculation regarding environmental  
20 impacts.

21 You have to excuse me for my pausing, because  
22 I have everything connected to my hearing aids here,  
23 okay. In order for the final report to be seen as  
24 reflecting the totality of use from the diverse  
25 stakeholders, it should avoid declaring with particular

1 certainty positions that aren't supported by evidence.  
2 The sections discussing steps to be taken to encourage  
3 lithium recovery appear to be balanced but can be  
4 overshadowed by the repeated reference to purported harm  
5 that flows in the wake of lithium recovery.

6           Having re-watched several of the Lithium  
7 Valley Commission hearings, there were repeated  
8 incidents of unfounded assertions that reflected poorly  
9 on lithium recovery. Including presentations by  
10 witnesses of lithium mining conducted in other parts of  
11 the world completely unrelated to the geothermal lithium  
12 recovery process to be implemented in Imperial County.

13           These presentations contributed to the notion  
14 that lithium recovery in Imperial County would be  
15 harmful and dangerous. There was even an assertion that  
16 the geothermal steam generated from the plants was  
17 somehow harmful. While the body of the report includes  
18 language that better explains the basis for the  
19 recommendations, that language early in the report is  
20 troublesome and misleading.

21           I have particular passages, but I don't think  
22 you want that to come forward right now. That'd be  
23 later.

24           MS. BALLIN: If there's a very short list you  
25 can reference, but we don't want to get too in to the

1 details. But if there's some examples, that would help  
2 people understand.

3 COMMISSIONER HANKS: Okay. I don't think it's  
4 that long. Okay, on page eight. It says, "Required  
5 that lithium production projects and integrate  
6 mitigation measures beyond those required by CEQA that  
7 address the importance of working to restore the balance  
8 of nature, and preserving ecosystems and cultural  
9 landscapes and take into account cumulative impacts."

10 Okay. My comment is, suggesting that  
11 mitigation measures surpass CEQA will lead to  
12 unnecessary expense and serve as a detriment to  
13 investment and development. This recommendation is a  
14 result of the unfounded assertions made during the  
15 course of multiple meetings.

16 On page 10. "Conduct required planning and  
17 secure funding to support regional infrastructure  
18 improvements and engage a local coalition of public  
19 agencies and residents to identify priority projects  
20 needed to protect public health and safety, as well as  
21 improvements needed to develop to attract new  
22 sustainable business development and economic activity."  
23 This is page 10.

24 These recommendations begins from the premise  
25 that lithium recovery is dirty, dangerous, and poses a

1 threat to public safety and health. Instead, a more  
2 measured approach would be to first establish if it can  
3 be done, that additional protection is necessary.

4           And then page 11. "Ensure safety for all  
5 workers, community members and first responders. By  
6 requiring that lithium recovery and processing  
7 facilities make the information available and provide  
8 education to residents and affected businesses and  
9 service providers regarding the materials and processes  
10 used in their facilities. The final and intermediate  
11 product created, and any waste streams that must be  
12 managed." Okay, again. That's page 11. Again, the  
13 assumption is that lithium extraction represents a  
14 threat similar to a nuclear energy plant, something like  
15 San Onofre. And that particular measures are to be  
16 required.

17           MS. BALLIN: Thanks. I think we're about at  
18 five minutes. So those examples are really helpful.  
19 Were you about finished?

20           COMMISSIONER HANKS: Okay.

21           MS. BALLIN: If you wanted to just wrap up.

22           COMMISSIONER HANKS: I'll probably come back.

23           MS. BALLIN: You want to come back?

24           COMMISSIONER HANKS: Mmm hmm.

25           MS. BALLIN: Okay. Super. Appreciate that.

1 Commissioner Castaneda?

2           COMMISSIONER CASTANEDA: There we go. Don't  
3 want to get too much reverberation here. So, you know,  
4 I, you know, I appreciate Commissioner Hanks' comments.  
5 I think that, you know, throughout this process -- and I  
6 will say to the Staff, that this report is a very good I  
7 think -- shall I say a documentation of the work that  
8 this Commission has done, and the Staff has done that.

9           And I think it's very comprehensive, and I  
10 think that much of what has been conveyed by the public,  
11 the stakeholders, and the Commissioners is well  
12 reflected in this. So, I want to commend you on good  
13 work. And I know it was through together and there  
14 wasn't a lot of time to put it together. So, you know,  
15 your hard work is obviously lauded.

16           I do agree with Commissioner Hanks in that  
17 some of the recommendations and some of the discussion  
18 within the report reflects, perhaps, viewpoints that may  
19 not be well-founded in either science or proven fact.  
20 And so, I think that we need to understand and to  
21 determine a, I think an effective way to ensure that --  
22 and again, I think the report has done a good job to  
23 talk about the process, to talk about what lithium  
24 recovery is, what it's processing is, and what it isn't.  
25 But I think that we need to be very clear about what the

1 goal of this Commission is and how we move forward.

2           The other thing that I would like to say, and  
3 I've said this from the beginning, that -- and again, we  
4 didn't have the time to really jump into this. So, it's  
5 not surprising that it's not reflected in the report  
6 itself. Is to really talk about not only the ability to  
7 recover lithium and to process it, but also to take  
8 advantage of many of the what I think are the benefits  
9 that go well beyond that, and well beyond actual  
10 lithium.

11           And I think there really needs to be more work  
12 and more -- and again, hopefully we might be able to do  
13 this as we continue our work with respect to this  
14 Commission and our work with the Energy Commission, that  
15 we can kind of flush out, you know, exactly what those  
16 are. I know that there are entities, including SDSU,  
17 that is working with other southwestern states to look  
18 at taking advantage of infrastructure and investments  
19 that are being made available through the federal  
20 government to capitalize on this opportunity. And I  
21 think that much of the -- and I don't want to say  
22 negative -- but I think much of the commentary that has  
23 been provided, I think we can really show the  
24 justification for this effort and for this, you know,  
25 for this -- the future of this industry.

1           And I think that, you know, and I've been  
2 reading a bit about lithium batteries and now they're  
3 going to -- they're looking at solid state batteries,  
4 which use some lithium components and so forth. But,  
5 you know, there's just -- it's a continually evolving  
6 industry and a science, and we want to make sure that  
7 this region continues to evolve with that evolution, and  
8 that we take advantage of that.

9           So, perhaps more sort of -- and again, I was  
10 part of the economic incentives workshop, and it was --  
11 and I have to take fault in that, in that it wasn't  
12 quite given and that, I think the attention and the time  
13 that was needed. There was a lot of shuffling around  
14 and so forth. But I think that we -- if we don't make a  
15 lot of effort to try to flush those issues out, then I  
16 think that we have not done our complete job. So that's  
17 just my thoughts at this point. Thank you.

18           MS. BALLIN: Thank you. Appreciate that.  
19 Commissioner Weisgall?

20           COMMISSIONER WEISGALL: Thanks very much. I  
21 think the other Commissioners have stolen some of my  
22 thunder, but let me go through my points. Number one,  
23 terrific work by the Staff. I agree with Commissioner  
24 Castaneda. Comprehensive review --

25           MS. BALLIN: I'm sorry for interrupting, but



1 I'm having a little trouble hearing. I'm not sure if  
2 you're also having -- yeah.

3 COMMISSIONER WEISGALL: I'm just going to  
4 speak as loudly as I can, because I think the mics are  
5 not working well. Can you hear me in the back?

6 Alright. I'll try it this way.

7 MS. BALLIN: Okay, thank you.

8 COMMISSIONER OLMEDO: Zoom is working.

9 COMMISSIONER WEISGALL: Zoom is working?  
10 Okay. Alright.

11 Excellent work by the Staff. Comprehensive,  
12 obviously there's some nits on -- and I'm perfectly  
13 happy to work with Staff on issues about geothermal  
14 expansion, lithium development and the like. But  
15 overall, a superb job of both laying out the history of  
16 the issues here, and also capturing the gist of what  
17 we've seen in many of our meetings. So, kudos to the  
18 Staff.

19 My next point, and again I want to keep it  
20 general, Lisa. Forty-four recommendations is about 30  
21 recommendations too many. Again, this is going to the  
22 legislature. I'll give you two examples. Ten of the 44  
23 recommendations talk about funding or financial support  
24 for one thing or another. I don't have issues with the  
25 10 areas, I think it's fine. But I think 10 separate

1 recommendations on funding should be consolidated.

2           This is just going to be a bit overwhelming  
3 for the legislature to move forward. I think it's  
4 unrealistic to expect the legislature to adopt all of  
5 those recommendations, and I think there are better ways  
6 of putting the asks into a smaller number of  
7 recommendations.

8           Another example, five of the recommendations  
9 make specific reference to health effects. Again, no  
10 problem. I mean, as a Commissioner, you know, I think  
11 that Commissioner Hanks, you're right. To assume that  
12 lithium extraction is dangerous is not the way to go.  
13 But it's perfectly fine to flag, let's see what the  
14 health effects are. But not five separate  
15 recommendations. So, that's my second point.

16           Well, the third point is I will share some of  
17 those nits with Staff, a couple typos, things like that.  
18 I think a fourth point, I do think from a policy point  
19 of view, and Commissioner Castaneda, this goes to the  
20 point you've just made about incentives and the like.  
21 One example we ought to see in the report is that the  
22 Inflation Reduction Act just passed by congress and  
23 signed by President Biden requires that starting in  
24 2024, 40 percent of the critical minerals in lithium-ion  
25 batteries for electric vehicle will have to be produced

1 domestically in order to obtain the \$7,500 credits.

2 That's a huge push for that domestic production.

3 And on top of that, they must be -- excuse me.

4 They've got to be either domestically produced or

5 processed in a country with which the United States has

6 a free trade agreement. Footnote, that does not include

7 China. Or number three, recycled in North America.

8 That legislation, by the way, does not show the hand of

9 Adam Smith and free markets. That is pure and simple

10 industrial policy, with our congress saying, "We have

11 got to get a domestic source of critical minerals going

12 because otherwise China will continue to eat our lunch."

13 That should be in our report.

14 I'm reminded of a bill that Assembly Member

15 Garcia introduced that was sort of a, like a Buy

16 America, a Buy California act. I think those kinds of

17 incentives would be important to be in the report to

18 give some guidance to the legislature.

19 On coloc-- I think also, Commissioner

20 Castaneda, I was going to talk about this issue. I

21 think co-location is important. If the result of

22 lithium production is simply that lithium is produced

23 here in California and then goes over seas for battery

24 packs and cathodes and comes back to the United States,

25 as a state we haven't done very much.

1           The analogy I've used is, is you live up in  
2 Oregon in a lovely area near the forest with beautiful  
3 trees and you go to Ikea, and you buy a lovely coffee  
4 table. And you realize that the tree was cut down 10  
5 miles away from your house and went to Indonesia, where  
6 all the value was added, and then comes back to the  
7 United States. We've got to do more on getting the  
8 processing and the co-location here.

9           And then I think, Commissioner Hanks, I do  
10 share you know some of your concerns there on the need  
11 for local. But we can get into those details. So,  
12 those are some general comments. But by and large,  
13 don't forget Staff. Really nice work of bringing a lot  
14 of this together. Thank you.

15           MS. BALLIN: Thank you. Commissioner Olmedo?

16           COMMISSIONER OLMEDO: That working okay?

17           So, yeah. Thank you. I echo what my  
18 colleagues are saying. You know, thank you to the Staff  
19 putting this report together. I know it takes a big  
20 effort, big team effort, so appreciate the Draft Report.  
21 I have some highlights here that I want to bring up, and  
22 I'll go to the page --

23           MS. BALLIN: I'm sorry, if I could ask you to  
24 speak up also. I'm finding it a little bit difficult to  
25 hear.

1 COMMISSIONER OLMEDO: Am I too low?

2 MS. BALLIN: If you don't mind speaking up.

3 Thank you.

4 COMMISSIONER OLMEDO: Alright. Is this --

5 MS. BALLIN: Commissioner Hanks was having a  
6 hard time too.

7 COMMISSIONER OLMEDO: Test. This any better?  
8 There we go. Okay. Maybe we're getting it.

9 So, I'm just going to jump right into it. We  
10 see a lot or much on regarding the management of toxics.  
11 And I think there's certainly a financial and  
12 sustainability that goes into that. So, I think that  
13 can be built out more. And maybe there's a lot we don't  
14 know, so if we don't then we need to make sure that that  
15 is also put into the report.

16 On page 4, line 2, it includes that all of  
17 Imperial County and most of Riverside County, extending  
18 to the Palm Springs and area to Coachella. I agree with  
19 Commissioner Kelley, think that we've highly debated  
20 this, but Lithium Valley is Imperial Valley.

21 Page 4, line 13 says, "Including Imperial,  
22 Brawley, Calipatria, and Niland." This page 4, line 13.  
23 We need to substitute Imperial with Westmorland.  
24 Imperial should not be listed as Salton Sea region  
25 community. Also include Salton City.

1           And page 8, line 14. "Identify Lithium Valley  
2 to compete for funding." List directly Imperial Valley  
3 as Lithium Valley.

4           Page 8, line 21. "Some of the lithium funding  
5 should be allocated to Salton Sea." It mentioned needed  
6 of funds also directed from state and or Imperial County  
7 agriculture.

8           Page 9, line 5. "IID to identify water  
9 needs," to be amended to, "IID should also identify or  
10 report Colorado River short and long-term cuts."

11           Page 12, line 14. "Identify Lithium Valley  
12 investment zone." A mention of fence line communities  
13 needs to be in the report, and/or prioritized.

14           Page 12, line 19. "Support repairs,  
15 improvements to infrastructure." A mention of fence  
16 line communities should be prioritized.

17           In chapter 1, page 8, line 14. "Including  
18 Imperial, Brawley, Calipatria, Niland." Substitute  
19 Imperial with Westmorland.

20           Page 4, line 27. "KGRA surface reservoir,  
21 half mile underground." The clarification needed since  
22 industry presents having said it's two miles  
23 underground. So that needs to be clarified.

24           Page 6, line 10. "To improve the state's  
25 ability to store renewable energy." Is that -- to be

1 clarified, is that energy storage by the state or IID?

