February 2025 Draft Lithium Valley Specific Plan

Public Review Comments

Section 1: Federal, State and Local Agencies

California Department of Transportation

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May 2, 2025

Ms. Diana Robinson
Planning Division Manager
Imperial County Planning Division
801 Main Street
El Centro, CA 92243

Dear Ms. Robinson:

Thank you for including the California Department of Transportation (Caltrans) in the development review process for the Imperial County Draft Lithium Valley Specific Plan located near State Route 111 (SR-111). Caltrans's mission is to improve lives and communities through transportation. Caltrans reviews land use projects and plans to ensure consistency with our mission and State transportation planning priorities.

As you undertake the necessary process to prepare Imperial County for lithium energy development, we will continue to work closely with our partners at the regional, State, and federal level. This project requires coordination with all stakeholders including, Imperial County Transportation Commission (ICTC), Southern California Association of Governments (SCAG), California Environmental Protection Agency (CalEPA), California Air Resources Board (CARB), California State Transportation Agency (CalSTA), California Natural Resources Agency (CNRA), California Energy Commission (CEC) and the Department of Conservation (DOC) to prepare the infrastructure needed to support large scale lithium production in the Imperial Valley.

We look forward to working with the California Environmental Quality Act (CEQA) lead agency, Imperial County, to improve the transportation network and connections between various modes of travel. In anticipation of the County's development of the draft environmental document, Caltrans has the following comments that will guide our subsequent coordination and reviews:

Environmental

Caltrans welcomes the opportunity to be a responsible agency under CEQA, as we have some discretionary authority over a portion of the project in Caltrans' rights-of-way (R/W) through an encroachment permit process. We look forward to coordinating our efforts to ensure that Caltrans can adopt the alternative and/or mitigation measure for the State's R/W. We would appreciate meeting with the lead agency to discuss the elements of the environmental document that Caltrans will use for our subsequent environmental compliance.

We recommend that this project identifies and assesses potential impacts caused by the project or impacts from mitigation efforts within Caltrans' R/W. This includes impacts to the

natural environment, infrastructure including but not limited to highways, roadways, structures, intelligent transportation systems elements, on-ramps and off-ramps, and appurtenant features including but not limited to fencing, lighting, signage, drainage, guardrail, slopes and landscaping.

Safety
Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We strive for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety of the transportation network. These pursuits are ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Land Use and Smart Growth
Caltrans recognizes a strong link between transportation and land use. Development can significantly impact traffic and congestion on State transportation facilities. In particular, the pattern of land use can affect both local vehicle miles traveled and the number of trips.

Caltrans supports collaboration with local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through applicable "smart growth" type land use planning and policies.

Caltrans is committed to prioritizing equitable projects that provide meaningful benefits to historically underserved communities. This will ultimately improve transportation accessibility and the quality of life for people in the communities we serve.

Noise
The applicant must be informed that in accordance with 23 Code of Federal Regulations (CFR) 772, Caltrans is not responsible for existing or future traffic noise impacts associated with the existing configuration of State Route (SR)-111, SR-86, and SR-78.

Multimodal System Planning
Please include Caltrans State Routes (SR) and R/W lines on various figures and maps, particularly Figure 3-1 Land Use Map, and Figures in Chapter 5 Circulation & Transportation.

Based on the maps in the Draft Lithium Valley Specific Plan (LVSP) document, the project area directly impacts SR-111 and is less than a mile to SR-115, 3.5 miles to SR-78, and 6.3 miles to SR-86.

Please include SR-115 as part of the project maps and exhibits.

Please clearly outline the LVSP outlook for Caltrans' role in financing future roadway improvements.

Caltrans recommends that the Vehicle Miles Traveled (VMT) language within the LVSP be expanded to describe the specifics that will be implemented or referenced.

- To facilitate lowering VMT, the Calipatria Airport (Cliff Hatfield Memorial Airport) could be improved so that smaller aircraft and helicopters could use this airport instead of Brawley Municipal or the Imperial County Airport.

- The City of Calipatria and the County of Imperial should consider modifying the zoning to allow more retail and commercial spaces. This may support lowering VMT by providing community services (restaurants, grocery, gas/charging stations, hotels, etc.) without the need to travel to Brawley. The same would apply to the community of Niland.

Please include housing and residential planning areas as part of the various map figures.

Please consider including information on Regional Housing Needs Allocation (RHNA).

Consider reviewing the two versions of the Climate Action Plan for Transportation Infrastructure (CAPTI) – CAPTI and CAPTI 2.0, for guidance on housing and light, medium, and heavy-duty zero-emission vehicle (ZEV) infrastructure. This guidance may support the LVSP Policy, Zero Emission Transportation (HP-13).

CAPTI

- S7.1: Leverage Transportation Investments to Incentivize Infill Housing Production (This recommendation is dedicated to reducing VMT by incentivizing infill residential development by supporting location-efficient and mixed-use housing production).

- S7.3: Explore a "Highways to Boulevards" Conversion Pilot Program. (This incentive is concerned with developing affordable housing and complete streets features as well as converting underutilized highways into multi-modal corridors).

- S2: Support a Robust Economic Recovery by Revitalizing Transit, supporting ZEV Deployment, and Expanding Active Transportation Investments.

CAPTI 2.0

- S1.3: Establish a Central Delivery Team to support planning and investment in zero-emission freight, as recommended by the SB 671 (Chapter 769, Statutes of 2021) Assessment.

- S2.1: Create a Statewide VMT mitigation bank or exchange program that facilitates mitigation directly and/or assists regions in creating their own programs to deliver infill housing and other VMT-reducing projects as mitigation at scale.

- S3.3: Create a Caltrans Director's Policy focused on displacement caused by projects on the State highway system with the intent to avoid future housing takings, particularly in disadvantaged communities.

Please work with Caltrans Transit Planners for any proposed transit improvements such as the proposed dedicated bus lane on SR-111 as mentioned in the 5.5 Transit Section of the LVSP document.

Please consider coordinating with the Imperial Valley Transit Agency to discuss transit bus shelter planning for extreme weather.

Route 2 of the Imperial Valley Transit is cited in the LVSP. Please consider including Routes 22 and 5, which have connections to the project area and are near Niland and Calipatria.

Please note that on page 2 of the LVSP Executive Summary, under "Chapter 2 Vision and Guiding Principles" there is a section for the vision statement and the words "Vision Statement" are typed out twice.

Please consider reviewing the Connect SoCal 2024 information for reference and consistency.

Please see the information for the "Imperial County Ride, Walk, Learn" project.

Caltrans recommends that the LVSP document incorporate or mention aspects of the Airport Land Use Compatibility Plan 2025 Update.

Several planning documents frequently utilized by the Caltrans System Planning branch discuss the importance of transportation and connectivity, land use planning, and safety. These documents may provide further background on State and regional planning in relation to the LVSP. Below are several examples that may be utilized:

California Transportation Plan 2050 (CTP 2050)

- Please consider this guidance with special emphasis on Chapter 5, "Goals Supported by CTP 2050 Recommendations."

- Please consider this guidance for topics on greenhouse gas (GHG) emissions reduction and VMT mitigation.

Climate Action Plan for Transportation Infrastructure (CAPTI)

- Please consider this guidance as it relates to goals for reducing GHG emissions, VMT mitigation, transportation and land use connections, sustainable freight and transit options, and ZEV infrastructure.

- Executive Order N-19-19 (pg. 6) – reduction of GHG emissions and mitigation of the impacts of climate change.

Smart Mobility Framework 2010

- Please consider this guidance for information on integrating land use and transportation planning to enhance mobility and reduce environmental impacts.