2 MS. BALLIN: Commissioner Olmedo? We are at  
3 the five minutes. I wanted to mention that there's an  
4 opportunity for you to submit detailed, you know,  
5 written comments on the line-by-line edits, but give you  
6 a chance here if there's some overarching comment or  
7 point about the report that you wanted to share? And  
8 we'll definitely take in all those, you know --

9 COMMISSIONER OLMEDO: I have more line-items.  
10 But I can hit them back and --

11 MS. BALLIN: Met those, yeah.

12 COMMISSIONER OLMEDO: -- let them have some  
13 space.

14 MS. BALLIN: Yeah, if that's okay.

15 COMMISSIONER OLMEDO: I've got another page  
16 and a half, so --

17 MS. BALLIN: Yeah. So, we can take those in -  
18 - CEC's going to take those in by writing. Kind of the  
19 detailed line-by-line comments. But if there was  
20 anything overarching or general you wanted to share  
21 today?

22 COMMISSIONER OLMEDO: I -- yeah. I have them  
23 listed, so I can definitely share them in another round,  
24 or -- but I do want to say that I also noticed in the  
25 report that there might be some confusion as to what the

1 \$800,000 that were part of the County's \$5 million for  
2 the Programmatic EIR and Specific Plan. I think it's  
3 fair to say that those dollars were intended to go to  
4 contract environmental justice experts to help  
5 facilitate the environmental justice perspectives in to  
6 the Programmatic EIR and the Specific Plan.

7           So, I think there's confusion, as though  
8 there's this \$800,000 pot of money for just doing  
9 outreach. And it's not. That wasn't the intent of  
10 those dollars. And I think it's somewhat a failure in  
11 the language itself. But the spirit of is to contract  
12 environmental justice experts, because it's always been  
13 that industry has much more access to resources.

14           Government, more often, has more access to  
15 resources. And community doesn't have that level  
16 playing field and that's what those resources were for.  
17 They're not just a grant program for people to just  
18 access those outreach dollars. Although, some of those  
19 obstacles can be used for outreach. Just wanted to  
20 clarify.

21           MS. BALLIN: Thank you. Let's go to the  
22 Commissioners joining us online today. I see, do we  
23 have Commissioner Dolega online? I'll just -- you know,  
24 I'll call on the two people that I see on the screen and  
25 then we'll make sure we didn't miss anybody, because



1 I've got a few more listed as present online but I'm not  
2 seeing them.

3 So, let's go to Commissioner Reynolds.

4 COMMISSIONER REYNOLDS: Yes, hi. Thank you.  
5 I wanted to start by echoing the comments of the other  
6 Commissioners in thanking Staff for the great work in  
7 preparing the report. It is very comprehensive. It's  
8 both detailed and as well as easy to digest. And so  
9 that is an accomplishment. And you know, really, a hard  
10 task in compiling so much information and the results of  
11 the multiple meetings that the commission has had. So,  
12 I wanted to start by commending the Staff and thank  
13 them.

14 I had a couple comments. One, is on the  
15 process for public input for the report. I'm hoping  
16 that the Staff can help the Commission to be really  
17 clear about the public process to providing input. I  
18 know that it was mentioned that a docket has been  
19 established, but if we could just make sure that we're  
20 letting the public know, you know, how to provide that  
21 input. And then some kind of clarity, if possible, on  
22 what will happen with that input, what the next steps  
23 will be.

24 I appreciate the availability of the language  
25 support and just to make sure that we're reaching

1 everyone in a very accessible way. And I also think it  
2 would be helpful to consider having some time to walk  
3 through the content of the report in a public setting so  
4 that we make it easier for, you know, it's, it's a very  
5 long report and so I think it might be helpful to have a  
6 session and devote some time. And maybe that is a part  
7 of the plan, but to go into a little more detail in a  
8 way that the public can have the benefit of the Staff  
9 kind of you know walking through the content of the  
10 report.

11 I had one specific question on the section on  
12 transmission. And the just the language there that I  
13 would be -- I would welcome the opportunity to kind of  
14 walk through the language, because it seemed a little  
15 confusing to me to refer to state planning entities  
16 pursuing investments in transmission upgrades versus  
17 planning for investment and upgrades in transmission.

18 And then, I was confused about the reference  
19 to 10-year planning, but plants online in 2024. That  
20 timing seemed a little inconsistent. So that's one  
21 comment I had that is a bit in the weeds, but I wanted  
22 to point that out.

23 And then, just a couple of thoughts. I agree  
24 with the Commissioners who have already spoken about the  
25 struggle, I think, between highlighting some of the

1 issues that we've heard from the community, and then  
2 also recognizing the technical information or the data  
3 that is either already out there or to be compiled about  
4 what the impacts of development, or kind of mitigation  
5 measures.

6           And so, I think that it would be good for this  
7 document to on, you know, as some of the revisions are  
8 made in response to comments, to be really careful about  
9 the fact that this is not a technical report in itself,  
10 and it also shouldn't be speculative.

11           And we could use it as an opportunity to  
12 sunlight and reflect and communicate some information  
13 that is in the reports and studies to, you know in  
14 particular, to give the public greater access to some of  
15 that information that is out there. Versus having, you  
16 know, kind of a lot of questions and a void of  
17 information. So, I think it would be helpful upon  
18 review and response to some of the other Commissioners'  
19 comments, if we thought about whether some information  
20 from studies could be set forth in this document to  
21 provide a little bit more comfort to community members  
22 who maybe aren't as familiar with the processes that are  
23 ongoing in addition to our process, and some of the  
24 results and findings that have already been made.

25           That's all I had. And looking forward to the

1 rest of the comments in the meeting. Thank you.

2 MS. BALLIN: Thank you. Commissioner Scott?

3 COMMISSIONER SCOTT: Hello, hello. Can you  
4 hear me?

5 MS. BALLIN: Yes, we can.

6 COMMISSIONER SCOTT: Okay. Again, I'm going  
7 to go with CEQA. Now, in the CEQA, on page 46, it  
8 states that CEQA and it's implementing CEQA guidelines  
9 require lead agency to review the environmental impacts  
10 of proposed projects and if those impacts may be  
11 significant. And so on and so on, I'm just going to try  
12 to make it short because I don't have that much time.

13 So, in that, in the bullet points, we have  
14 cultural resources. And then the other side of the  
15 bullet points, we have tribal cultural resources. And  
16 CEQA requires project monitoring and reporting  
17 requirements throughout the lifecycle of the project.

18 Now, as far as the Quechan tribe has been  
19 trying to meet with Imperial County since we are the  
20 lead agencies. And we've been trying to work out the  
21 concerns of Hell's Kitchen. Now, we've got Hell's  
22 Kitchen 1, Phase 1 and Phase 2. Now we still haven't  
23 heard from them as to where it's at. We still need to  
24 meet with them. Every time we try to meet with them,  
25 and then we have to schedule for another date to meet.

1 So, it's kind of getting, you know, kind of overwhelming  
2 in trying to meet with them.

3           So, again, I don't think that, you know, when  
4 they talk about meaningful consultation with the tribes,  
5 it's not happening. And that's something that we need  
6 to -- I'd like for the Commissioners to really, you  
7 know, work on Imperial County really meeting with the  
8 tribes on the consultation process before we even move  
9 any further. And we have tried to do this in several  
10 meetings that we already had established here in July  
11 and so forth.

12           And so, with that, again we talked about  
13 Obsidian Butte, which is an area which is really  
14 culturally to the tribes. And that hasn't really been  
15 emphasized enough in the project. And so, a lot of  
16 emphasis needs to be more put into the report for tribal  
17 resources and tribal perspective and just kind of  
18 there's more, but I don't have that much time so I'm  
19 just going to leave it right there for now.

20           MS. BALLIN: Thank you. Do we have a few more  
21 Commissioners online? Commissioner Dolega? I'm not  
22 seeing a window on Zoom, but I don't know if that means  
23 they're not there necessarily.

24           Commissioner Ruiz?

25           COMMISSIONER RUIZ: Yes, thank you. I really

1 want -- and I want to also reiterate my gratitude, you  
2 know, to the staff and everyone that participated in  
3 this report. I also -- but I want to second  
4 Commissioner Weisgall's comment in regards to the  
5 recommendations that were presented. I think, you know,  
6 that we had the opportunity here to condense you know  
7 the recommendations and expand, you know, the ones, you  
8 know, that we -- the ones, you know, that we decide to  
9 select. Simply because I think a lot of them can be --  
10 they fall in different categories such as the public  
11 health and mitigation measures, which is one of the  
12 items that I would like to discuss, you know, today.

13           On page 8, this is the -- it requires the  
14 lithium production projects integrate mitigation  
15 measures. I think, you know, when we condense all the  
16 recommendations, I think we may have the opportunity to  
17 expand it. Addressing, you know, what do we mean with  
18 that. Are we talking about, what are the mitigation  
19 ratios, the social impacts, cultural impacts, and what  
20 not.

21           The other item, you know, that I want to  
22 highlight in the next, you know, minute or so, will be  
23 one of the recommendations on page 35 when it comes to  
24 water. I think, you know, this is something, you know,  
25 that we've been discussing. And I think, you know, in

1 the wake of all the events and all the developments of  
2 the Colorado River, I think it would be important to  
3 expand it as you know, what does it mean -- requiring  
4 IID to identify specific water needs. One of the  
5 things, you know, that we discussed during the  
6 Commission meetings was to perhaps, you know, create a  
7 water budget, or recommend a water budget or water cap,  
8 you know, for the industry. Which, you know, will allow  
9 I think, you know the communities and all the sectors to  
10 feel confident that the water is being distributed with  
11 more equity.

12 Those are my only two comments.

13 MS. BALLIN: Thank you very much. Have we  
14 given a chance to all the Commissioners participating  
15 via Zoom? I'll try him again. Commissioner Dolega?

16 MS. LOZA: Commissioner Dolega's having mic  
17 issues.

18 MS. BALLIN: I'm sorry, he's having connection  
19 issues?

20 MS. LOZA: Microphone issues, yes.

21 MS. BALLIN: Okay. So, we can continue, and  
22 can you let us know when he's connected and we can bring  
23 him back in? That would be super.

24 MS. LOZA: Mmm Hmm.

25 MS. BALLIN: So, I think we have a good amount

1 of time. And I was wondering if it would be helpful to  
2 at this point give a little synopsis of what we've  
3 heard, and then open it back up for the Commissioners to  
4 either delve in to and respond to some things that  
5 you've heard before, and if there's anything else you  
6 wanted to add. So, I'm going to do my best from some  
7 raw notes, and Meagan can help us as well.

8           But what I heard, is that there's a request  
9 for some clarifications and possibly changes around the  
10 definition of the Lithium Valley. There is concern  
11 about a lot of discussion about the language related to  
12 impacts, potential impacts, environmental and health,  
13 and how those are presented and discussed in the report.

14           There was request for some additional language  
15 about other benefits of the lithium industry. And then,  
16 there was some discussion about condensing  
17 recommendations and possibly adding to some. Another  
18 addition that was requested had to do with the emphasis  
19 on local production. Additions about toxics and maybe  
20 expansions about discussions about finances and  
21 sustainability. There was a request for some -- in the  
22 clarification category about transmission language and  
23 planning horizons and additional information about  
24 tribal consultation, resources and perspectives.

25           So, if I could turn to Meagan, who is online



1 to see if you've captured anything thematic? Just to  
2 help summarize and set us off into the second round.  
3 So, we've got -- we've got some time in the agenda.  
4 Meagan's online.

5 MS. WYLIE: Hi, folks. I think you captured  
6 it well, Lisa, thematically. I'm just scanning through  
7 my notes here as well. The only piece missing was some  
8 emphasis on public engagement and being clear about the  
9 public engagement process. And offering a space to  
10 review the content of the report in a publicly  
11 accessible and friendly manner.

12 MS. BALLIN: Super. That's really helpful.  
13 So, I'm going to -- I'd like to give the floor  
14 back to the Commission and Commissioners. I'm not sure  
15 if you want to take these issues one by one? Or if you  
16 just want to have an opportunity for a little more free-  
17 form response to what you've heard by the other  
18 commissioners? Seems like if we do want to take the  
19 issues one by one, the definition of Lithium Valley  
20 seems like a good place to start. But, Chair Paz, do  
21 you have a preference on how we use the extra time that  
22 we have? We've got about 45 minutes if we stick to  
23 going till four.

24 CHAIR PAZ: My first thought in terms of --  
25 (AUDIO CUT OUT)

1           I mean, I just don't know if we're going to  
2 get consensus like this, or if we're going to have to  
3 vote just on a definition that's presented before us.  
4 But I think I was planning to address that in my second  
5 round just for some clarification, and I also had  
6 additional thoughts. So maybe we can do both and see  
7 where the conversation gravitates, right? So, if we end  
8 up just talking about that, we end up just talking about  
9 that.

10           MS. BALLIN: Sounds good. We'll start with  
11 the direction, and we'll let it go where it does.

12           CHAIR PAZ: Yeah. Okay.

13           MS. BALLIN: So, let's start with the  
14 definition.

15           CHAIR PAZ: So, I first wanted to respond to  
16 both Vice Chair Ryan Kelley's and Commissioner Olmedo in  
17 that I don't think there is, at least from my  
18 perspective, a question around how Imperial County might  
19 want to define Lithium Valley. What I noticed in the  
20 report is that even the state -- in the state there's  
21 some history about conversations that the Governor's  
22 Office had in 2020 with Go-BIZ around lithium, Lithium  
23 Valley.

24           And from what I gathered from this report,  
25 it's not just talking about extraction, it's talking

1 about a vision where California would become this place  
2 where we're not just extracting lithium, but we are also  
3 processing, we're also creating the batteries, we're  
4 also selling I don't know, the cars and what not.  
5 Right? Like, it sounds to me there's a bigger vision.

6 But in what's here in the report, my question  
7 is, does that all happen in Imperial County? And I  
8 think for us locals probably yes, as much as possible we  
9 want it to happen here. But it's not very clear. So  
10 that's why I had noted in my comments that the  
11 geographic boundaries of Lithium Valley are not defined.

12 And then, in terms of the reference to page 4,  
13 when we're talking about -- and Commissioner Olmedo  
14 pointed this. The region surrounding the Salton Sea,  
15 the Salton Sea Region as defined by the Commission  
16 consists of Coachella and Imperial Valley's includes,  
17 and then there's a definition. I think this should not  
18 be confused with Lithium Valley.

19 I think this is talking about the Salton Sea  
20 Region, and in my opinion, it behooves us when there are  
21 other dollars available from the state that are regional  
22 dollars, that we're looking at the Salton Sea Region as  
23 a congruent region. A region that does have a lot more  
24 similarities than the regions where we are forced to be  
25 within.

1           And for the northern part of the Salton Sea,  
2 we are forced to be with the rest of Imperial -- I mean  
3 with the rest of Riverside County and San Bernardino  
4 Counties, so the larger Inland Empire, where our  
5 economies cannot be more distinct. And the same thing  
6 for Imperial. Imperial gets forced into a relationship  
7 with San Diego. And again, our economies are very  
8 different.

9           So, my request to this Commission is that we  
10 do define a Salton Sea Region. And I'm not talking  
11 about for how the lithium tax is going to be expanded.  
12 I think that can be said and done, and it can be left in  
13 the communities of Imperial County as the legislature  
14 states it.

15           But as has been mentioned by other of my  
16 colleagues, the necessary improvements in this region  
17 are not going to happen on the back of this tax. And we  
18 need to be able to leverage other dollars that are  
19 really going to be looking, as a region, how do we  
20 improve? And how do we create not just the  
21 infrastructure, but the connection between our  
22 workforces?

23           And currently, with the level of investments  
24 that we have and with the way our region looks, I find  
25 it very difficult to build all of the Lithium Valley

1 vision in only Imperial County. So those are -- that is  
2 why I do ask you all to consider having this definition  
3 or maybe an amended definition. But a definition of  
4 what the Salton Sea Region is.

5 MS. BALLIN: So, it sounds like this could be  
6 one potential item for our next meeting where we do a  
7 deeper dive, is maybe to come up with a --

8 VICE CHAIR KELLEY: You can just leave it  
9 there.

10 MS. BALLIN: Just leave it there? I just  
11 didn't know if we wanted to bring some potential  
12 definitions to that meeting and discuss them?

13 CHAIR PAZ: I can hear other -- and then --

14 VICE CHAIR KELLEY: Yeah.

15 CHAIR PAZ: -- come to a definition. But  
16 let's see, I think other people have a say on this.

17 VICE CHAIR KELLEY: I respect Silvia's point  
18 of view in trying to balance it from conversations that  
19 may have occurred outside of Imperial Valley with the  
20 Governor's Office and Go-BIZ. But that doesn't mean  
21 anything to me in regards to someone in another room in  
22 Sacramento deciding the fate for Imperial County.

23 The severance tax that was passed specifically  
24 had three subparagraphs describing how, when, and where  
25 Imperial County could use that severance tax, but it was

1 a state-wide tax. And if there's lithium found in  
2 Riverside County, those restrictions do not apply. And  
3 as in Kern County, where there is a lithium development  
4 project, those restrictions do not apply. But we were  
5 given the grandiose privilege of three subparagraphs  
6 that told us how we could do it. That -- there was no  
7 consultation on that.

8           There was no consideration for us. And  
9 another starking example is that in San Diego, where  
10 they have the resource of the huge beach with summer  
11 visitors and tourism, well some of those tourists are  
12 our residents. Do they share any of that revenue from  
13 having a natural resource?

14           Or, in Coachella Valley where you have the  
15 polo fields and you have Stagecoach and Coachella  
16 festival. Some of those people attending are from  
17 Imperial Valley, but the water that's feeding that polo  
18 ground and the adjacent golf courses is coming from  
19 Imperial Valley. And we see no tickets or no revenue  
20 sharing from any of the economic development.

21           I am old enough to remember what Coachella,  
22 Thermal, Mecca, North Shore looked like 30 years ago.  
23 And I am old enough to remember what Palm Desert,  
24 Bermuda Dunes, and Indian Wells looked like 50 years  
25 ago. Coachella Valley has exploded in that timeline.

1 And Imperial County, Jose Flores is in the audience, we  
2 played football with Indio, Palm Springs, track and  
3 field, everything. And we beat their socks all the  
4 time. Well now there's such a big population that we're  
5 not even in the same league with them anymore. It is,  
6 it is a -- lost my -- can you still hear me?

7           Okay, well -- my point is, is that Lithium  
8 Valley is tied to the resource and the development. If  
9 those conversations are happening about being able to  
10 focus incentive and bring manufacturing base close to  
11 the resource that's being developed, I wish they would  
12 include us in that conversation. And we are certainly  
13 trying to make that happen. So, that's why I say that  
14 the definition of Lithium Valley is the area of  
15 resource, and that it is to the betterment of the area  
16 that is being developed.

17           MS. BALLIN: Thank you. So, any of the other  
18 Commissioners want to weigh in on this question about  
19 the definition of Lithium Valley? You can tilt your  
20 tent card over. Luis, I think I saw your hand go up  
21 which is fine as well. Commissioner Olmedo, sorry.

22           COMMISSIONER OLMEDO: So, I would like to have  
23 an opportunity to read the other page and a half just to  
24 kind of socialize it here and get feedback, but I'll  
25 follow the lead of the facilitation and the Chair. But

1 I'll put that on hold until given that opportunity.

2 But for now, I just wanted to get back to the  
3 page 4, line 13 comment, because I think it may have  
4 been misunderstood. I think there's a distinct  
5 difference in this. But I won't speak for Commissioner  
6 Kelley, but what I hear from him, I think we're in the  
7 same page or consistent in this. Is that there's the  
8 Salton Sea Region, and then there's Lithium Valley.  
9 Maybe I hear that we talk about Lithium Valley, it's  
10 been defined as Imperial Valley and the Salton Sea  
11 Region. I agree with you, Madam Chair. And I want to  
12 just go back and clarify what the comment was on page 4,  
13 line 13.

14 But it wasn't to redefine the Salton Sea  
15 Region, it was more to prioritize in the fact that the  
16 communities mentioned were all shoreline or fence line  
17 communities. And therefore, I felt that in a scenario  
18 as such that Westmorland would take priority over  
19 Imperial. That's the amendment that I was seeking.

20 MS. BALLIN: So, to add fence line  
21 communities, okay, to the definition.

22 Any other Commissioners? Commissioner Hanks?

23 COMMISSIONER HANKS: You know, it's  
24 interesting that this topic comes up, because this is  
25 not the only place that we have this issue. But let me



1 share this. On Lithium Valley -- Lithium Valley is  
2 where lithium is found and where recovery takes place  
3 from geothermal brine.

4 MS. BALLIN: I'm sorry, could you repeat the  
5 last sentence?

6 COMMISSIONER HANKS: Pardon?

7 MS. BALLIN: I didn't hear the last sentence.

8 COMMISSIONER HANKS: Where -- Lithium Valley  
9 is where the geothermal brine is found, which is called  
10 a Known Geothermal Resource Area. And where the lithium  
11 is recovered, that's Lithium Valley.

12 Now, there could be other -- it could be just  
13 as contentious, but it might be manufacturing of  
14 batteries and so forth that could be somewhere else.  
15 But that's, that's separate. A separate issue.

16 MS. BALLIN: So, I'm hearing that's probably a  
17 little different definition than what we've heard  
18 before.

19 COMMISSIONER HANKS: Yes.

20 MS. BALLIN: Different suggestion for the  
21 definition. Okay.

22 COMMISSIONER HANKS: And there's -- this kind  
23 of leads into other issues that -- right up here. The  
24 comment was made about the water, about the IID  
25 providing the water. Well, all of this Known Geothermal

1 Resource Area is not totally in Imperial Irrigation  
2 District. So that's another issue that comes up. At  
3 some point in time, depending on where the wells are  
4 located, it could be a Coachella Valley Water District  
5 issue.

6           Okay, so there's a number of discrepancies  
7 that need to be realized here. And like Director Olmedo  
8 said, you know, we're dealing heavily right now on the  
9 issue on the river. And it's critical to Imperial  
10 Valley, Imperial Irrigation District, because that's our  
11 only source of water. It's a little different story for  
12 Coachella Valley Water District.

13           But, when it comes to providing water, we  
14 can't provide water outside of our district. So that's  
15 -- that becomes an issue, and that needs clarification  
16 in this report.

17           MS. BALLIN: Thank you. Commissioner  
18 Castaneda, did you want to make a comment on the  
19 definition?

20           COMMISSIONER CASTANEDA: Yeah, well, thank  
21 you. I, you know, I tend to agree with the fact the  
22 resource area is -- should be -- we're going to call it  
23 the Lithium Valley. I think that that should be the  
24 moniker for that particular area and so forth.

25           I'm just kind of thinking about the grander

1 region, which may or may not need to be called Lithium  
2 Valley. Maybe it needs to be called something else and  
3 maybe a little bit later on when we talk about  
4 incentives and how we induce the kind of investment in  
5 this area as it relates to components that both those  
6 that contain lithium and those that maybe not.

7           You know, and again, Commissioner Weisgall  
8 talked about, you know, the Inflation Reduction Act and  
9 the investment in electric vehicles and other kinds of  
10 sustainable energy, that those components and production  
11 needs to come from free trade areas. Which, right  
12 across the border not more than 25 miles from here is a  
13 significant area of Mexicali that is, you know, does  
14 some component manufacturing. That needs to be looked at  
15 in another iteration of this.

16           But with respect to the actual lithium, I  
17 would support that being where the lithium's extracted,  
18 yes.

19           MS. BALLIN: Thank you.

20           VICE CHAIR KELLEY: Commissioner Castaneda  
21 brought a very important point that Mr. Weisgall touched  
22 on. Is the Inflation Reduction Act has that  
23 implementation as being rolled out and the  
24 interpretation of what that is, you did mention the  
25 trade partners being the North American Trade or

1 whatever it's called now, the Trump Trade Bill,  
2 whatever.

3           That is a very serious concern. I have, and  
4 I've said this before. I wish Riverside County and  
5 Coachella Valley all the success in development that  
6 they can make and muster. Same for Yuma county and same  
7 for the Mexicali valley. But not at the expense of  
8 Imperial County.

9           And we are concerned about the language and  
10 the interpretation of how that would -- and Jonathan  
11 mentioned about extraction and shipping overseas.  
12 Extraction and shipping across the border is a serious  
13 issue for us as well. Because, if a manufacturing plant  
14 that is going to be building cathodes and batteries in  
15 Mexicali Valley, and then sending them back into the  
16 United States, in my mind does not meet domestic supply  
17 and a secure national resource.

18           MS. BALLIN: Thank you. We're going to go to  
19 one more Commissioner in the room, and then I understand  
20 Commissioner Ruiz online has his hand raised.  
21 Commissioner Weisgall, did you have something on the  
22 definition?

23           COMMISSIONER WEISGALL: On that issue, quite  
24 frankly on a personal basis I'm torn. On the one hand,  
25 the companies that produce the geothermal power and pay

1 the property taxes pay them exclusively to Imperial  
2 County. I can't speak for the others. I know that our  
3 company, BHE Renewables, in the last 15 years, has paid  
4 \$85.9 million in property taxes. Those taxes have not  
5 been shared with other jurisdictions, simply because  
6 from a legalistic perspective the property is in  
7 Imperial County, the revenue goes to the county.

8           On the other hand, Chair Paz makes the valid  
9 point that if the lithium is to be developed in positive  
10 ways for the state and for the nation, there may well be  
11 co-location or other uses that go beyond Imperial  
12 County. The workforce might go beyond Imperial County.

13           So, it's difficult to parse this. The -- I  
14 certainly, when the tax issue came up, strongly argued  
15 that any tax revenue should go back to Imperial County,  
16 much like the property taxes go. The legislature didn't  
17 split the difference. I think 80 percent of the taxes  
18 go right to Imperial, but 20 percent go to Salton Sea  
19 restoration. That, obviously, is not limited to  
20 Imperial County.

21           So, this is difficult to work through. I  
22 don't know what the practical implications will be of  
23 the definition. We could call Imperial Valley, we could  
24 -- goodness. I mean, for sake of example, include parts  
25 of, you know, Mexicali or go over towards San Diego.

1 It's not going to change where our company pays taxes.

2           So, I wish I had a concrete proposal to make  
3 here and I want to give it more thought. It's certainly  
4 been the elephant in the room so to speak for quite some  
5 time. And I think it does need more work. But I'm  
6 driven by the fact that as a company producing the  
7 geothermal power and therefore producing the lithium and  
8 looking at what our tax bills will be, those tax bills  
9 will come from Imperial County. Thank you.

10           MS. BALLIN: Thank you. Sounds like there's  
11 definition of what it means to be in Lithium Valley in  
12 addition to where the geographic boundaries should be,  
13 and a relationship between those two.

14           Commissioner Olmedo, one more in the room and  
15 then Commissioner Ruiz. Go for it.

16           COMMISSIONER OLMEDO: Okay. Hello? So,  
17 certainly shouldn't be an elephant in the room. It  
18 should be something that is well understood. You know,  
19 I think that I bring it back to environmental justice.  
20 And as environmental justice communities, we are bounded  
21 to respecting communities. And one thing that we have  
22 in common as environmental justice is our communities  
23 have, for a very long time, been very extracted for its  
24 resources but not invested in the same equitable way  
25 that we should have to create long term sustainability.

1 I mean let's look at the agriculture, right?  
2 It's a business that we need. It's an industry that we  
3 must support. But at the same time, it has taken quite  
4 a bit of public resources and it hasn't invested in the  
5 long-term sustainability or protection or investment in  
6 our neighborhoods and our communities.

7 During the Obama administration, there was a  
8 lot of enthusiasm on renewable energies. That time I  
9 served on one of the federal advisory boards, Good  
10 Neighbor Environmental Board. And one of the things we  
11 cautioned on is utilize -- well, we advised -- is don't  
12 utilize undisturbed lands. You build on these solar  
13 facilities on you know browns fields or other lands that  
14 perhaps are not as useful.

15 But what ended up happening was the path of  
16 least resistance. Where there was the least amount of  
17 resources and the ability to mobilize was the  
18 agriculture. So, what happened? County retracted the  
19 Williamson Act, and there was a, you know, open season  
20 for agricultural land and nobody cared about the  
21 farmworkers.