- Please consider this guidance for information on Transit-Oriented Development, which may help lower VMT and support the influx of people that would move to the area for work as a result of this project development.

- Please see the section on Rural and Agricultural Lands (In rural towns, Development and Conservation Projects and Programs) as it relates to this project.

California Freight Mobility Plan 2023

- Please consider this guidance as it relates to freight discussions within the LVSP. The document acknowledges Imperial County and Lithium Valley on various topics.

California State Rail Plan

- Please consider this guidance for information on California's rail network framework as the LVSP document proposes rail improvements.

Imperial County Transportation Commission Long Range Transportation Plan, 2024

- Please review for reference and consistency. Under the Regional Goods Movement section, see the discussion on highways and regional arterials, bus transit, active transportation, mobility hubs, transportation system management, transportation demand management, and airports.

Please consider the following list of projects as identified in the *Imperial County Transportation Commission Long Range Plan, 2024,* Appendix F, as opportunity areas for mitigation for this project:

- RH-1: Forester Road Improvements (I-8 to SR-78)
- RH-11: SR 86 Relinquishment to County of Imperial (Portions of SR-86)
- RH-17: Complete Streets (SR-86, SR-111, SR-115)
- RH-19: Middle Mile Broadband (SR-78 to Riverside County)
- RH-20: Middle Mile Broadband (Brawley to Niland)
- RH-24: SR-111 (Young Road to Calipatria City Limits)
- RH-25: International Road (Calipatria)
- RH-26: Industrial Road (Calipatria)
- RH-28: Traffic Signal Synchronization & Intelligent Transportation Systems on Main Street from Western Avenue to Best Road
- RH-30: South Cesar Chavez Street Rehabilitation (part of New Middle School Construction)
- RH-32: Rancho Los Lagos (Annexation of 1,076 acres for new development in Brawley)
- RH-51: McConnel Road Improvements (Evan Hews Highway north to SR-78)
- RH-53 Gentry Road Improvements (Westmorland north to Sinclair Road)
- RH-54: Brandt Road Improvements (SR-86 north to Sinclair Road)
- RH-55: Kalin Road Improvements (Cady Road north to Sinclair Road)
- RH-56: Hovley Road Improvements (Brawley north to Rutherford Road)

- RH-80: Keystone Road Improvements (Forrester Road east to SR-115)
- RH-87: Rutherford Road Improvements (Kalin Road east to SR-115)
- RH-90: Eddins Road Improvements (Gentry Road to Calipatria)
- RH-91: Sinclair Road Improvements (Gentry Road west to SR-115)
- RH-99: SR-115 Improvements (SR-78 north to Calipatria)
- RH-101: SR-78 Improvements (Brawley east to Riverside County)
- RH-102: SR-111 Improvements (Brawley north to Riverside County)

Traffic Analysis

A VMT based Traffic Impact Study (TIS) should be provided for this project. Please use the Governor's Office of Land Use and Climate Innovation (formerly known as Planning and Research) to identify VMT-related impacts.[1]

The TIS may also need to identify the proposed project's near-term and long-term safety or operational issues, on or adjacent to existing or proposed State facilities.

The Draft Environmental Impact Report needs to include a safety review that follows the Caltrans "Local Development Review (LDR) Safety Review Practitioner's Guidance" https://dot.ca.gov/-/media/dot-media/programs/safety-programs/documents/202402-ldr-safety-review-practitioners-guidance-a11y.pdf.

The TIS should be a comprehensive document encompassing all Lithium Valley developments and necessary mitigation measures.

Please include an analysis of the impacts with the regional truck routes. Please mention any warehousing development. Please consider AB 98 truck routing requirements.

Intersection Safety and Operational Assessment Process (ISOAP) applies to new intersections or the major modification of existing intersections and local street interchanges (including to State conventional highways and expressways) on the State Highway System, including but not limited to the following:

- Connecting a new public road, private road, or high-volume (average daily traffic volumes of 1,000 or greater) driveway to a State highway or a new interchange to a freeway.
- Changing the type of traffic control, such as from stop-control to signal-control or from a two-way stop to all-way stop.
- Installing a pedestrian hybrid beacon at an intersection.
- Making major physical changes to intersection approaches, including at ramp terminals, such as adding a leg to an intersection or widening to provide an additional through or turn lane.

[1] California Governor's Office of Planning and Research (OPR) 2018. "Technical Advisory on Evaluating Transportation Impacts in CEQA." https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf

- For additional information, please reference the ISOAP Guide: https://dot.ca.gov/-/media/dot-media/programs/traffic-operations/documents/isoap/20240910-isoap-process-info-guide--a11y.pdf

Freight

Bridges on SR-111

Please provide further analysis regarding the potential impacts to the bridges on SR-111 between the Brawley Bypass and the community of Niland. This should include any structural or traffic-related concerns.

Truck Traffic on Gentry Road (Proposed Truck Route)

Please consider addressing the Environmental, Structural, Air Quality and Community impacts of truck traffic traveling to/from Gentry Road (proposed truck route) to the SR-78/N Center Street Intersection (Forrester Road) and SR-78. Please include traffic management strategies for this proposed route.

Page 51, Figure 3-4, Roadway Classification for SR-111 (Eddings Rd to Sinclair Rd)

The proposed reclassification of SR-111 between Eddings Rd and Sinclair Rd to a 4-lane State highway requires coordination with Caltrans, the Imperial County Transportation Commission (ICTC), and the Southern California Association of Governments (SCAG). This should be considered in the plan's overall approach.

Rail Spurs or Rail Transload Facility Impacts

Any proposed rail spurs (e.g., at SR-111/Pound Rd or SR-111/Sinclair Rd) or rail transload facilities (e.g., at SR-111/Sinclair) that may impact the State's R/W should be coordinated with Caltrans and undergo the appropriate review process.

Coordinating Commercial Nodes, Public Transportation Hubs, and Rail Yards

Commercial nodes, public transportation hubs, intermodal rail yards, and any additional transit services identified within the plan must be coordinated with Caltrans to ensure integration with existing transportation networks and infrastructure.

Truck Route Management and Traffic Efficiency (Section 5.1.2 A)

Please coordinate with Caltrans on any truck route management strategies and traffic efficiency measures outlined in Section 5.1.2 A of the plan. Coordination is needed to ensure these strategies align with broader regional and State transportation goals.

Impact Strategies for State Highway Systems Outside of the Plan Area

The plan should outline strategies to address the potential impacts on State highway systems outside the LVSP area, ensuring that surrounding infrastructure is adequately considered.

Engineering

Please be advised that the Rail Crossings at SR-111 at Pound Road and Sinclair Road will require new intersections and/or grade separation.

Please consider the need for improvements along SR-111 at Edkins, Lindsay, Sinclair, Pound, English and Davis Road intersections.

The converting of sections of SR-111 from Calipatria north to Sinclair Road to a four-lane facility. Please consider the following:

- Consider a more robust structural section for heavy truck traffic.
- Consider full 8-10 feet width shoulders for emergency services, breakdowns and drainage.

Dedicated transit lanes along SR-111 along with Commercial Nodes, Intermodal Rail Yard, and Public Transit HUB. Consider all this movement when it comes time to design the intersections.

Intelligent Transportation System (ITS) improvements along SR-111 will need to be connected back to Caltrans' Transportation Management Center (TMC).

Please be advised that major utility improvements including sewer, water, fiberoptic, etc., would need to be encased across Caltrans' R/W.

No impacts to State facilities will be allowed as a result of the proposed floodplain improvements to the New River and Alamo River.

On page 100, Figure 5-5 Cross-Section, the dike is called out next to the curb. Caltrans recommends either a dike or a curb. The minimum shoulder width for a two-lane State highway is 8 feet. The standard outside shoulder width for a four-lane State highway is 10 feet.