22 To this day there was never a just transition  
23 for those workers. The ag, you know, landowners got you  
24 know their negotiations. IID got extra water to sell to  
25 San Diego. So, everybody's winning except the

1 farmworkers. And I could tell countless stories just  
2 like that about communities of environmental justice.  
3 So, it's not really an us versus them. Those who have  
4 been in the movement understand that we must respect our  
5 communities.

6 And just like we respect Coachella, the Inland  
7 Empire, the Bay Area, San Joaquin, you know, San Diego,  
8 there's EJ communities all over this country. And so,  
9 it shouldn't be about us versus them. It shouldn't be  
10 an elephant in the room.

11 But we have to change that historical outcome  
12 that we already know. We know how it's going to end up.  
13 And if Imperial defends the Lithium Valley definition,  
14 it's not because there's not a broader vision of  
15 assuring that this becomes regional and national. And  
16 to some extent, you know, maybe there is a bi-national.  
17 But we already know the history of gas fired power  
18 plants being built in Mexico and the power being sold to  
19 California. And we get to eat all that, you know, I  
20 don't want to say any bad words, but you know we're  
21 eating all of that. And yet, we're not the ones  
22 benefitting.

23 And so, I think what the message here -- and I  
24 think that what I ask of all my fellow Commissioners,  
25 the Chair, Madam Chair, and all the advocates is, it's



1 not about us versus them. It's not about drawing  
2 boundaries. It's not about turfs. It's about making  
3 sure that Imperial doesn't become another extracted  
4 company where you know where we're getting the resource  
5 and then everything else, you know, all the good stuff  
6 gets invested everywhere else.

7           So yeah, we have to find the best way to make  
8 sure it's profitable for the business, it's beneficial  
9 for the community, and that we change history. And  
10 because just like in the past there's been investment,  
11 public dollars invested, and there's hopes and dreams  
12 invested from the community, that we make sure that we  
13 do it right this time.

14           So, I just wanted to clarify that from myself,  
15 that it's never been an us versus them or an elephant in  
16 the room. I think we all just have to really understand  
17 the history, the vulnerabilities and the opportunities  
18 that we have to make sure that we do this in the right  
19 way. But we can't do it without building a strong  
20 foundation where the operation extraction is happening.

21           And then, Lithium Valley shouldn't be seen as  
22 a boundary as like, "Build everything here." It's going  
23 to be much larger. And I definitely agree with that.  
24 But we need to make sure that Imperial isn't set up for  
25 failure before it's set up for success. Because we're

1 going to be the foundation for everything else, the  
2 entire supply chains to work. So, thank you.

3 MS. BALLIN: Thank you. Chair Paz has a  
4 comment. Commissioner Ruiz has been waiting, did you  
5 want to go first and then to Commissioner Ruiz?

6 CHAIR PAZ: Just so that I don't come back to  
7 this. If Commissioner Ruiz has something different to  
8 say. Sorry, Luis. So, I just want to make it very  
9 clear that I think we're confusing two things. I -- and  
10 -- I am in no way asking that Imperial Valley is going  
11 to share their revenue taxes with Coachella or anyone  
12 else. So, I just want to clarify that, right? And how  
13 Imperial decides how they use their taxes, I mean that's  
14 their discretion.

15 I think -- and the definition of Lithium  
16 Valley, again, the only reason I brought it up is  
17 because I know what has been said here and I know what I  
18 read in the report. And there seems to be a  
19 disconnection between the state and this body. The --  
20 so, making that clear, I -- there is an additional need,  
21 and maybe we don't have to when we leave it all out, but  
22 I do believe there is an additional need for other  
23 purposes -- not taxes -- that we start recognizing the  
24 communities surrounding the Salton Sea as a region.  
25 Because we continue dividing them. And at every front

1 we lose, because we're competing with larger  
2 metropolitan areas. So that is where I'm coming from.  
3 And again, just clarify that I'm not asking for you to  
4 share your tax dollars with Coachella or anywhere else.

5 MS. BALLIN: Thank you for that clarification.

6 VICE CHAIR KELLEY: Just quickly --

7 MS. BALLIN: Commissioner --

8 VICE CHAIR KELLEY: You know, I understand  
9 your point Chair Paz. And we weren't going to share any  
10 money with you.

11 (Laughter)

12 But in regards to clarification, it is exactly  
13 what you framed, that it is about that focused  
14 development. And as I mentioned, I have all the  
15 goodwill towards Coachella, San Diego, Mexicali and  
16 Yuma, but not at the price of developing Imperial  
17 County. And that focused attention, if it is being  
18 discussed, needs to be shared with us.

19 MS. BALLIN: Thank you. And now we'll get to  
20 the very patient Commissioner Ruiz.

21 COMMISSIONER RUIZ: Oh, thanks everyone. And  
22 I really appreciate, you know, appreciate your comments.  
23 I want to address this on the premise that the public  
24 needs to know what it's laying behind that makes this  
25 such a contentious item. Right?

1           And I think, you know, the premise is that I  
2 think we're arguing on the premise is that if you know  
3 the geographic boundaries are expanded, it will limit  
4 the tax revenues for Imperial County. I think, you  
5 know, it needs clarification for the public to  
6 understand why some are in favor and some are opposed.

7           The other thing, you know, that I want to  
8 highlight is, you know, that we often get caught up in  
9 the nuances of the linguistic jargons. I think, you  
10 know, we need to define the criteria to decide what it  
11 means, and if it is just based on the lithium  
12 extraction, we don't have no argument. Right? I mean,  
13 it is clearly Imperial County that should be the Lithium  
14 Valley.

15           If it's more than lithium extraction, I think,  
16 you know, that is the question that we need to address.  
17 And in terms of, you know, the benefits and the  
18 collateral benefi-- the collateral dam-- even collateral  
19 damages. So, I think, you know, that we need to go back  
20 to the board and define under what criteria we are  
21 trying to define what the Lithium Valley really means.

22           MS. BALLIN: Thank you. Yeah, I'm hearing  
23 that what seems to keep coming up is that we kind of  
24 almost need a definition of the definition. You know,  
25 what these -- there might be a few different terms,

1 there might be a few different regions of Lithium  
2 Valley, Salton Sea area. And there needs to be a  
3 definition of what it means to be in or out of those  
4 regions and then decide the geographic regions, the  
5 geographic regions that fit those criteria.

6           So, I don't -- it doesn't seem like we have  
7 the time or we might be able to resolve this today. But  
8 I think we've gotten a lot of input for Staff to come up  
9 with some potential proposals. I don't want to put  
10 Deanna on the spot, but -- or Chair Paz, would you like  
11 to have to come back with some proposals on definitions  
12 to clarify, you know, what the definitions mean? And  
13 potential, you know, regions? And come back as one of  
14 our deeper dive areas for next? Or how would you like  
15 to proceed on this item?

16           CHAIR PAZ: I don't want to give any additional  
17 homework to my colleagues here. However, I am -- I do  
18 want to invite, maybe in particular the people from  
19 Imperial County, right? To propose how would they like  
20 this to read? If in any ways it's erasing, which is not  
21 the intent. Right? Or a deprioritizing, which is not  
22 the intent. Then for them to have a first chance at  
23 saying, "This is how we would like it to look." And  
24 then we can -- that can be presented, and then we maybe  
25 agree, massage, or disagree. But I would like to invite

1 them to do that.

2 VICE CHAIR KELLEY: Challenge accepted.

3 MS. BALLIN: So that would come in the written  
4 comments after this meeting by October 10?

5 COMMISSIONER WEISGALL: And in that regard,  
6 part of the problem here is -- I mean, Commissioner  
7 Olmedo is absolutely correct that the environmental  
8 justice issues are not limited to Imperial County. But,  
9 we are the Lithium Valley Commission, we are not the  
10 Salton Sea Commission.

11 Having said that, the two are conflated and we  
12 have to face that fact. And that again -- and I know  
13 you didn't like my analogy, but that is an elephant in  
14 the room. I mean it's something people may not talk  
15 about that much, but it's real.

16 I mean, lithium, if it is successfully  
17 developed, is going to be developed in an area that is  
18 just an extremely one huge disadvantaged community. And  
19 the parts of Riverside County that Chair Paz refers to  
20 are probably, I'm guessing, demographically not all that  
21 different from parts of Imperial. So that's part of the  
22 problem that we face. And we can't ignore that.

23 But I think that there has to be -- we have to  
24 take into account though that a lot of what we talk  
25 about for lithium does cascade over to Salton Sea.

1 Indeed, I can't begin to tell you the number of rather  
2 high ranking state officials I've had to -- to whom I've  
3 had to explain that no one is drilling in the Salton Sea  
4 for geothermal, no one is looking for lithium in the  
5 Salton Sea. But the fact that the geothermal and  
6 lithium resources are adjacent to the Salton Sea almost  
7 has them cojoined at the hip.

8           So that's simply a fact, I'm not expressing an  
9 opinion one way or another. It's something we just have  
10 to recognize, and I think that leads to this broader  
11 sense of what Lithium Valley may actually be.

12           MS. BALLIN: Chair Paz?

13           CHAIR PAZ: So, I just want to give an  
14 example, right? Because Vice Chair Kelley had  
15 mentioned, "Development not at the expense of." And I  
16 want to use transmission lines as an example.

17           Okay, so we need to develop transmission  
18 lines. Are we only building one in Imperial County?  
19 No. We need a pathway. Right?

20           So, when we're talking about development --  
21 and the second thing is, who's going to fund that,  
22 right? Is it only going to come from the tax? No. I  
23 don't think so, I mean it's really expensive and all  
24 these other things.

25           So, when I'm talking again about a region and

1 how we draw funds and leverage to a region, I don't  
2 think we can say it's just Imperial County. That  
3 transmission line, as an example, has to go somewhere.  
4 It's going to be connecting to so many other networks.  
5 If we don't have it, and somewhere along that path then  
6 we've failed. We've failed to get the energy out of  
7 here.

8           So that's just an example that's concrete as I  
9 can get when I'm talking about we need to be thinking  
10 regionally. Because not everything -- we're  
11 codependent. The success of a lithium industry is  
12 codependent on the surrounding regions. And you know,  
13 to the end. From beginning to the end, and we need to  
14 be able to see how are we going to get that done.

15           VICE CHAIR KELLEY: And I understand and agree  
16 with Chair Paz. And so, we have conflated this issue  
17 with Salton Sea and disadvantaged communities across  
18 county lines. And many -- and transmission. Right?  
19 Transmission is also a bone of contention for us as  
20 well, as we've developed all this renewable power that  
21 has no lasting impact, except for geothermal, in  
22 Imperial County. And displaced jobs and productive  
23 ground.

24           So, I would suggest that we move in a  
25 direction that we create the Southeast California



1 Economic Zone. Get away from talking about Lithium  
2 Valley being a economic engine for a megaregion, and  
3 start putting our efforts into a vehicle we can agree  
4 upon rather than dividing us on what is the definition  
5 of Lithium Valley.

6 MS. BALLIN: Chair Paz, do you want to take up  
7 that recommendation or wait, go with our first plan of  
8 having all the Commissioners submit their suggestions?

9 CHAIR PAZ: Have him put it in his writing. I  
10 mean maybe that was what he was already going to suggest  
11 already? So.

12 VICE CHAIR KELLEY: Yeah, I will bring it back  
13 in form and share it with Deanna.

14 MS. BALLIN: Okay, that sounds great. I think  
15 this was really useful and productive. We've got about  
16 10 more minutes on this item if we want to skip to our  
17 schedule. The other thematic issue that popped out to  
18 me in our first round of discussion was this -- had to  
19 do with the tension between acknowledging all of the  
20 concerns about environment impacts, potential impacts,  
21 with the documentation and the technical support for  
22 those. And I don't know if that's an item you want to  
23 try to begin discussing in the time that we have today?  
24 Or if there's anything else that, you know, popped out?

25 Vice Chair Kelley?

1           VICE CHAIR KELLEY: So, when Commissioner  
2 Scott mentioned about the coordination and conversation.  
3 So, we have taken the queue at the request at our last  
4 meeting, and reached out to three tribal organizations,  
5 and we have scheduled meetings.

6           We actually had one with Quechan a week ago  
7 Tuesday that was cancelled two hours prior to the  
8 meeting by the tribe. So, we are rescheduling in three  
9 weeks time, and hopefully that meeting can occur. Next  
10 week we have a meeting with Torres Martinez. And the  
11 week after we have a meeting with the Colorado River  
12 Indian Tribe in La Paz, Arizona.

13           MS. BALLIN: Thanks. That's on a whole  
14 different comment. Did anybody else want to weigh in on  
15 I guess anything else that came up or the theme that I  
16 brought up about the way the impacts are described in  
17 the report? Seemed to be a few people had concerns  
18 about that. Chair Paz?

19           CHAIR PAZ: Yes. I want to talk about what  
20 was referred to as unfounded concerns around the  
21 environmental impacts. I'm not an expert to say whether  
22 they are founded or unfounded. But the reality is that  
23 there is or there has been a lack of information. For  
24 as much as this Commission has focused on the direct  
25 lithium extraction, that information is not out there

1 within the communities, it's not very well understood.  
2 And there is a continued need, I think, for somebody to  
3 take that on, somebody who has the resources to take  
4 that on as a series of information, education,  
5 engagement in this process. Because if we don't address  
6 those questions, which are real, then we continue to see  
7 this.

8           So, in terms of the report, I do think we need  
9 to capture that those questions are out there. And I  
10 don't think that we are capturing them in a way that  
11 we're saying those comments are true or not true. I  
12 think we're reporting them and it's like these are the  
13 things that are coming up for people. And I think the  
14 recommendation, if it's not there already, is that there  
15 needs to be a robust effort to be able to get  
16 information from trusted, you know, from trusted  
17 messengers. I don't -- and I'm not going to venture to  
18 say who the trusted messengers are. But the community  
19 needs information that they can rely on.

20           So, I think that was it on that.

21           MS. BALLIN: Commissioner Olmedo, do you have  
22 a comment on that same topic? Or Commissioner Weisgall?

23           COMMISSIONER WEISGALL: Well, this is on --  
24 this is responding to your question of sort of that  
25 environmental issues, but it's a more technical. One of

1 the recommendations on page 8 that is sort of difficult  
2 to follow is requiring that lithium production projects  
3 integrate measures beyond those required by CEQA.