Also, the concrete barrier and center median are shown in the same cross-section. Please show a separate cross section showing the concrete barrier as needed.

According to table 302.1 of the Highway Design Manual (HDM), inside shoulders need to have a 5-foot width.

In addition, when on-street parking is allowed, the preferred shoulder width is 10 feet.

On page128, Figure 6-4, Drainage Infra Opportunities, the legend for drain extensions for improved flow conditions to the sea does not match what is shown on the map. Please clarify.

Hydraulics
Please provide hydraulic studies, drainage and grading plans to Caltrans for review.

Please provide a pre- and post-development hydraulics and hydrology study. Show drainage configurations and patterns.

Provide drainage plans and details. Please include detention basin details of inlets/outlets.

Provide a contour grading plan with legible callouts and minimal building data. Show drainage patterns.

For all plans, please show Caltrans' R/W.

Caltrans generally does not allow development projects to impact hydraulics within the State's R/W. Any modification to the existing Caltrans drainage and/or increased runoff to State facilities will not be allowed.

Complete Streets
Caltrans' Complete Streets consultation shall be requested for the following:

- As individual development projects located in the LVSP are submitted for review, complete streets elements will be considered, and input will be provided by the Caltrans Complete Streets Branch.

- The two (2) current proposed locations of the Concept Public Transportation Hubs are adjacent to SR-111 (referenced on page 35-36 of the Draft Specific Plan). As this concept becomes a viable project, close consultation with Caltrans will be required to further determine access to the Hub and impacts to SR-111. These comments will also apply to the Transit Network Map on page 112 of the Draft Specific Plan.

- Also, the project should always seek transit consultation from the Imperial County Transportation Commission as they are the administrators and operators of the transit network in Imperial County.

- The Conceptual Pedestrian Pathway proposed currently does not have a direct connection to SR-111, if that changes and connections to the State system are proposed Caltrans review will be required.

- The two (2) proposed Intermodal Rail Hub locations (referenced on page 36 of the Draft Specific Plan) present a need to cross SR-111 and potentially impact the complete streets connectivity of SR-111 where new rail crossings may be developed. In addition, page 108 of the Draft Specific Plan states, *"Phase 2 Private Rail lines may be constructed to provide immediate rail connections to industry users…proximity to the existing rail line will ensure efficient freight…"* considering the existing rail line is located east of SR-111, Caltrans will need to further analyze operational impacts to SR-111 as it relates to additions/modifications to rail operations in the project area.

Figure 5-8 Bicycle Network Map and *Figure 5-7 Bridges* of the LVSP document, show a proposed four-lane segment on SR-111. To address potential bottlenecks, the traffic analysis needs to include the four-lane segment at SR-111 north of Calipatria.

Right-of-Way
Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.

Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans, and an encroachment permit will be required for any work within the Caltrans' R/W

before construction. As part of the encroachment permit process, the applicant must provide approved final environmental documents for this project, corresponding technical studies, and necessary regulatory and resource agency permits—specifically, CEQA determination or exemption. The supporting documents must address all environmental impacts within the Caltrans' R/W and address any impacts from avoidance and/or mitigation measures.

If you have any questions or concerns, please contact Roger Sanchez, LDR Coordinator, by phone (619) 987-1043 or by e-mail at <roger.sanchez-rangel@dot.ca.gov>.

Sincerely,

Kimberly D. Dodson

KIMBERLY D. DODSON, GISP
Branch Chief
Local Development Review

c: Roger Sanchez, Local Development Review Coordinator, Planning Division, District 11, Caltrans

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Friday, May 2, 2025 2:34:33 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: California Department of Fish and Wildlife, Inland Deserts Region 6
Email Address:: Maria.Davydova-Flores@Wildlife.ca.gov
City of Residence:: Bermuda Dunes
State of Residence:: California
Comment:: Hard Copy Hand Delivered to:
Imperial County Planning and Development Services Department
801 Main Street , El Centro, CA 92243

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Lithium Valley Specific Plan (Plan) that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Id., § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

The CDFW Salton Sea Program (SSP) has the responsibility for oversight of the implementation of the Quantification Settlement Agreement (QSA) Incidental Take Permit (ITP) 2081-2003-024-006 (IID/SDCWA Transfer Project- Quantification Settlement Agreement) and serves on the QSA ITP/Draft HCP Implementation Team. The SSP recommends that close cooperation and collaboration occur between SSP and the County to avoid conflicts with QSA ITP regulatory requirements during this important early step in the growth of our local Lithium industry, the development of the Lithium Valley Specific Plan. Please note that these comments have been prepared in collaboration with the CDFW Lands Program.

PROJECT DESCRIPTION SUMMARY

Proponent: Imperial County

Objective: The objective of the Lithium Valley Specific Plan that has been prepared by the County of Imperial to proactively establish a clear path forward towards an environmentally conscious employment hub, called Lithium Valley, which will assist in meeting the nation's increasing demands for lithium and other minerals present in the Salton Sea Known Geothermal Resource Area (KGRA).

Primary Project activities include the development of the Lithium Valley Specific Plan (LVSP or the Plan), a regulatory document that establishes a guidebook for streamlined development in the area, crafted from community and stakeholder input. The Plan guides the implementation of land use regulations, design guidelines, transportation networks, and infrastructure policies tailored to support the unique community-based needs of the Lithium Valley region. The Plan Area requires extensive development in terms of infrastructure, roadways, and utilities to achieve the vision for this part of Imperial County.

Location: The LVSP spans approximately 51,622 acres adjacent to the southeastern shoreline of the Salton Sea, addresses the transformation of primarily undeveloped land.

Timeframe: The LVSP will be in effect when approved by the County of Imperial and be in effect until such time it is repealed and/or revised by the County.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County of Imperial in adequately identifying the Plan's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. These comments are not part of the California Environmental Quality Act (CEQA) process and CDFW reserves the right to make comments on the Draft Programmatic Environmental Impact Report for the LVSP.

Section 1 Introduction and Intent

Comment 1: Section 1.5 Relationship to the General Plan and Other Planning Documents, Page 13
CDFW recommends that the Salton Sea Management Program (SSMP) Phase I: 10 Year Plan be included in the other planning documents that are reviewed and referenced. The Phase I: 10 Year Plan provides a guidance document for the implementation of 29,800 acres of habitat restoration and dust suppression projects required by State Water Resources Control Board Stipulated Water Order 2017-0134.

Comment 2: Section 1.6 CEQA Compliance, Page 14
CDFW recommends that, as required by Section 15092(b) of the Guidelines for the Environmental Quality Act, California Environmental Quality Act (CEQA) compliance be finalized prior to approval for any projects covered under this Specific Plan. CDFW requests that a copy of the Draft Programmatic Environmental Impact Report (PEIR) be provided to the CDFW Salton Sea Program.

Comment 3: Section 1.9 Community Engagement, p 21
“The feedback received during the public review period which addressed significant environmental issues was considered and responded to in the Final PEIR and where appropriate, reflected in revisions to the Draft Specific Plan.” Please provide CDFW the Final PEIR and the SCH Number for this document.

Section 2 Vision and Guiding Principles
Comment 4: Figure 2-3 Lithium Valley Concept Map, p. 33
In this figure, Pound Rd is shown extending west of Davis Road toward the Salton Sea. Pound Road does not presently extend west of Davis Road, and other figures in the Plan do not show this westward extension. If this depiction is intentional, CDFW recommends a consultation with USFWS and CDFW as the addition of this section of the road may enter into existing marsh habitat.

Section 3 Land Use
Comment 5: Figure 3-1, Section 3.2, page 36
CDFW recommends the “Conservation” land use designation for Morton Bay area due to the importance of the existing resources as rail and desert pupfish habitat. “Playas Restoration" land use designation would be acceptable if existing surface habitat and resources are conserved. Directional drilling from adjacent parcels could still exploit geothermal resources that underlay this area.

Comment 6: Figure 3-1, Section 3.2, page 36
Areas west of Davis Road and north of Alamo River are designated as Green Industrial and Playas Renewables land use designations in Figure 3-1. This area contains important desert pupfish, Yuma Ridgway’s rail, and black rail habitat. CDFW recommends that areas with occupied rail habitat not be included in Green Industrial and/or Playas Renewable land use designations. CDFW recommends that areas of occupied rail habitat be designated as “Conservation” land use designation. Directional drilling could be allowed under these parcels (see Comment re Section 3.2.10 below). Alternatively, the Green Industrial and/or Playas Renewables land use designations could be revised to allow for occupied pupfish or rail habitat to be conserved within these designations. CDFW also recommends that any development minimizes impacts to existing hydrologic flow patterns and occupied habitat of special status species.

Comment 7: Figure 3-1, Section 3.2, page 36
Differences between roadway classifications are unclear in map. Suggest use of different colors/patterns for different roadway classifications. Additionally, the map is very dense with details that would be better represented in a larger map.

Comment 8: 3.2.9 River Corridor Page 46
The Plan states, “The proposed Alamo River corridor would require a width of 950 feet, while the New River corridor would necessitate 1,275 feet.” Widening the New River Corridor may impact the existing SSMP Salton Sea Species Conservation Habitat (SCH) project.

Comment 9: 3.2.10 Conservation, p. 48.
CDFW suggest that directional drilling could be allowed under “Conservation” land use designation with the permission of the landowner (if mineral rights are not severed) of affected parcels and/or the holder of the mineral rights for those parcel(s) with severed mineral rights.

Comment 10: 3.6 / Table 3-3 Land Use Goal, Policies, and Programs, p. 63
Policy LU-9: “Habitat Clusters: Create a network of habitat clusters of approximately two acres minimum to support wildlife and bird migration.” CDFW proposes incorporating connective corridors between habitats wherever feasible.

Section 4, Development & Design Standards
Comment 11: General Comment
CDFW proposes using the term “native vegetation” in lieu of “drought-tolerant vegetation” consistently across all planning documents. All vegetation native to the region is drought-tolerant, but the term “drought-tolerant vegetation” refers to many plants of exotic origin that have a potential to have a negative impact on the local habitats. All landscape vegetation and/or vegetation used for restoration/dust suppression should use plants native to the area to the extent feasible. Invasive non-native plant species not to be used include those species listed on the California Exotic Pest Plant Council's list of "Exotic Pest Plants of Greatest Ecological Concern in California." A copy of the complete list can be obtained by contacting the California Invasive Plant Council by phone at (510) 843-3902, at their website at www.cal-ipc.org, or by email at info@cal-ipc.org.

Comment 12: 4.1.1 Standard Design Conditions for unique locations, p. 70
CDFW recommends adding a standard design condition to have an Invasive Plant Species Control Plan or equivalent for sensitive habitats, such as areas adjacent to conservation and river corridors.

Section 5 Circulation & Transportation Comments
Comment 13: 5.1.2 Truck Routes, p. 101
The industrial local 2-lane route of Davis Road for trucks through the Imperial Wildlife Area Wister Unit (conservation area) will negatively impact wildlife and recreational resources, and special status species such as the endangered desert pupfish, Yuma Ridgway’s rail, and California black rail, as well as the abundant waterfowl, marsh birds, and shorebirds that occupy the area. Noise and lights from the trucks will impair habitat usage by wildlife, recreational uses by hunters, fishermen, campers, and safety of the public using these resources. Any negative impacts would need compensation, avoidance, and minimization measures. Construct industrial local routes to allow wildlife crossings.

Comment 14: 5.1.2 Truck Routes, p. 101
Need further research to determine if conservation area closure of Davis Road, Alcott Road, and Beach Road is in effect during waterfowl season. Ask Cris Crecelius (760)359-0577 or (760)636-6118 Cristopher.Crecelius@wildlife.ca.gov for specifics of closure.

Comment 15: 5.1.2 Truck Routes, p. 101
Additional sources of lighting from truck routes and facilities adjacent to the conservation area will disrupt wildlife occupation and hunting activities within the conservation area. Wildlife will be more prone to staying away from lit areas rendering loss of habitat usage. This effect will also affect hunters and recreation on the conservation area. A lighting buffer of 450 feet away from the conservation area should be put in place with mitigation measures to avoid light pollution from new buildings and roads.

Comment 16: 5.1.2 Truck Routes, p. 101
Expansion of road surfaces, addition of roundabouts, rest areas, and loading/unloading along Davis Road within the conservation area takes away habitat for wildlife and will need to be

compensated.

Comment 17: Figure 5-6 Truck Routes, p. 103
A section of Davis Road north of Alamo River is shown going through a CDFW Parcel managed as the Hazard Unit of the USFWS Sonny Bono Salton Sea National Wildlife Area. CDFW recommends a consultation with both USFWS and CDFW as this may be incompatible with wildlife area management, for example due to commercial traffic noise impacts.

The map also shows a traffic route labeled as “proposed truck route” and “Industrial local / 2 lanes” going through sensitive habitat in Wister State Wildlife Area via Davis Road, which would be incompatible with wildlife area management.

Comment 18: Figure 5-7 Bridges, p. 105
Please note that there are multiple bridges across Davis Road at agricultural drains north of Sinclair Road which are not marked on the map. Some of these bridges may require improvement or replacement, such as the bridge at Z drain on Davis Road, which is one lane only.

Comment 19: Figure 5-8 Bicycle Network Map, p. 107
Adding a bicycle route through the Imperial Wildlife Area Wister Unit will increase illegal access to the conservation area such as trespassing, and the potential for off-road users such as e-bikers, mountain bikers, and OHV. CDFW suggests rerouting the bicycle route out of the non-public access sections of the conservation area. We propose a reroute onto county roads to Alcott Road to Davis Road to Beach Road to the Salton Sea.

Comment 20: Figure 5-9 Rail Network Alternatives Map, p. 110
A line titled “Conceptual Phase 2 Private Rail Lines” appears to bisect Sonny Bono National Wildlife Refuge. Please add Sonny Bono NWR on the map.

Section 6 Infrastructure
Comment 21: 6.1 Water pp. 116-117
Table 6-1 estimates the anticipated water supply demand for Phase 1 to be 48,023 acre-feet per year. Section 6.1.2 states that to meet the project water demand, “water will be purchased from the IID by the Special District.” With ongoing water reductions, the proposed water use associated with the Plan may reduce inflow from agricultural fields into drains that are desert pupfish habitat and/or that support marsh areas that are habitat for listed species.

Comment 22: 6.1 Water, Figure 6-1 Proposed Water System, p. 118
The figure depicts a large water storge facility (> 10 million gallon) located west of Pound Road, on the northern shore of Morton Bay. Placement of the water storage facility and associated infrastructure at this location may impact occupied rail habitat. CDFW recommends a consultation with both USFWS and CDFW regarding placement of such facilities.

Comment 23: 6.2 Wastewater, Figure 6-2 Proposed Wastewater System, p. 122
Phase 2 wastewater lines appear to be proposed within and/or to IWA. Please consult CDFW Lands Program.

Comment 24: 6.2 Wastewater, Figure 6-2 Proposed Wastewater System, p. 122
The addition of wastewater lines within county roads, Noffsinger Road and Davis Road,

should not interfere with water drains and lines supporting the conservation area. If possible, move wastewater line from Noffsinger Road to Alcott Road.