4           And then the example that's given, "For  
5 example, funding resulting from the project should be  
6 allocated to restoration of the Salton Sea." Well,  
7 that's in statute already. So that's a little  
8 confusing. And to go beyond what is required by CEQA  
9 is -- it's vague, I guess would be the best way of  
10 putting it. I think CEQA is pretty specific.

11           I think I know what Staff was getting at.  
12 We've talked about community agreements, for example.  
13 That goes beyond CEQA. I think that's going to happen  
14 in one form or another. But I would urge Staff to kind  
15 of think that one through, because the example is in the  
16 law. And then to say, "Ensure that all legally required  
17 consultation is completed." Well, yes. That's legally  
18 required. I don't know how you go beyond CEQA to do  
19 that.

20           So -- and consultation should be a -- and the  
21 point there is that legally required consultation should  
22 be a floor not a ceiling. That's a fine recommendation.  
23 And I think that will be the case witness. The county  
24 plans to meet with the three tribal groups. As  
25 companies, I think we're doing that.

1           But I'll try to offer some more specifics on  
2 that, on the environmental side. Because we know that  
3 the environmental bar -- we may not know all the issues  
4 now, but we certainly know that the CEQA bar -- and I'll  
5 tell you, trying to develop lithium in California ain't  
6 like trying to develop it in Australia or in South  
7 America. I mean, what goes on there, you know, would  
8 not get the light of day in California.

9           The requirements here are the strictest in the  
10 United States. And to go beyond that without specifics,  
11 I think may not do justice to this report. That's the  
12 suggestion. Not to say that companies wouldn't, as the  
13 example with community agreements. But I just wanted to  
14 point that out as long as we're on the environmental  
15 part of this. Thank you.

16           MS. BALLIN: Thank you. Yeah, I think there  
17 was -- Commissioner Hanks also had concern with that  
18 recommendation. So, Chair Paz, would you want to do  
19 something similar with this issue? We've got four  
20 minutes left so we can get a few more comments in. But  
21 ask Commissioners to submit suggestions for how to  
22 modify the language around that recommendation or other  
23 language that describes environmental issues and the  
24 concerns around them?

25           CHAIR PAZ: Yeah. Well, I thought

1 Commissioner Weisgall had made very good comments in  
2 terms of how we can group some of these recommendations,  
3 where he mentioned there's like five recommendations on  
4 the same topic. I don't know if that's all that staff  
5 needs to work on, or if Commissioner Weisgall wants to  
6 take a crack at in and send it over.

7 COMMISSIONER WEISGALL: I'll do that in  
8 written comments.

9 CHAIR PAZ: Okay, perfect.

10 COMMISSIONER WEISGALL: And again, the purpose  
11 here is not to delete the recommendations, but to group  
12 them. Again, part of what we want to do here is inform  
13 the legislature and try to guide the legislature into  
14 some action. And I think we're better off consolidating  
15 in that regards. So, I will try to do that in written  
16 comments. Thanks.

17 MS. BALLIN: That will be appreciated. Any --  
18 in the last few minutes we have on this item, does any  
19 other Commissioners want to make any further comments  
20 about the environmental issue? Commissioner Olmedo?

21 COMMISSIONER OLMEDO: Yeah. I'd like to  
22 utilize the next couple minutes just to read through  
23 some more of these very specific. So. I wanted to get  
24 back to page 6, line 27. "Distribute no less than 30  
25 percent to communities." Just wanted to clarify that

1 that's sort of already been decided if we're talking  
2 about the excise tax. So why don't you just, you know,  
3 be consistent. But it is -- it's trying to, you know,  
4 sort of broaden it to much larger than -- but I -- at  
5 the very least, it's 30 percent should be consistent  
6 with what the language is on the --

7 COMMISSIONER CASTANEDA: I'd like to make one  
8 suggestion. In the next iteration, the first set of the  
9 first section, can it be like A-1 through 12. Because  
10 when he says -- I'm look -- I don't know which eight  
11 you're talking about.

12 COMMISSIONER OLMEDO: Okay. Page se-- what  
13 was it?

14 COMMISSIONER CASTANEDA: Well, but see there  
15 you've got two sets --

16 COMMISSIONER OLMEDO: That still doesn't help  
17 you.

18 COMMISSIONER CASTANEDA: -- that have the  
19 numbers on the page, but I'm not --

20 Yeah, I mean, well it's whatever is on the  
21 page.

22 MS. BALLIN: So, in other words, the  
23 recommendations might be one through five --

24 COMMISSIONER OLMEDO: By line and by number.

25 MS. BALLIN: -- under part A and part B. Are

1 you suggesting it be A-1 through A-5 --

2 COMMISSIONER CASTANEDA: Someway to delineate  
3 it so it's easier to follow. Yeah.

4 MS. BALLIN: -- and B-1 through B-5?

5 COMMISSIONER CASTANEDA: Thank you.

6 COMMISSIONER OLMEDO: So, chapter 2, Lithium  
7 Demands of Live Recovery Processing. So, page 17, line  
8 13. "Grouping DLE types into absorption, ion-exchange,  
9 solvent." So, explain the difference in water  
10 consumption, use of chemicals, if any. Okay.

11 Page 22, line 1. "Reservoir at depth of 1.2  
12 miles. So, clarify chapter 1, page 4, line 27. It  
13 reads, "Half mile." In person, was told -- okay, two  
14 miles. So yeah, that was -- I had mentioned that  
15 earlier too.

16 So, chapter three, Community and Tribal  
17 Priorities. So, page 26, line 8 -- I'm going to skip  
18 that one.

19 So, page 28, line 6. "Particulate matter in  
20 dust can contain toxic elements." So, add, "Due to  
21 decades of ag runoff." And if we want to expand further  
22 than that, certainly, could include more detail.

23 Page 29, line 12. "Historic, systemic, and  
24 disproportionate environmental harms." Add, "In forms  
25 of structural, procedural, distributional, and



1 generational inequity.”

2           The area -- let me see. Page 31, line 3.  
3 “Encourage Imperial County” -- oh, okay. So, on that  
4 one, the probably make it more consistent again, to this  
5 year’s budget where they’ve set aside the funding for a  
6 Health Impact Assessment. Now, there’s a difference  
7 between a Health Assessment and a Health Impact  
8 Assessment.

9           A Health Impact Assessment would look at the  
10 policies being drafted within a CEQA and NEPA  
11 Programmatic EIR Specific Plan. Versus a county Health  
12 Impact, Imperial County Health Assessment, or a  
13 Riverside County Health Assessment. Right? Those are -  
14 - if there is resources so that both counties do their  
15 own health assessment or a combination of, that’s great.  
16 But not to be confused with a Health Impact Assessment  
17 that looks at specific policies and translates the  
18 health impact of those policies. And that’s what was  
19 expected as part of the 5 million for Imperial County.

20           So, and then I move on to page 37, line 10,  
21 under chapter 4. “Projected 4 million ZEV in 2021.” It  
22 is 2022. If it is 2021, then it is not a projection.  
23 Right? So, then we need to get the accurate numbers  
24 there.

25           Page 46, line 14. “Aesthetics.” Clarify if

1 it is the building or greenspace. And a two word to a  
2 geothermal facility, they said that there are no  
3 greenspaces and plans. So, we need to get more  
4 clarification as to what -- are there greenspaces in the  
5 lithium geothermal plants or not, right? When it comes  
6 to aesthetics.

7           So, then page 52, line 29. "Traffic." In  
8 this section, since it is discussed, this is constant  
9 24/7. Traffic would be beneficial to discuss possible  
10 percentage of industry EV fleet transformation or  
11 transition.

12           And finally, and that's it. That's all I have  
13 for now. I skipped a few, but. I'm going to be  
14 submitting these.

15           MS. BALLIN: Submit them in writing.

16           COMMISSIONER OLMEDO: Thank you.

17           MS. BALLIN: Thank you.

18           COMMISSIONER OLMEDO: Oh -- no I think I --  
19 it's good, yeah. Thank you for the extra time.

20           MS. BALLIN: Thank you. So, we're right  
21 around 4:00 P.M., which was the time at which this item  
22 was supposed to end. I think we got a lot further than  
23 we anticipated that we might, so this was really  
24 productive. I look forward to coming back at the next  
25 meeting and being able to further discuss and maybe come

1 to some agreements about some of these big issues that  
2 we started the discussion on today.

3 So, I'll turn it back to Chair Paz for the  
4 next item.

5 CHAIR PAZ: Thank you, Lisa. Really  
6 appreciate you being here and helping facilitate and  
7 gather all of our feedback, and we look forward to  
8 continue working with you in the upcoming meetings.

9 So now, we're going to turn to a proposed  
10 workplan for us to be able to finalize the report and  
11 submit it to the legislature by December 1<sup>st</sup>. So, if we  
12 can turn to slide number 22, I think this is the  
13 schedule for the upcoming Lithium Valley Commission  
14 meetings to consider the report.

15 The slide shows a potential workplan for our  
16 consideration. The draft report was released last week.  
17 The Spanish translation was posted yesterday, so our  
18 public comment period will end October 28th. Once that  
19 public comment period closes, the Commission will meet  
20 again, for a deeper discussion, consider the public  
21 comments and provide specific feedback for modifications  
22 for the CEC to incorporate into the Final Report.

23 We need to schedule the date of that meeting.  
24 That allows for the CEC to incorporate the  
25 modifications, and the potential options are October 31<sup>st</sup>

1 or November 1<sup>st</sup>. CEC staff solicited input on the date  
2 to review the final report, and most of the  
3 Commissioners who responded indicated availability and  
4 preference for November the 17<sup>th</sup>.

5           Okay so we're throwing different dates here,  
6 October 31<sup>st</sup> and 1<sup>st</sup>, so that we can come back after the  
7 public comment session, give our feedback. And then  
8 November 17<sup>th</sup>, so that we can review the final report.  
9 And recognizing there's small windows in between that  
10 time for the CEC Staff to incorporate and make changes.

11           So, I would now like to open the discussion on  
12 the proposed workplan and assess the availability of the  
13 Commissioners to be available on either October 31<sup>st</sup> or  
14 November the 1<sup>st</sup>, recognizing October 31<sup>st</sup> is Halloween.  
15 So any of you who celebrate or have kiddos who do, just  
16 wanted to point that out.

17           Commissioner Olmedo?

18           COMMISSIONER OLMEDO: Yeah, Madam Chair, I  
19 should have thought about this earlier, but one thing  
20 that I did notice is that -- so we have a Governor who  
21 so generously is uplifting the need for good jobs, you  
22 know green jobs, and a just transition, and PLAs, and  
23 you know all these things. And I know that I've heard  
24 the industries, you know, have opinions on that, that  
25 they embrace it, and you know that they have their, you

1 know, how they do all of that. Right? That's not --  
2 you know in my community I just want to make sure that  
3 we have good jobs and that, you know, they are union  
4 jobs. They really spend lots of times listening and  
5 they really, you know, appreciate what guarantees they  
6 bring.

7           And -- but I didn't see a -- this document  
8 decorated with that. And I would think that, you know,  
9 with all due respect to the industry and how those  
10 negotiations happen, I know that we as community, we  
11 have a vision, right, as well. But I think some -- that  
12 we missed that. And there was comments, there was a lot  
13 of conversation. So, I think that that's -- I just want  
14 to highlight that we need to have that in there as well.

15           CHAIR PAZ: Thank you for those comments. And  
16 again, just a reminder, I think today we went with where  
17 the energy was. But if we didn't bring it up today, we  
18 had a relatively short amount of time as our first time,  
19 again submit -- you can submit written comments, call  
20 the CEC Staff and have a one-on-one conversation with  
21 them about some of these items so that they're compiling  
22 where there is, again, energy based on what we're  
23 saying, and then they can incorporate or bring things  
24 back to us at the next meeting.

25           COMMISSIONER WEISGALL: That's something that

1 I wanted to clarify. So, we will not run into any  
2 Bagley-Keene issues if individual Commissioners contact  
3 Staff?

4 CHAIR PAZ: You will contact Staff only, not  
5 other Commissioners.

6 COMMISSIONER WEISGALL: Yeah.

7 CHAIR PAZ: So as long as you keep your  
8 conversation between you and other Staff and not include  
9 other Commissioners you should be good with Begley-  
10 Keene.

11 MS. CARRILLO: Correct. And if you would like  
12 the Commissioners to also be privy to what you're  
13 providing, you could also docket that information to  
14 make it public and available.

15 COMMISSIONER WEISGALL: Well for example,  
16 Commissioner Olmedo has very specific comments that -- I  
17 don't know if he'll docket those or not. But, yeah, not  
18 a bad idea.

19 MS. CARRILLO: So, if information comes to us  
20 there's no -- and you can talk to your -- in your sub-  
21 body groups about the work of your sub-body.

22 COMMISSIONER OLMEDO: So, it's my  
23 understanding as long as we don't create a serial  
24 meeting that there is a number of Commissioners that we  
25 would be able to talk to without, you know, creating

1 either a serial meeting or a -- the number of  
2 Commissioners that would then create a quorum. Right?  
3 So, I just wanted to make sure that we have more clarity  
4 versus like, "Only talk to Staff."

5 CHAIR PAZ: Yeah.

6 COMMISSIONER OLMEDO: But Commissioners  
7 amongst themselves can't talk. So, we need a little  
8 more guidance as to what are those parameters within the  
9 Bagley-Keene so that we're able to maximize our  
10 opportunities to have conversation if we need to, you  
11 know, kind of work a lot of this ahead of time.

12 CHAIR PAZ: Do you have Renee or Debora?

13 MS. CARRILLO: We do have legal counsel on the  
14 line, I would ask if someone from our Chief Counsel's  
15 office might be able to either provide that direction  
16 now or we could provide written direction after the  
17 meeting.

18 MS. DYER: Yeah, this is Debora Dyer.  
19 Commissioner Olmedo is correct that a number of  
20 Commissioners less than quorum can get together and talk  
21 about business of the Commission as long as then that  
22 does not become a serial meeting where that group's  
23 members then go and talk to the rest of the group and  
24 create that trail. Does that make sense?

25 MS. CARRILLO: And for specificity, Debora, is

1 there a specific number that you could say just for  
2 clarity for the Commission?