Comment 25: 6.2 Wastewater, Figure 6-2 Proposed Wastewater System, p. 122
The map depicts two “Proposed WWTP” locations. The proposed wastewater treatment plant located closer to the Salton Sea shore appears to be either adjacent or within Sony Bono NWR boundary, which would be potentially incompatible with protection of sensitive habitats. A higher resolution map with land ownership information would be necessary to assess potential impacts of the placement of such facilities.

Comment 26: 6.3 Stormwater and Drainage, 6.3.2 Floodplain Recommendations p. 123
The Plan states: “One option would involve the creation of river corridors for the Alamo River and New River that are wide enough to contain and convey the 100-year peak flow.” Please define "creation of river corridors" specifically to clarify whether it involves recontouring of the existing land surface within the corridor. CDFW recommends that any development minimize impacts to existing hydrologic flow patterns and occupied habitat of special status species.

Comment 27: 6.3.3 Drainage Recommendations, B. Conveyance Drains, p. 127
The Plan states, “The IID drains are primarily used currently for agricultural irrigation. However, based on the proposed land use plan, a large portion of the Specific Plan Area is designated for uses other than agriculture. This change in land use over time would slowly eliminate the need for irrigation water supply through IID Drains within the Specific Plan Area. A select network of these drains can be converted to interceptor swales and stormwater channels to convey stormwater runoff from the parcels to the rivers or Salton Sea.” However if occupied by desert pupfish, these drains would require this water supply to continue in order to avoid take of this species. These drains should be reviewed carefully to determine if this would impact pupfish or downstream habitat, including rail habitat. In addition, harmful runoff and other non-point source pollution could be introduced into areas that have not had this stressor in the past.

Additionally, the QSA ITP 2081-2003-024-006 specifically addresses desert pupfish and their habitat in Conditions of Approval (COP) 4.j.i-xix. The portion of Imperial Irrigation District (IID) drains that are downstream of the first check structure are considered to be desert pupfish habitat. QSA ITP COP 4.j.ii states “The Permittee will maintain the current amount of potential pupfish drain habitat (expressed as linear channel distance) over the term of the Permit.” Any conversion of desert pupfish habitat to another purpose will impact IID’s ability to comply with the regulatory requirements of the QSA ITP.

Section 6.3.3.B of the LVSP also states, “Positive drainage can be achieved by clearing out and extending drains out to Salton Sea in strategic locations; however, this will require permitting through several regulatory agencies.” However, once again this is an action that is addressed in QSA ITP COP 4.j.ii that states “This will be accomplished as the Sea recedes by extending or modifying existing IID and Coachella Valley Water District drains or by maintaining the suitability of naturally created drain channels”. Extension to the Sea were only anticipated by QSA ITP COP 4.j.i until such time that “... The Salton Sea become unsuitable for pupfish”. This salinity threshold has been reached and IID is currently working on a Connectivity Plan as required by this COP. Any proposed drain extensions, connections, and/or conversion need to be in compliance with the QSA ITP. Conversions of pupfish drains to stormwater conveyance channels would likely not be in accord with the regulatory

requirements of the QSA ITP.

Comment 28: Figure 6-4 Drainage Infrastructure Opportunities, p. 128
Drain extensions have the potential to impact habitat for pupfish/rails. Widening of both the Alamo and New River corridors to accommodate 100 year peak flows may impact SCH project and future expansion concepts

Comment 29: 6.8 / Table 6-5 Infrastructure Goal, Policies and Programs, p. 145
The Plan states: “I-9: Plan and build/convert IID drains and canals to dedicated stormwater channels to convey local drainage out to the rivers or the Salton Sea at strategic locations in a phased manner as the land use changes from agriculture to other activities and demand for irrigation water supply within the Specific Plan Area slowly decreases.” Please consult CDFW regarding potential impacts to the pupfish populations in occupied drains.

CONCLUSION

CDFW appreciates the opportunity to comment on the Lithium Valley Specific Plan to assist Imperial County Planning and Development Services Department in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Maria Davydova-Flores, Senior Environmental Scientist Specialist, at (760) 851-4200 or at Maria.Davydova-Flores@Wildlife.ca.gov .

Sincerely,

Tonya Marshall
Salton Sea Program Manager
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AIR POLLUTION CONTROL DISTRICT

May 5, 2025

Mr. Jim Minnick
Planning & Development Services Director
801 Main St.
El Centro, CA 92243

SUBJECT: Imperial County (Draft) Lithium Valley Specific Plan

Dear Mr. Minnick:

The Imperial County Air Pollution Control District ("Air District") thanks you for the opportunity to review the February 2025 Draft Lithium Valley Specific Plan (LVSP), the purpose of which is to establish a clear path forward towards an environmentally conscious employment hub, called Lithium Valley, which will assist in meeting the nation's increasing demands for lithium and other minerals present in the Salton Sea Known Geothermal Resource Area (KGRA).

The Air District reviewed the DLVSP for consistency with federal and state air pollution laws and local air district rules and regulations. In multiple areas the Air District identified text that was either ambiguous or conflicts with current existing laws and regulations. For example, the statement "in cases of conflict between the Lithium Valley Specific Plan and the Imperial County Municipal Code, or its Land Use Ordinance, the provisions of the Specific Plan take precedence and control" (page 7), gives the impression that the LVSP takes precedence over federal and state air pollution laws and regulations, which it does not. Additionally, Section 3.2.4 discusses dust suppression on exposed playas. There are several adopted plans that currently require mitigation of exposed playas. Other ambiguities include the interchangeable use of "mitigation" and "suppression" for dust control. In addition, please remove all references to monitors and replace with "sensors."

All projects proposed for the LVSP must undergo review by the County, of which the Air District is part. To avoid conflict and ambiguity going forward, the Air District is requesting further discussion to clarify the issues.

Sincerely,

Monica Soucier
APC Division Manager

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

May 5, 2025

Via Personal Delivery & Email

Imperial County Planning and Development Services Department
Attn: Jim Minnick, Planning & Development Services Director
801 Main Street
El Centro, CA 92243

RE: Imperial Irrigation District's Comments Regarding the County of Imperial Lithium Valley Specific Plan, February 2025 Draft

Dear Mr. Minnick:

Imperial Irrigation District (IID) appreciates this opportunity to submit comments regarding the County of Imperial (County) Lithium Valley Specific Plan, February 2025 Draft (Draft Specific Plan or plan). While this letter provides IID's comments regarding the Draft Specific Plan, IID anticipates further discussions and coordination with the County prior to the completion and release of a final Lithium Valley Specific Plan. IID has identified general and specific comments for the County's review and consideration. However, there are a number of questions IID has that are not answered by the Draft Specific Plan and, in those instances, IID may have additional comments once those questions are answered.

The Draft Specific Plan is intended to "outline a comprehensive framework to transform the Imperial Valley into a hub for renewable energy, mineral recovery, manufacturing and logistics across 51,662 acres adjacent to the Salton Sea." (pg. 15) The County's Vision Statement for the Draft Specific Plan is the following:

> Lithium Valley is a dynamic and prosperous region that prioritizes public health and local jobs in innovative clean energy industries. Lithium Valley aims to lead the way toward energy independence, a domestic supply of critical minerals, and a reduction in global emissions, by harnessing Imperial County's geothermal and other natural resources. Through collaboration, Lithium Valley increases economic opportunity, enhances infrastructure, and creates lasting benefits for the community. (pgs. 15-16)

Specific plans provide a bridge between the General Plan and Zoning Code for the development of a particular geographic area. California Government Code Section 65450 states that a specific plan provides "for the systematic implementation of the general plan for

all or part of the area covered by the general plan." Specific plans can vary significantly from presenting broad policy concepts to detailed direction on the type, location, and design of projects. IID recognizes that the Draft Specific Plan is an ambitious effort given the magnitude of the plan area and the complexity of the infrastructure anticipated for the development anticipated within that plan area.

The level of detail and information that the County provided in the Draft Specific Plan and will provide in the Programmatic Environmental Impact Report (PEIR) and final Lithium Valley Specific Plan will significantly affect the subsequent use of the plan and the PEIR for future development and the extent to which those will expedite development within the plan area. Currently, the Draft Specific Plan does not provide the level of detail IID needs in order to provide specific information that the County is seeking or to determine what impacts to and changes will be needed for IID's facilities and services to accommodate the development and new infrastructure anticipated by the plan. This is discussed in further detail in the comments provided below.

General Comments

1. The associated PEIR must analyze all impacts of the Draft Specific Plan related to IID facilities (water and power) and must include all mitigation measures to be implemented by all entities and agencies that will be responsible. Given the magnitude of the Draft Specific Plan and the scope of changes anticipated to be made to this geographic region, while also not yet providing site-specific and project-specific information, IID anticipates that subsequent environmental analysis will be required for the anticipated development within the Draft Specific Plan. Such subsequent analysis must comply with the California Environmental Quality Act (CEQA), which may require additional environmental documents, such as mitigated negative declarations and environmental impact reports.
2. The Draft Specific Plan recognizes that it does not apply to land owned by the City of Calipatria pursuant to California Government Code sections 53090 et seq. and an Attorney General Opinion (68 Ops.Cal.Atty.Gen. 114 (1985)). However, these statutes and the Attorney General Opinion also apply to IID. According to the Attorney General Opinion, it was determined in 40 Ops.Cal.Atty.Gen. 243 (1962) that "by virtue of the definition of 'local agency' *and the exclusions contained therein* in section 53090 cities and counties were mutually exempt from each other's building and zoning ordinances, whether acting in a governmental or proprietary capacity." Section 53090 also excludes state agencies. Accordingly, in 56 Ops.Cal.Atty.Gen. 210 (1973) the Attorney General's Office, "relying heavily on the 1962 opinion and common law principles, concluded that a district agricultural association, as a *state* agency, was exempt from city building and zoning ordinances." And further "concluded that the district agricultural association's lessee, under a ground lease for the construction of a hotel complex and an advertising display on the state property under a 55-year lease, would also be exempt from local regulations." Water Code section 20570 states that "It is reaffirmed that [irrigation] districts are state agencies formed and existing for governmental purposes." Therefore, these statutes and Attorney General Opinions would likewise apply to IID and the Draft Specific Plan needs to recognize this.

3. The Draft Specific Plan anticipates or necessitates the acquisition of a substantial amount of property and facilities, whether by fee title or easements, for various purposes. This is not addressed in any way in the Draft Specific Plan. IID recognizes that a specific plan typically includes discussions about land uses, development intensity, and public facilities, but the acquisition of property and facilities for these purposes is not a primary focus. However, this Draft Specific Plan is unique in the magnitude, location and purpose of the plan area such that many components of this Draft Specific Plan are reliant on a substantial amount of property and facilities being acquired and must be acquired for the Draft Specific Plan to be implemented in any way. There must be discussion about this and what is to occur if such property cannot be acquired. Nevertheless, this may also be a basis for subsequent CEQA analysis where this Draft Specific Plan does not address what will be done in instances where property and/or facilities have not been acquired to implement some aspect of the Draft Specific Plan.
4. Any planned upgrades to IID's power system typically stems from proposed development projects either by a generation resource requesting interconnection or a load facility requesting service. For this reason, IID can only provide limited and general comments, unless or until site-specific and project-specific information is provided.
5. The Draft Specific Plan identifies an expected demand of 2.6 GW/h (2,642 MW/h) at the projected buildout (pg. 131), which would quadruple IID's historic peak load. The Draft Specific Plan also identifies 519 MW/h of energy production (pg. 131), but IID only has projects in the early study stage of the process and not yet known what transmission upgrades will be required. As a result, what is anticipated in the Draft Specific Plan would so significantly change and affect IID's power system that it is impossible to provide any level of detailed information on what that would actually require (e.g. infrastructure, routes, property acquisition, etc.)
6. The Draft Specific Plan anticipates the formation of an Infrastructure Special District, which is introduced in Chapter 6. It is also stated that until the Special District is formed, "any references to a Special District shall be undertaken by the County or its designee." (pg. 116) "Water" is one of the "infrastructure components" intended to be funded and managed by the Special District. However, it is unclear from the Draft Specific Plan how the County or the newly formed Special District would work and exactly what would be "undertaken." Even a simple explanation of what water users this Special District would serve is not provided. Would the County/Special District only serve new uses and not existing uses? Or treated water uses? Or municipal/commercial/industrial wastewater and/or stormflows or flood flows? The Draft Specific Plan simply provides for the formation of the Special District, but does not provide sufficient detail in how that would work initially or into the future. And to that end, when it is stated that the references to the Special District will be references to the County until the district is formed is not explained in any level of detail. What does that mean and to what extent will the County undertake anything that would otherwise be undertaken by the Special District? Would the County retain anything and not transition it to the Special District? How would any responsibilities, obligations or authority be transferred to the Special District? And then it extends even further to the County's designee. What does that mean? Would that include a non-governmental agency acting independent of the County and the Special

District? More information needs to be provided in order for IID to provide meaningful input on this aspect of the Draft Specific Plan.

7. IID is not now and does not anticipate in the future to be a flood control district. IID is an irrigation district and provides drainage for its water users. There are significant legal differences between a flood control district and an irrigation district that the Draft Specific Plan does not address. There are also significant issues that would be created for water users and customers within IID that are not identified or examined within the Specific Plan. Impacts that would occur as a result of the creation of a flood control district would need to be fully analyzed and explained within the PEIR. IID's drains are designed to provide drainage for the water it delivers to its customers through its conveyance system. IID's drains are not designed to accommodate stormwater flows or flood flows. IID would not support connecting IID facilities to or converting any IID facilities to flood control facilities.
8. Prior to the release of the Draft Specific Plan, IID was not aware of the County's intention to prepare a Water Master Plan (WMP) to identify the infrastructure and "strategies" to provide water supplies to meet the anticipated demands for Phases 2 and 3. IID is willing to consult with the County on this concept and approach, but more information must be provided for IID to provide meaningful input. A WMP is not a document IID has prepared or contributed to before now and it is currently unclear whether this would in fact be the correct mechanism to accomplish the desired objectives. IID is available to consult with the County to discuss the process and potential mechanisms to address water supply and infrastructure needs. But it is premature to determine whether this will include a WMP as the Draft Specific Plan proposes.
9. The Draft Specific Plan mentions that the County will secure water supplies through negotiations with IID, particularly with regard to the proposed Phase 1 demand. (pgs. 18, 140) However, IID is not aware of these negotiations. Further, what it is exactly that is or will be negotiated or renegotiated? IID addresses water supply and infrastructure needs and issues with non-agricultural uses on a project-by-project basis considering site-specific and project-specific details. IID is available to discuss the proposed approaches to meet water supply demands, but IID can only provide limited and general comments, unless or until site-specific and project-specific information is provided.
10. There will need to be further discussion and coordination with IID to ensure that the Draft Specific Plan requirements do not interfere with, prevent, or otherwise affect IID's mitigation obligations under the Quantification Settlement Agreement (QSA), and related permits, including the implementation of IID's Salton Sea Air Quality Mitigation Program.
11. Photo credits should be provided for all photos acquired from websites or other sources.