3 MS. DYER: Yes. Eight is quorum, so seven  
4 would be less than quorum.

5 CHAIR PAZ: Okay. Thank you for that  
6 clarification. And going back to assessing whether  
7 Commissioners are available on October the 31<sup>st</sup>, I just  
8 learned that Imperial County meets November 1<sup>st</sup>, so that  
9 day would not work for Vice Chair Ryan Kelley. Will  
10 October 31<sup>st</sup> work for the rest of us?

11 UNIDENTIFIED SPEAKER: Will that be one to  
12 five?

13 CHAIR PAZ: And that will be one to five.

14 MS. CARRILLO: I've heard suggestions to make  
15 it earlier in the day.

16 CHAIR PAZ: Oh, because it's October 31<sup>st</sup>.  
17 Yes, earlier, so that Halloween.

18 MS. CARRILLO: And with that, we won't have a  
19 ready physical location to be at in the community that  
20 day because of -- so it would probably be online earlier  
21 in the day. Just because we've been using the schools,  
22 and the schools will be in session.

23 COMMISSIONER WEISGALL: I can tell you, Chair  
24 -- I know, I teach at Georgetown Law School on Mondays.  
25 So I could-- but if it's later, I could be -- I could



1 join by Zoom. I'd like to be here in person, but I  
2 couldn't. But that's less important than the County's  
3 meeting. So. I could make it by Zoom on the 31<sup>st</sup>.

4 CHAIR PAZ: At any time?

5 COMMISSIONER WEISGALL: Yes, at any time.  
6 Because my class is over by eight o' clock in the  
7 morning Pacific.

8 CHAIR PAZ: Okay.

9 COMMISSIONER WEISGALL: So, I could do that.

10 CHAIR PAZ: Okay.

11 COMMISSIONER WEISGALL: But not in person.

12 CHAIR PAZ: Yeah, okay. And it sounds ----and  
13 thank you, Deanna, for the clarification that it would  
14 probably -- it has to be on Zoom because we have been  
15 using community spaces for these meetings, and during  
16 the day they are mostly occupied. So, this one, October  
17 31<sup>st</sup>, a Zoom meeting scheduled earlier so that people  
18 have time to celebrate or do their Halloween activities.  
19 I have three kids, I cannot miss it.

20 Yeah, so how about Commissioners who are  
21 joining us via Zoom. Would October the 31<sup>st</sup> in the  
22 earlier part of the day work via Zoom for you?

23 COMMISSIONER SCOTT: Yes, this is Manfred  
24 Scott. 31<sup>st</sup> would work great if it was a lot earlier,  
25 because I have travel on that day as well in the

1 evening. And I have some other commitments on the  
2 evening and then the first and the second. So, the 31<sup>st</sup>  
3 would work great if it was a lot earlier.

4 MS. CARRILLO: Just want to say 9 A.M.?

5 CHAIR PAZ: Anyone else?

6 COMMISSIONER REYNOLDS: Yeah, Chair Paz. This  
7 is Alice Reynolds. The 31<sup>st</sup> works for me as well.

8 CHAIR PAZ: Okay, thank you. And there was a  
9 suggestion of October 31<sup>st</sup> at 9 A.M..

10 (OFF MIC)

11 10 A.M.

12 (OFF MIC)

13 Okay. The 31<sup>st</sup> and at 10 A.M., and it will be  
14 posted and it will be on Zoom and we'll be done before  
15 the evening. Alright, so that was easy.

16 MS. CARRILLO: Can I offer just one more piece  
17 of information?

18 CHAIR PAZ: Okay.

19 MS. CARRILLO: I'm letting it go. The public  
20 comment period closes that Friday at 5 o' clock, so we  
21 will be working over the weekend to summarize those  
22 comments. Just to recognize that that work will be  
23 quick for you to get it Monday morning. So just to  
24 acknowledge that the deliverable that we'll be able to  
25 provide over the weekend.

1 CHAIR PAZ: Thank you. Okay. So then 10 makes  
2 more sense.

3 MS. CARRILLO: Yeah.

4 CHAIR PAZ: Commissioner Olmedo?

5 COMMISSIONER OLMEDO: Madam Chair, I just want  
6 to make sure, are we going to have public comment?

7 CHAIR PAZ: Public comment once we've  
8 discussed all these items.

9 COMMISSIONER OLMEDO: Okay, thanks.

10 CHAIR PAZ: Yeah.

11 COMMISSIONER WEISGALL: Is there something  
12 sacred about 31<sup>st</sup> as opposed to a little -- is there  
13 sacred about -- I mean, could we move if you -- I mean,  
14 the public comments will be important. You're going to  
15 be working all weekend, but we won't even see them till  
16 Monday morning the 31<sup>st</sup>.

17 MS. CARRILLO: Correct.

18 COMMISSIONER WEISGALL: And then we're going  
19 to meet right away. Would it make any sense to either  
20 go November 1 -- well not November 1, but November 2,  
21 for example? I don't care, but I'm just thinking in  
22 terms of being able to intelligently process public  
23 comments.

24 CHAIR PAZ: Yes and -- the more we push it  
25 out, the less time the CEC Staff has to get us to the

1 final report. So that is why we --

2 COMMISSIONER WEISGALL: Comment withdrawn.

3 CHAIR PAZ: -- compromised on the 31<sup>st</sup>.

4 COMMISSIONER WEISGALL: Comment withdrawn,  
5 October 31. You'll have a busy weekend.

6 CHAIR PAZ: Okay. So next slide, status  
7 letter.

8 To clarify, October 31<sup>st</sup> is what we needed some  
9 consensus around, but the November 17<sup>th</sup> we had received  
10 consensus via a poll that was sent by the CEC Staff. So  
11 please, make sure you have November 17<sup>th</sup> in your  
12 calendar.

13 Okay. So, slide number 23, status of letter  
14 to the legislature. We have previously discussed  
15 providing a brief update to the Legislature on our  
16 progress. Assemblymember Garcia is aware that we are  
17 encouraging a more robust public comment period, hence  
18 the later date for the final report. So, while I  
19 understand submitting a status letter isn't necessary or  
20 typical, I wanted to provide an opportunity for the  
21 Commission to finish discussing this issue since we had  
22 brought it up at other meetings. Like in what ways, if  
23 any, do you want to communicate to the legislature about  
24 our changed timeline?

25 COMMISSIONER WEISGALL: My own view is that if

1 Assemblymember Garcia is aware of what's happening, I  
2 don't think we need a letter. But I do think the final  
3 report should mention that we did not meet the October 1  
4 deadline, specifically because we did see the need to  
5 get more public input. Because -- I think documenting  
6 that because down the road when people forget, I think  
7 it will be useful for us to emphasize that point. But I  
8 think we can do that in the final report rather than a  
9 status letter.

10 CHAIR PAZ: Any other comments? Anybody on  
11 Zoom with a different opinion?

12 Okay. Hearing none. Thank you.

13 So, slide number 24. Public comments. There  
14 we go.

15 So, we will now open the floor to broader  
16 public comments relating to Agenda Item Number 2, the  
17 Draft Report to the legislature. If you are in  
18 Westmorland, please proceed to the podium. And this is  
19 a reminder to please state and spell your name and state  
20 your affiliation, unless you want to remain anonymous.  
21 Thank you.

22 PS1: (OFF MIC)--and kind of beating the dead  
23 horse as far as a great discussion on the definition on  
24 the possible Salton Sea Region, which I know already  
25 came out in three different sections in the report,

1 where it reads, "Salton Sea Region, most of Riverside  
2 from Palm Springs to the Arizona border." Which I  
3 interpret as Blythe. And for me, it's very important to  
4 have some sort of clarification as an Imperial Valley  
5 resident, because we don't want to open a pandora's box  
6 down the road.

7           For example, we don't want to dilute the  
8 possible monies that can be going to places like North  
9 Shore, Mecca, Thermal, Westmorland, Niland, Calipat.  
10 When you enlarge the distance, for example, the known  
11 region or area, to certain areas of the Riverside County  
12 in comparison to San Diego areas as well. For example,  
13 La Quinta is about 66 miles from the KGRA. Borrego  
14 Springs, from San Diego is 66 miles. Palm Springs is 86  
15 miles. Then you open the door to Julian from San Diego  
16 at 82 miles, Warner Springs at 91 miles. And when you  
17 throw in the Arizona Border, obviously you get Blythe  
18 involved at 107 miles. Pine Valley is at 107 miles.

19           So, that does make a difference for the 20  
20 percent of the monies collected, because part of that  
21 money can go to the grants for community engagement,  
22 public and capital improvements. And again, I would  
23 prefer to keep those funds to the Mecca, Thermal, North  
24 Shores, Bombay, fence line communities, Westmorland,  
25 Calipatria.

1           So that's why interpretation is very  
2 important, and clarification on such a very important  
3 report. Thank you.

4           MS. VEGAS: Hello, good afternoon. My name is  
5 Fernanda Vegas, and wI am here representing Comite  
6 Civico del Valle. And so, after reading the draft  
7 proposal, I am dispirited towards the lack of  
8 acknowledgement towards the fence line communities that  
9 are closest to this project. I see that you have  
10 Imperial, Brawley, Calipatria, Niland, North shore,  
11 Mecca, Desert Shores, Bombay Beach, Tribes, and  
12 residents in these communities. But nowhere do I see  
13 Westmorland listed.

14           As a child who grew up here, it is important  
15 to me that this small community does not go unnoticed.  
16 They have opened their doors and have provided resources  
17 to many, and have even hosted many community events like  
18 this one. This town is also one of the closest towns to  
19 the Salton Sea, yet Imperial, who is considered a  
20 directly affected community, is listed first.  
21 Westmorland is a community that hosts many residents  
22 with health problems because of the proximity of the  
23 Salton Sea. This community needs representation as much  
24 as the other surrounding small communities.

25           To add, in the beginning of the draft, it was

1 mentioned that Imperial Valley County has one of the  
2 highest unemployment rates in the State of California at  
3 14.4 percent, and three times higher than the average  
4 state, which is 3.9 percent. It was also stated that  
5 developing a local workforce was a high priority, and  
6 that communication between communities about the  
7 opportunities being offered was required.

8           What does that communication look like? What  
9 communities are being included with this communication  
10 thread? Is it an accessible way of communicating with  
11 the communities? And will the community be receiving  
12 the information in Spanish as well as Purepecha? Thank  
13 you.

14           MS. MARQUEZ: Hi, afternoon. Christina  
15 Marquez, speaking on behalf of IBW Local 569, the  
16 Electricians and Power Professionals, representing San  
17 Diego and Imperial Counties. We have over 3,600  
18 members.

19           First off, I just wanted to commend the CEC  
20 Staff on the report. They did a really good job, very  
21 comprehensive and very fair, I believe. I do want to  
22 echo some of the comments made by some of the  
23 Commissioners regarding the area. It's Imperial County  
24 predominantly. I didn't really see any, looking at the  
25 map, I barely saw anything with eastern part of



1 Riverside. I mean maybe a little. But it said, "Most  
2 of Imperial County," so I was surprised on that.

3           Pertaining to workforce. So, that's really  
4 important to us. And with many of the trade unions,  
5 equality. I mean, I'm living proof, a woman minority,  
6 you know, getting paid the same with all the training  
7 that everybody else gets. And we want to give that same  
8 opportunity to people in Imperial County as well. In  
9 fact, we do have an apprenticeship in Imperial County,  
10 and we're looking to hopefully expand on that. Maybe  
11 add a pre-apprenticeship, knowing that all of this work  
12 is coming in.

13           But there is one thing that we noticed. It  
14 said, "Union and trades." It should say, "Imperial  
15 County Building and Construction Trades Council." So,  
16 if you guys can maybe notate that, we'd highly  
17 appreciate that. Because that's who generally the  
18 companies will be negotiating with for a project labor  
19 agreement.

20           Also, project labor agreement and CBAs are  
21 both equally important, but not the same. PLA is  
22 negotiated between a developer and the building and  
23 construction trade council, and community benefit  
24 agreements, or CBAs, are negotiated between the  
25 developer and the community. So, I just wanted to make

1 sure that you guys understood that. Thank you for your  
2 time.

3 MR. ELLIS: Give me one second, let me try to  
4 get all my notes together here.

5 Alright. Hello, Commissioners. How you  
6 doing? My name is Sean Ellis, I am an organizer with  
7 the Plumbers and Pipefitters Union, Local Union 230 here  
8 in San Diego and Imperial County. And in this capacity,  
9 I actually represent District Council 16, which would be  
10 all of Southern California.

11 First and foremost, I want to thank Staff. We  
12 think that this draft is extremely comprehensive. It  
13 covers everything from environmental impacts to tax  
14 credits to even creating a business model to get  
15 something done. But we do have some concerns, and we  
16 would like, definitely, our opinion to be heard. I do  
17 represent about 2,000 members that actually build, and  
18 we have project labor agreements currently right now  
19 with several geothermal energy plants where we conduct  
20 the piping installation.

21 So, that item is going to be Item F, with the  
22 Potential Economical and Environmental Impacts. I'm  
23 going to reiterate what my sister at the IBW said about  
24 project labor agreements. And going into negotiations  
25 with the Imperial County Building and Construction

1 Trades Council.

2           The reasoning for this, is when you put  
3 language in there for unions and trades, you open up the  
4 door to maybe doing a PLA with one labor union, with two  
5 labor unions. But let me just educate folks who don't  
6 know the labor movement, because we are one of those  
7 very unique items. The construction and building trades  
8 as an entity represents well over 22 crafts in Imperial  
9 County, San Diego County, and we have a building trade  
10 in just about every metropolitan, every region of the  
11 country.

12           So, we would like to see that verbiage on  
13 there. Because if you just say, "Union and trades,"  
14 then you allow developers, investors, and people that  
15 are building these plants to make these agreements with  
16 just one or two union crafts. And essentially, you're  
17 picking winners and losers.

18           Essentially, you're leaving behind a lot of  
19 other crafts that may not be in this project labor  
20 agreement that live in your community. They're the same  
21 people that own a house here, the same people that are  
22 paying taxes et cetera. I could sit up here for hours  
23 and speak to you guys about that.

24           I do want to speak about project labor  
25 agreements. That's an agreement between the workers on

1 a job site or for a contracting firm or an investment  
2 firm that's an agreement with them. The community  
3 benefit agreement is with the communities. Looks just  
4 like a project labor agreement, but with the community  
5 and the elected great leaders of this community to go  
6 ahead and fulfill.