Specific Comments

12. Page 10: Section 1.3 states "extensive community engagement efforts were performed, including workshops, meetings with technical advisory groups, Native American consultation, and meetings with an Environmental Justice Working Group." However, there were no substantive direct meetings with IID staff prior to the release of the Draft Specific Plan to discuss the particular aspects of the plan that affect IID and its services, operations, land, and facilities. Major components of the Draft Specific Plan will

significantly and dramatically impact IID. IID has not agreed to these components of the Draft Specific Plan and will need to be extensively involved in every step of the development processes anticipated to occur according to the plan.

13. Page 10: Section 1.4 states "The Salton Sea is maintained by agricultural runoff from the Imperial and Coachella valleys and now supports an ecosystem that attracts hundreds of migratory bird species and other wildlife." The word "now" needs to be deleted. The Salton Sea has always supported an ecosystem that attracts birds and other wildlife, but the composition of that ecosystem has changed over the years. In recent years, the ecosystem has been changing such that it attracts fewer birds and wildlife due to the salinity levels of the Sea.
14. Page 10: Section 1.4 states that "elevated salinity levels and environmental toxins caused by lack of inflow and increase of pollutants from the New River and Alamo River have significantly harmed fish and bird populations, leading to a decline in their numbers." This statement is conclusory, but provides no basis or citation supporting this conclusion. There is also no acknowledgement that the Salton Sea is a terminal lake and with no outflow and the effect of evaporation, salinity levels will continue to increase regardless of other factors. Further, it is unclear what is meant by "lack of inflow."
15. Page 11: Section 1.4 states that the Draft Specific Plan does not apply to 160 acres of land owned by the City of Calipatria, where the City operates the Calipatria Wastewater Treatment Plant, citing California Government Code Section 53090 et seq. and an Attorney General Opinion (68 Ops.Cal.Atty.Gen. 114, 118 (1985). This section should be modified to recognize that these statutes and Attorney General Opinion also apply to IID. (See comment #2)
16. Page 14: Section 1.5 provides a list of "plans and policy documents that were reviewed and referenced to better understand existing conditions, planned improvements, and policy synergies...," which includes the "Imperial Irrigation District (IID) Integrated Regional Water Management Plan (2008)." However, this is not an IID document. This is actually titled the "Imperial Integrated Regional Water Management Plan" and was the result of a collaborative process among stakeholders that formed the "Imperial Water Forum." While the Imperial IRWMP was adopted by IID, the County, and the City of Imperial, the Water Forum authorized the City of Imperial to serve as the Property 84 grant administrator. IID currently provides water to new non-agricultural projects pursuant to IID's Rules and Regulations Governing the Distribution and Use of Water, the Equitable Distribution Plan and the Interim Water Supply Policy for Non-Agricultural Projects, as well as any future rules, regulations, or policies developed to further provide for water supplies for non-agricultural water users.
17. Page 18: The summary of the Water section of Chapter 6 states that "Future water supply for subsequent phases are intended to be guided by a comprehensive Water Master Plan (WMP)" However, this does not apply to Phase 1. This section states that "Phase 1 water supply, estimated at approximately 48,023 acre-feet per year, will be secured through negotiations with IID." The Draft Specific Plan does not explain what this means and how this will work if not part of the WMP. Further, the Draft Specific Plan needs to provide how this volume of water within Phase 1 will be supported under the existing capacity limitations of IID's conveyance system or whether canal augmentation, piping, or pumping will be required in certain areas and what is associated with those

actions. The Draft Specific Plan should consider some or all of IID's canals and laterals are operating at capacity during peak flows.

18. Page 18: The summary of the Wastewater section of Chapter 6 states that "Upgrades to existing WWTPs in Niland and Calipatria, as well as the construction of new facilities, will align with regulatory compliance, enhance water quality, and contribute to Salton Sea mitigation efforts." It is unclear how upgrades to existing WWTPs would contribute to Salton Sea mitigation efforts. There is no explanation. (See comment #33)
19. Page 19: The following statement is incorrect: "Local entities such as the Imperial Irrigation District (IID) and Imperial County oversee compliance, maintenance, and flood control objectives, including hydrologic data collection, flood warnings, and ensuring private development compliance with FEMA policies." IID does not oversee the items listed in this statement.
20. Page 24: Figure 1-3 displays Community Engagement Highlights. In this figure, it shows at the top right a pie chart labeled "Primary Audience" and has "Agency Stakeholders" at 3%. This term is not used anywhere else in the Draft Specific Plan. Therefore, it is unclear what this includes and what is meant by "Primary Audience." IID would guess that it would be considered an agency stakeholder. The 3% seems to be representative or even a little higher than the actual level of engagement that occurred with IID. Given how significantly the Draft Specific Plan affects IID and its services, operations, land, and facilities, IID would have anticipated more engagement regarding the plan and to be recognized as an important audience for the plan. (See comment #12)
21. Pages 32-33: Figure 2-2 displays the Lithium Valley Vision. Figure 2-3 displays a Concept Map. Within both figures, IID's Managed Marsh Complex (MMC) is within the "Conservation" land use designation, but is bordered by a rail track, commercial node, and public transportation hub. The MMC and similar conservation areas, such as the Imperial Wildlife Areas and Sonny Bono National Refuge, are inhabited by various protected bird species, some endangered. Without further information and analysis, the proposed facilities (rail track, commercial node, and public transportation hub) adjacent to the conservation areas, and specifically the MMC, are not compatible and may result in significant impacts to biological resources.
22. Page 40: Section 3.2.4 states "As the Salton Sea recedes, the exposed playas become a major source of fugitive dust containing harmful elements that have accumulated from agricultural runoff over decades." This is an inaccurate statement that needs to be deleted or revised to be accurate. First, a source of fugitive dust can only exist if there are PM emissions making it a source of fugitive dust. To state that simply because playas become exposed they are automatically a major source of fugitive dust is a jump that cannot be made because it does not account for situations when the playa is not emissive. Second, not all exposed playa is emissive and if they are not emissive, they are not a source of fugitive dust, let alone a *major* source. Third, this statement does not account for exposed playa on which restoration and dust suppression projects are located. Fourth, this statement refers to "harmful elements that have accumulated from agricultural runoff over decades," but does not explain what those would be and targets the agricultural industry that sustains the Imperial Valley community. There is no basis provided for this statement. In fact, several studies have been conducted to evaluate the health risk, specifically the elemental composition of playa dust and sediment and whether it is unique from native desert material. (Vogl and Henry (2002), Xu et al.

(2016), Frie et al. (2017) and (2019), Biddle et al. (2023), IID Salton Sea Air Quality Mitigation Program.) Findings indicate that concentrations of toxic metals were either below the method detection limit, or if above detection limits, were indistinguishable between the playa and desert. The concept that playa dust is exceptionally high in toxic metals is not supported by the current body of research. The current analyses of aerosol and sub-aerial soil samples from the playa and desert surrounding the Salton Sea suggest that until PM contaminant concentrations begin to exceed California EPA reference exposure levels, the principal health concern is and will continue to be the amount of PM being emitted rather than the composition. The dust itself (regardless of composition) is the most important aspect to consider in terms of human health.