7           So, we do want to note -- we do want to state  
8 that project labor agreements help the community,  
9 because the workers are from the communities. And  
10 that's what we do want to reiterate. So once again, I  
11 want to repeat myself so that my message is extremely  
12 clear, that we would like to see on Item F, recommend --  
13 Item F, the recommendation, to see more detailed  
14 building trades, union council verbiage on there. Thank  
15 you so much for your time, and you guys have a beautiful  
16 day. Thank you.

17           MR. MEZA: Good afternoon, Commission,  
18 Commissioners. I just want to say that I agree with my  
19 brother Sean. My name is Hector Meza, IBW 569, local  
20 journeyman, organizer, and business agent.

21           And yeah, it will be for the best of everybody  
22 to make sure the PLAs are worked out with the building  
23 trades. Again, that way there is no prefer-- I'm going  
24 to be blunt. There could be some people back there, out  
25 there, backstabbing each other in the building trades

1 basically. We try to make sure everybody is out there  
2 to help each other. So, everybody gets a fair piece of  
3 the pie. Thank you.

4 MS. RUIZ: Hi. Good afternoon, everyone. My  
5 name is Nilda Ruiz, that is N-I-L-D-A R-U-I-Z. I am a  
6 resident of the eastern Coachella Valley. And I am with  
7 Alianza Coachella Valley. I wanted to echo some of the  
8 comments others have said. Thank you to the CEC Staff  
9 for really, I think what is a really great report.

10 I know there were concerns from several folks,  
11 particularly community members about possibly there  
12 being a bias. I do not think there was a bias in this  
13 report. I think that it was a really fair assessment of  
14 lithium development here in this region.

15 I want to speci-- I'm going to share more  
16 comments in the upcoming community workshops about the  
17 report. But one thing I do want to share here today is  
18 I support the comments made by Chair Paz and  
19 Commissioner Reynolds in regards to having possibly  
20 both, having one person designate, or maybe even a body,  
21 designate to provide that information in regards to  
22 environmental impacts that could happen through this  
23 lithium recovery.

24 And also, along the lines of what Commissioner  
25 Reynolds shared, if there could be some information

1 included in this report in regards to any studies,  
2 reports on the environmental impacts. Right now, what  
3 is present is a method of process for mitigating any  
4 impacts that come about through any project, lithium  
5 project. But, the fact is, is that if for this report,  
6 if some of the language comes out as speculative, it's  
7 because there isn't that information out there in  
8 regards to what are the impacts. I think it's fair for  
9 a community to be skeptic or show skepticism about this,  
10 about any, about lithium recovery, because we don't have  
11 that information on what are going to be the impacts on  
12 air quality, water usage, any wastewater streams.

13           So, I would highly encourage the CEC Staff to  
14 look into studies that have that information available  
15 and include it into the report. I know that there are  
16 studies currently happening, but there is information  
17 available out there, and as Commissioner Reynolds  
18 shared, I think it will create comfort for community and  
19 trust in this lithium recovery process. Thank you.

20           MR. HERNANDEZ: Good afternoon, members. John  
21 Hernandez, 514J, Brawley. I'm pretty impressed by this  
22 document. So, congratulations.

23           Definitions are important, you know? That's  
24 why we have the arguments we're having across the  
25 country at the Supreme Court. So, language is

1 important. What Lithium Valley is, is -- is important.

2 So, studies were done 20 something, 30 years  
3 ago on the KGRA, and we knew what could happen, you  
4 know, 30 some years ago. And 40 years ago, geothermal  
5 started out here. And we know the success that they've  
6 had.

7 So, on the economic impacts to the known KGRA,  
8 I'm wondering if what I heard Mr. Commissioner Hanks  
9 say, that all of this development was on IID IID land.  
10 I think that's what I heard. Then, I think this report  
11 should also reflect that this public resource that's  
12 also going to benefit this public entity, that this  
13 report ask for some transparency and some sunshining as  
14 to what those benefits are going to be like for the KGRA  
15 and Imperial County also in this report.

16 So, I'm thinking that I'd like to see  
17 something like that. You know those reports that are  
18 done and those projections. And we got the tax, so we  
19 know what that potentially is going to do. But I'd also  
20 like to see what my other public entity is going to  
21 benefit our community. So, that's just my comment.  
22 Thank you.

23 COMMISSIONER HANKS: (OFF MIC) -- IID ground.  
24 Most of it is in our water district. And not  
25 necessarily in the ground. A lot of it's private owned.

1 And some of it is outside of the IID water district.  
2 So, when it comes to providing water, that would be the  
3 responsibility of another district.

4 CHAIR PAZ: I do not see any other comments  
5 here in the room. Are there any public comments via  
6 Zoom, Erica?

7 MS. LOZA: Yes. If you are joining us by Zoom  
8 on the computer, please use the raise hand feature. If  
9 you've called in, please dial star-nine to raise your  
10 hand and star-six to unmute your phone line.

11 So, the first comment is from Courtney Ann  
12 Coyle, you should be able to unmute yourself.

13 MS. COYLE: First up will actually be Carmen  
14 Lucas. There's two of us here on one line.

15 MS. LUCAS: My name is Carmen Lucas, I'm a  
16 Kwaaymii Indian from Laguna Mountains. I gave testimony  
17 at the Torrez Martinez meeting.

18 I'm disappointed to see in your draft that  
19 there was little comment on all the information that the  
20 Indian community provided there. One of the things that  
21 I'd like to see in the report is reference that I made  
22 to Obsidian Butte and the mud holes, and the fact that  
23 that area is the heartbeat of the earth, and I'd like to  
24 see that in the report. And I'm disappointed to see  
25 that your focus seems to be on spending money before you



1 really have any resource to sell.

2 But again, I'm more interested in the resource  
3 being reflected for the Native Americans. Thank you.

4 MS. COYLE: Hi, this is Courtney Coyle.  
5 Hopefully you can still hear me. C-O-Y-L-E. I'm an  
6 attorney for Carmen Lucas, Kwaaymii Laguna Band. There  
7 was some good discussion today. But two minutes for  
8 public comment on the whole meeting does not appear to  
9 be sufficient.

10 The first overarching issue of concern is that  
11 the report sections relating to tribes and tribal  
12 concerns lack an equivalent level of specificity and  
13 detail to the other sections, lack any findings, and do  
14 not adequately reflect the tribal input that was given,  
15 as Ms. Lucas mentioned. This is, perhaps, not ill-  
16 intentioned, but it makes these sections appear like  
17 afterthoughts. This is not appropriate or equitable,  
18 and we'll provide some specific comments, written  
19 comments and future testimony on those points.

20 Second, we appreciate that community and  
21 tribal priorities and perspectives are placed at the  
22 front of the Draft Report. However, while there may be  
23 some overlap between them, the community and tribal  
24 sections should be separated out for clarity and  
25 emphasis.

1           Moreover, affiliated tribes should be  
2 specifically mentioned in the recommendations, including  
3 those under sections D, F, G, and text related to the  
4 Imperial County PEIR, health impact assessment, water  
5 quality and quantity, how tribal water rights will be  
6 protected, as tribes are sovereign and distinct  
7 political bodies and governmental entities, not  
8 interested members of the public. We will also be  
9 offering specific text revisions in that regard.

10           Third, we're going to be offering some  
11 suggestions for structural improvements to the report to  
12 promote transparency. One of those would be a list of  
13 findings by topic should be developed to help the public  
14 and Commissioners better understand and balance the  
15 findings, which are presently inequitably distributed.

16           Thanks, and I wish the public had a little bit  
17 more time today.

18           MS. LOZA: Okay. Next is going to be Eric  
19 Reyes and Ms. Steff, then Jared Naimark. So, Eric, you  
20 should be able to unmute yourself.

21           MR. REYES: Hello, yeah. Eric Reyes,  
22 Executive Director, Los Amigos de la Comunidad, non-  
23 profit environmental health group. We're throughout the  
24 Imperial and Coachella Valleys. And we're here -- I'm  
25 really discouraged by the lack of intensity, as you

1 would say, to the environmental concerns raised by many  
2 groups, and kind of the lackluster response to it.  
3 Whereas maybe scientifically it's not founded at this  
4 point, history has a long, long diary of issues that  
5 people thought were not going to be a negative impact  
6 that became huge environmental impacts for the  
7 communities that faced it.

8           And again, that's why we want -- one, that  
9 there be an emphasis on continuing to follow up that  
10 there be money invested into knowing environmental  
11 impacts of this industry, a new industry, and the  
12 infrastructure that's coming in. And also that the  
13 fence line communities be well designated so they can be  
14 fortified against the intrusion that will come that is  
15 an economic windfall for many, but those communities  
16 will suffer those impacts.

17           So, I just want to emphasize again that I just  
18 wish we can -- and there will be comments turned in as  
19 to how there was a lack of emphasis and lack of true  
20 concern for the concerns of the community regarding the  
21 environmental impacts that this will happen.  
22 Mitigation, environmental mitigation is not the same as  
23 enhancement. And we know there is many issues coming  
24 that will mean not just mitigation but enhancement and  
25 investment.

1           So, I thank you for the time, and I hope we  
2 can get that into the public comments as it nears time  
3 to put all our comments in. Thank you.

4           MS. LOZA: The next hand raised is from Ms.  
5 Steff. You should be able to unmute yourself.

6           MS. STEFF: Let's see. My name is Steph Sa-  
7 (AUDIO FEEDBACK) and I am a concerned citizen and also  
8 tribal liaison. And I -- the Commissioners brought up a  
9 lot of very valid points. But what I would like to ask  
10 for is inclusion for any state, city, reservations that  
11 are going to be -- their water is going to be diverted.

12           They need to be in the know. They need to be  
13 informed as to the amount of water that's going to be  
14 used, but then also as many have mentioned, the  
15 environmental concerns are incredibly important. And if  
16 there's not going to be a processing plant, are they  
17 going to be transported? If so, what is the process? I  
18 think the public needs to know more about the process of  
19 extraction and all the possibilities that could possibly  
20 occur should there be some type of a leak or anything  
21 that could jeopardize the environment and the peoples.

22           And also I had wanted to comment as far as the  
23 tribes in the local areas. What concessions will be  
24 added to the possible budget, because if there is a  
25 huge, heaven forbid, ecological disaster, these tribes

1 need to have these things implemented ahead of time.  
2 And water is incredibly sacred to us. And I think the  
3 public needs to know. Not just the people on the  
4 reservations, in the immediate area. We're all part of  
5 a water cycle, and we need to know what could  
6 potentially happen should any ecological nightmares  
7 transpire.

8           So again, thank you for your time, and this  
9 will be docketed with some of my questions.

10           MS. LOZA: Thank you. The next hand raised is  
11 for Jared Naimark. You should be able to unmute  
12 yourself.

13           MR. NAIMARK: Hello, thank you. This is Jared  
14 Naimark. J-A-R-E-D N-A-I-M-A-R-K. I'm the California  
15 Mining Organizer with Earthworks. First off, I would  
16 just like to thank the Commission and the CEC Staff. I  
17 think the report is really comprehensive, and I in  
18 particular really appreciate the strong recommendations  
19 in there for environmental protection and tribal  
20 consultation.

21           I think they still have room to be improved,  
22 and I would just like to urge that when we talk about  
23 environmental mitigation, this is really important  
24 because this process has never been done before at  
25 industrial scales. So empirically, we don't know for

1 sure what the impacts will be. We can have a good idea  
2 of what some of those might be, and with any type of  
3 project, there are environmental impacts. So, it's  
4 really important to have those recommendations be as  
5 strong as possible. I didn't see anything in there that  
6 was appearing to be unfounded in science or anything  
7 like that, so I think it's really important to keep  
8 those environmental sections strong and have the  
9 community voice represented there.

10           The second part I'd like to share is that I  
11 think the report could have a stronger recommendation to  
12 protect Obsidian Butte, emphasize that more clearly and  
13 provide some specifics for how that can happen. And I  
14 would also recommend that you strengthen the  
15 recommendation to go beyond legally required tribal  
16 consultation to include reference to the principle of  
17 free prior and informed consent as recognized in  
18 international law on indigenous rights.

19           Lastly, I'll be submitting more detailed  
20 comments for consideration regarding the environmental  
21 impacts as Earthworks has been reviewing the literature  
22 on this, and it think there is more that merits the  
23 Commission's attention for this report. Thank you.

24           MS. LOZA: Thank you. So, we have a few  
25 written comments. The first one is from Anonymous, and

1 it says, "Why aren't other tribes invited if they will  
2 have a loss of water?"

3           And the next comment is from Cecilia Armenia,  
4 and it says, "My name is Cecilia Armenia, and my comment  
5 is how is it possible for Salton City to belong to the  
6 Imperial County and again we are not included in this  
7 opportunity for new changes for the community. Imperial  
8 County is comprised of several cities, and all of them  
9 have different needs and it's not fair that when  
10 community support is needed for something that they need  
11 votes for that it reaches the representative power, or  
12 to receive some funding for the communities. And I  
13 believe that as a community representative, you should  
14 do a lusion (PHONETIC) of the communities surrounding  
15 the Salton Sea.

16           We have one more hand raised. I see -- I  
17 think Olga Gomez, you should be able to unmute yourself.

18           MS. GOMEZ: (Dialogue in language other than  
19 English)

20           I said good day to all people. I'm happy to  
21 be here with you all my relatives. My name is Tinker.  
22 I am a tribal and council member of the Costanoan Rumsen  
23 Carmel Tribe.

24           I have two statements. One that I think the  
25 state should reconsider is, geothermal power stations

1 can alter the land structure. A process called  
2 hydraulic fracturing is an integral part of building  
3 large scale and efficient geothermal systems. The locus  
4 of the Salton Sea swarm lies in submerged faults near  
5 the southern end of the San Andreas called the Brawley  
6 Seismic Zone. This region connects the San Andreas with  
7 the Imperial Fault in Southern California.

8 My questions are, what guarantees are that  
9 that the geothermal power stations and lithium mining  
10 will have no effect on the Brawley Seismic Zone in the  
11 present and in the future, and has this been researched  
12 and studied? My second statement is, potential  
13 emissions of greenhouse gas known as thermogenic methane  
14 can exist below earth's surface, can rise to the surface  
15 and escape to the atmosphere.

16 Methane gas is able to rise through permeable  
17 matter. Methane, once emitted into the air, it reacts  
18 in several hazardous ways. For one, methane primarily  
19 leaves the atmosphere through oxidation forming water  
20 vapor and carbon dioxide. Not only does it contribute  
21 to global warming, thermogenic methane is 25 times as  
22 potent as carbon dioxide. Excessive mining of lithium  
23 leaves a few pieces of fertile land barren and destroys  
24 the habitats and minerals that plants require to grow,  
25 and is responsible for the onset of desertification of



1 several parts of the world.

2           My question is, will there be air monitoring  
3 stations? If so, what happens when the particulates  
4 become too toxic? Another question is, how will  
5 migratory birds be protected? And also, are there  
6 cultural, environmental monitors working on this said  
7 project?

8           (Dialogue in language other than English)

9 Thank you.

10           MS. LOZA: Thank you. We have one more  
11 written comment and it's from anonymous. And it says,  
12 "Who will process the lithium and handle the toxins?"

13           I see those are all of the hands raised, and  
14 so back to you, Chair Paz.

15           CHAIR PAZ: Thank you. And thank you for all  
16 the comments that we received. A reminder that as part  
17 of our prolonged public comment sort of input and  
18 pushing the deadline, we did emphasize that we wanted  
19 there to be opportunities for oral public comments. So,  
20 in October, there will be three community meetings in  
21 person only so that people who may traditionally do not  
22 submit written comments have an opportunity to come, get  
23 a presentation of the report, and maybe the way that  
24 Commissioner Reynolds was pointing at, that people will  
25 have an opportunity to know what's in the report, review

1 it, and offer their oral comments as well. So please,  
2 when you see the fliers -- I don't know if we have the  
3 dates yet? Okay, I'll let Deanna talk about that more.

4 MS. CARRILLO: Yeah, we're -- there's three  
5 meetings in the evening on October 18<sup>th</sup>, 19<sup>th</sup>, and 20<sup>th</sup>.  
6 They will be in Niland, Salton City, and West Shore --  
7 North Shore. My apologies.

8 We're working on finalize-- we finalized those  
9 locations yesterday, so we'll have a flier out that  
10 we'll be working with the community based organizations  
11 to get information out for those evening meetings. And  
12 we'll also have an online webinar for those that aren't  
13 able to join.

14 CHAIR PAZ: Thank you to the CEC Staff for  
15 helping with those, and we appreciate the help of all of  
16 you to get the word out and encourage. And again,  
17 community members who traditionally wouldn't engage via  
18 Zoom, think this is an opportunity -- everyone's  
19 welcome, but we do want to target those people who  
20 prefer to be in person.

21 So next slide -- where are we. We have some  
22 administrative items. So, this is the approval of  
23 meeting action minutes from August 25<sup>th</sup>, 2022. Under  
24 administrative items we have the August action minutes  
25 that require approval. They have been made available

1 for review to the Commissioners and to the public  
2 through the docket and are available in hard copy or  
3 through the QR code at the physical location.

4 And before we have any sort of motion, I think  
5 we go into public comment. So public comment for the  
6 administrative items, if there are any?

7 Are there any via Zoom?

8 MS. LOZA: Just as a reminder, if you are  
9 joining us via Zoom on the computer, please use the  
10 raise hand feature. If you've called in, please dial  
11 star nine to raise your hand and star six to unmute your  
12 phone line.

13 We have a comment from Anonymous and it says,  
14 "Meeting in person violates ADA rights."

15 And those are all of the comments, so back to  
16 you, Chair Paz.

17 CHAIR PAZ: Thank you. At this point, can I  
18 have a motion to approve the action minutes?

19 COMMISSIONER WEISGALL: (INDISCERNIBLE) motion

20 COMMISSIONER CASTANEDA: (INDISCERNIBLE)

21 CHAIR PAZ: Thank you. Roll call, please?

22 MS. LOZA: Commissioner Castaneda?

23 COMMISSIONER CASTANEDA: Yes.

24 MS. LOZA: Commissioner Colwell is absent.

25 Commissioner Dolega?

1 Commissioner Flores?

2 Commissioner Hanks?

3 COMMISSIONER HANKS: Yes.

4 MS. LOZA: Vice Chair Kelley?

5 VICE CHAIR KELLEY: Yes.

6 MS. LOZA: Commissioner Lopez?

7 COMMISSIONER LOPEZ: Yes.

8 MS. LOZA: Commissioner Olmedo?

9 COMMISSIONER OLMEDO: Is that me? Oh, yes.

10 MS. LOZA: Chair Paz?

11 CHAIR PAZ: Yes.

12 MS. LOZA: Commissioner Reynolds?

13 COMMISSIONER REYNOLDS: Yes.

14 MS. LOZA: Commissioner Ruiz?

15 Commissioner Scott?

16 COMMISSIONER SCOTT: Yes.

17 MS. LOZA: Commissioner Soto?

18 Commissioner Weisgall?

19 COMMISSIONER WEISGALL: Yes.

20 MS. LOZA: Okay, we have eight yesses. Can we  
21 repeat who did the motion? I wasn't able to hear.

22 CHAIR PAZ: There was a motion by Commissioner  
23 Weisgall and a second by Commissioner Castaneda.

24 CHAIR PAZ: Thank you. Let's move on to the  
25 remaining informational items, and we have one. This is

1 an invitation for any Commissioners to provide updates  
2 if you have any. I do request that Commissioners be  
3 concise and please remember to identify yourself before  
4 you start providing your update.

5 So, we'll start here in the room. Do we have  
6 anyone? Commissioner Olmedo?

7 COMMISSIONER OLMEDO: I just wanted to just  
8 make the everyone aware, the public and Commissioners  
9 that there is an environmental health leadership summit  
10 being planned for October 27. You can find more  
11 information at EJSummit.com. Some of you may be asked  
12 to participate as panelists, speakers. So, we're going  
13 to try to -- you know that the Comite Civico team and  
14 our partners are trying to pull together that whole  
15 agenda. So EJSummit.com. Be on the lookout, we do have  
16 limited capacity, so somebody will be first come first  
17 served.

18 CHAIR PAZ: I don't see any other  
19 Commissioners here in the room wishing to provide  
20 updates. Is there anyone on Zoom who wants to provide  
21 updates?

22 I do not see any. So public comment for this  
23 section. We will now take public comments on the  
24 informational items. If you have a general public  
25 comment, please wait a few seconds probably because

1 we'll jump right in to general public comments after  
2 this.

3 I see none here in the room. Are there public  
4 comments coming in via Zoom?

5 MS. LOZA: So just as a reminder, if you are  
6 joining us via Zoom on the computer, please use the  
7 raise hand feature. If you've called in, please dial  
8 star nine to raise your hand and star six to unmute your  
9 phone line.

10 I see one hand raised by Olga Gomez. You  
11 should be able to unmute yourself.

12 MS. GOMEZ: (Dialogue in language other than  
13 English)

14 My name is Tinker. Another question I have  
15 is, what will be the increase in water? And where will  
16 it come from? And how will the water cycle be affected?  
17 Those are the questions I also had that I wanted to put  
18 down, but two minutes isn't enough time to talk.

19 And another question -- another thing is I  
20 believe there needs to be concessions before for the  
21 tribes, and there must also be concessions before any  
22 possible relocation of the immediate tribes, tribes in  
23 the affected area.

24 (Dialogue in language other than English).

25 Thank you.

1 MS. LOZA: Thank you. Those are all of the  
2 hands raised. Back to you, Chair Paz.

3 CHAIR PAZ: Thank you. We'll open the floor  
4 for general public comments. And again, there is a two  
5 minute limit for each speaker. And so if you are here  
6 in the room and have any general public comments to make  
7 I invite you to come to the podium, and remember to  
8 please state and spell your name and your affiliation,  
9 unless you want to remain anonymous.

10 MS. RUIZ: Okay, I think it's on. Okay, there  
11 you go. Good afternoon. My name is Nilda Ruiz, and N-  
12 I-L-D-A R-U-I-Z. I am a resident of the Eastern  
13 Coachella Valley, and with Alianza Coachella Valley.

14 Quick question, I'm not sure maybe you would  
15 answer it. Are Commissioners allowed to attend the  
16 upcoming community workshops, is that correct? With  
17 that I just wanted to strongly, strongly encourage  
18 Commissioners to attend at least one of those workshops.  
19 I know some of you are not local, you would have to  
20 travel, I believe Commissioner Weisgall, you would have  
21 to travel.

22 But I strongly encourage you to attend at  
23 least one of those community workshops. Considering you  
24 are only going to have what, like a couple hours to try  
25 to review the comments submitted before the October 31<sup>st</sup>,

1 Lithium Valley Commission meeting. You're -- by  
2 attending these community workshops happening here  
3 locally, you'll be able to really get a lot, hear a lot  
4 of the comments, perspective, insight, from local  
5 residents that are going, you know, that are reading  
6 this report and want to provide input and feedback into  
7 this report.

8           So just want to really strongly, strongly  
9 encourage you guys to attend at least one of the  
10 community workshops. Thank you so much.

11           MR. REYES: Hello, everyone. My name is  
12 Manuel Reyes. I'm a citizen here of Imperial County,  
13 and I'm also representing the San Diego and Imperial  
14 County Labor Council. We're here to support the  
15 creation of new unionized well-paid jobs that the  
16 lithium extraction will bring to the people and the  
17 families of Imperial Valley. Thank you.

18           MR. FLORES: Hello, once again. Jose Flores.  
19 I just want to thank you for all your work as we slowly  
20 get out of summer into fall. It's dawned on me how much  
21 you guys work. You guys we've been here together since  
22 the winter, spring and all these seasons come and go and  
23 you're still here so we appreciate all your time away  
24 from your family, especially as volunteers. So, keep  
25 your head up. I know it's a long haul, but I think the



1 end result will be benefitting the entire region.  
2 Sometimes you don't get pats on the back, and you get a  
3 lot of comments that are negative. But that's what  
4 California, the U.S. is all about, about public  
5 engagement and public comment. So, keep your heads up.  
6 We're almost there, and the finish line is right in  
7 front of you guys. Thank you very much.

8 CHAIR PAZ: Thank you. I do not see anybody  
9 else here in the room. I will turn it over to Erica for  
10 public comments via Zoom.

11 MS. LOZA: Just as a reminder, if you're  
12 joining us via Zoom on the computer please use the raise  
13 hand feature. If you've called in, please dial star nine  
14 to raise your hand and star six to unmute your phone  
15 line.

16 I see the first hand is Courtney Ann Coyle,  
17 you should be able to unmute yourself.

18 MS. COYLE: Thank you very much. We concur  
19 with the prior public commentor encouraging  
20 Commissioners to attend the upcoming public meetings. I  
21 think that that would be really important. Also, we  
22 respectfully request that a redline of the next draft or  
23 the final draft of the report be provided to promote  
24 efficiency of review and to better track how tribal and  
25 other comments have been incorporated, or why they

1 haven't been incorporated. Thank you very much.

2 MS. LOZA: The next hand raised is by Ms.  
3 Steff. You should be able to unmute yourself.

4 MS. STEFF: Hut-si (PHONETIC) again. I do have  
5 some other questions. And I did speak with a  
6 representative from the California Air Resources Board  
7 in regards to dust and air monitoring stations. This is  
8 going to be a closed system from what I understand, and  
9 there could -- there's potential volatility. And I want  
10 to make sure that any persons involved or anyone in the  
11 surrounding area are going to be safe.

12 And the California Air Resources Board had  
13 stated that the only thing they could do to actually  
14 test the air takes approximately two weeks in order for  
15 it to be tested and, you know, basically be able to  
16 inform the public of any toxins in the air. And I don't  
17 think that's sufficient. I mean, to have such  
18 incredible and absolutely potentially harmful materials  
19 in the air, it could be very dangerous. And I think  
20 there needs to be another solution for this. It needs  
21 to be remedied. And there just needs to be more  
22 transparency with this in regards to public safety.  
23 Thank you.

24 MS. LOZA: I don't -- oh, I see one more hand.  
25 Olga Gomez, you should be able to unmute yourself.

1 MS. GOMEZ: (Dialogue in language other than  
2 English)

3 Once again. Ka-ha ink-er-at Tinker  
4 (PHONETIC). My name is Tinker. I am also tribal and  
5 council tribal member of the Coastanoan Rumsan Carmel  
6 Tribe. Just a brief quick statement I would like to  
7 make on the lithium. In Australia, research showed that  
8 only two percent of the country's 3,300 tons of lithium-  
9 ion waste was recycled. That in itself can cause  
10 problems as unwanted batteries, electronics with  
11 batteries can end up in landfills. And metal and ionic  
12 fluids can leak into underground water reservoirs.

13 The key problem here is that manufacturers are  
14 usually secretive regarding what actually goes into the  
15 batteries. And toxic chemicals can leak from  
16 evaporation pools to the water supply such as hydraulic  
17 acid, which is used in processing the lithium as well as  
18 waste products.

19 My question is, how safe -- how for sure and  
20 how accurate are these lithium minings and this whole,  
21 you know, going to be accurate on the safety of these  
22 things that are not going to cause these toxic waste to  
23 the air and to the -- actually, to the toxic chemicals  
24 and the toxic pollution in the air, the water, to the  
25 communities nearby. And I think that's about the only

1 question I had left. And that the state should consider  
2 this.

3 (Dialogue in language other than English)

4 MS. LOZA: Thank you. I don't see any more  
5 comments at this time, so back to you, Chair Paz.

6 CHAIR PAZ: Thank you. And particularly,  
7 thank you to Westmorland Elementary School for hosting  
8 us here. Thank you to Comite Civico for continuing to  
9 support with the technology. And thank you to Imperial  
10 County for their contributions as well.

11 And we are adjourning. So, we'll see you at  
12 the community meetings hopefully, and then at the  
13 October 31<sup>st</sup> meeting.

14 (Whereupon the meeting was adjourned at 5:04  
15 P.M.)

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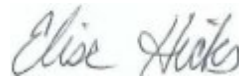
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## CERTIFICATE OF REPORTER

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 31st day of October, 2022.



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.



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MARTHA L. NELSON, CERT\*\*367

October 31, 2022