23. Page 43: Section 3.2.6 provides the Interim Agriculture land use designation. This section states that the "intent of the Interim Agriculture designation is to retain agricultural land until there is a need to transition to industry-driven uses outside their primary designated areas." This section also states that this "area allows the underlying agricultural zones to remain in effect until Phase 3 is implemented." And then the Phase 3 Zones will be activated, however the underlying agricultural uses will remain allowed uses." This is confusing. Does this mean the Specific Plan will always have this designated as "Interim Agriculture," but is ultimately intended to be zoned as "Green Industrial" and "Manufacturing" as shown in Figure 3-3? While the agricultural uses will remain allowed uses, the intention of the Draft Specific Plan appears to eliminate all agricultural uses within the 51,622 acres of the plan area. The Draft Specific Plan and, more importantly, the PEIR will need to analyze the long-term or permanent impacts that result from such a significant change to the agricultural industry.
24. Page 68: Section 4.1.1.A.1. states that proposed development within 100 feet of the Salton Sea shoreline will need to prepare a Dust Control Plan. However, it is unclear what is mean by a "Dust Control Plan." Is this a Dust Control Plan identified in the Imperial County Air Pollution Control District's Rules or is it a generic reference to the creation of some sort of dust control plan document? More specificity needs to be provided. However, any such requirement should not be limited to this 100 feet within the Salton Sea shoreline. Emissive dust (PM10 emissions) could occur at distances greater than 100 feet from the Sea's shoreline. In fact, the closer to the shoreline, the more likely that the soils are saturated and not emissive. Therefore, this requirement does not appear to make scientific sense.
25. Pages 68-69: Section 4.1.1.A.2. provides a list of "dust suppression mechanisms." Of note, this section does not identify required Best Available Control Measures pursuant to the Imperial County Air Pollution Control District Rules. Nevertheless, there is a requirement in subdivision (f) for "other scientifically proven techniques not included herein" must be approved by the County Planning and Development Services (PDS) director. IID has compiled and shared a significant amount of scientific information and data with the County and the Imperial County Air Pollution Control regarding surface roughening, which is not listed within this section as a dust suppression mechanism. More information can be found on IID's Salton Sea Air Quality Mitigation Program website: https://saltonseaprogram.com/plan-and-design/. It is unclear whether this section of the Draft Specific Plan will interfere with, prevent, or otherwise affect IID's implementation of its Salton Sea Air Quality Mitigation Program.

26. Page 70: Section 4.1.1.E.1. states "The minimum setback from Conservation and River Corridor areas shall be 50-feet from the property line to provide a buffer to these environmentally-sensitive areas." However, any conservation areas that are inhabited by various candidate, threatened or endangered will need a larger buffer than the 50 feet provided in the Draft Specific Plan. The applicable buffer will depend on the type of species present and their protection status. Nevertheless, the Draft Specific Plan fails to identify and dress the potential buffer areas that would be needed for candidate, threatened, and endangered species under applicable federal and state laws and regulations.
27. Page 70: Section 4.1.1.E.4.c. provides for the planting of native vegetation as being allowed within the 100-foot setback. However, this section of the Draft Specific Plan should also address the management of invasive species within this 100-foot setback as well.
28. Page 116: Section 6.1.1 refers to "unknown future water legislation." This is speculative. IID recommends changing this to "hydrologic and climate conditions impacting water supplies." This more accurately describes what is currently impacting water supplies within the Colorado River Basin.
29. Page 116: Section 6.1.1 provides Table 6-1, which cites the "Imperial Irrigation District IRWMP 2012." This is not IID's document. (See comment #16.) Additionally, IID is concerned that this is the main source for determining the water supply demand in Table 6-1 and within the Draft Specific Plan as a whole. Many things have changed within Imperial County since the IWRMP was last revised in 2012. It is unclear how what was anticipated for the County in 2012 would now be the basis in 2025 for the Draft Specific Plan for a more specific and limited geographic area for development that was not planned or anticipated during the preparation of the IWRMP. Further work, compilation of updated data for the proposed development, and other information needs to be gathered and provided to support a more accurate water supply demand for the buildout of the development in the Draft Specific Plan. Additionally, this section needs to include how the water demand projected for Phase 1 will be satisfied/generated as it is expressly excluded from the Water Master Plan (WMP).
30. Page 117: Section 6.1.2 states that to "meet the water demand and storage requirements for Phase 1, twelve water storage facilities are recommended through the Plan Area." Does this anticipate raw or treated water to be stored? The use and storage of raw water versus treated water needs to be explained. Additionally, this section is silent on how the water demand of 48,024 acre-feet per year will be satisfied given the existing infrastructure. The Draft Specific Plan should note that IID's canals and laterals are currently at capacity limits during peak flows and explain what is anticipated in light of this if it will not be addressed by the WMP.
31. Page 117: Section 6.1.2 provides that the "WMP will include the following strategies to meet water demands, and will be supported by hydrologic analysis and requisite environmental analysis and mitigation" with a list of a-d. Subsection (b) is "Enforce water recycling requirements for industrial users." "Recycled water" has certain legal meanings within California. The California State Water Resources Control Board adopted Water Reclamation Requirements for Recycled Water Use (Order WQ 2016-0068-DDW) on June 7, 2016 (General Order). The General Order replaces 2014-0090-DWQ General Waste Discharge Requirements for Recycled Water Use. The General

Order establishes standard conditions for recycled water use and conditionally delegates authority to an Administrator to manage a Water Recycling Program and issue Water Recycling Permits to recycled water users. Only treated municipal wastewater for non-potable uses can be permitted, such as landscape irrigation, crop irrigation, dust control, industrial/commercial cooling, decorative fountains, etc. Potable reuse activities are not authorized under this General Order. Does the Draft Specific Plan refer to regulated "recycled water" or something less than that? What requirements will be enforced and how? Are these requirements in addition to State requirements?

32. Page 117: Section 6.1.2 anticipates a WMP in "collaboration with IID." Further, the "WMP will identify specific infrastructure required to provide long-term water supply to the Special District." Then it is stated that the "WMP will include the following strategies to meet water demands, and will be supported by hydrologic analysis and requisite environmental analysis and mitigation" with a list of a-d. At the end of the list is the statement "Develop new IID policy to meet water demands of non-agricultural beneficial uses." It seems this should be part of the list and was mistakenly not lettered appropriately as subsection (e). As such, among the list, this specific item would be a legislative action of IID alone and would not be the County's responsibility. As such, it would be more appropriate to discuss this separately and not as part of a strategy of the WMP.
33. Page 121: Section 6.6.2 makes the conclusion that "Tertiary treatment, compared to primary wastewater treatment options, could significantly contribute to Salton Sea mitigation efforts and improve long-term environmental health issues." It is unclear how the tertiary treatment compared to primary wastewater treatment options contribute to Salton Sea mitigation efforts. Salton Sea mitigation is required to mitigate impacts of the QSA. The QSA did not result in wastewater treatment impacts. The Draft Specific Plan does not explain what Salton Sea mitigation that would be benefited and how that would occur from the tertiary treatment.
34. Pages 123-124: Section 6.3.2 provides floodplain recommendations. However, this section more specifically discusses the conversion of IID drains to County or flood control district facilities and the use of river corridors to serve as a solution for wildlife habitat and flood control. This section states that "To the extent feasible and agreed to by local jurisdictions, drains and canals could be converted to storm water channels for drainage conveyance since the proposed land use plan within the specific plan area would reduce the area's demand for irrigation water supply. IID could either transfer the ownership of these drains at that point over to Imperial County or to a new Flood Control District."

    The idea of the conversion of drains and canals to storm water channels for drainage conveyance does not consider the need for facilities for an enormous portion of IID's service area where there are upstream water users who will need water conveyed and drained despite the Draft Specific Plan and changes to the land within that area. Without more analysis, including a complete hydraulic drainage system analysis, and understanding of what this would require and how conveyance and drainage would remain for upstream water users, this idea does not initially seem feasible.

    Additionally, this section does not address what would need to be done to convert drains that are habitat for endangered species into drains for flood control. It is unclear whether the Draft Specific Plan is indicating that despite becoming flood control facilities, the

drains would still serve as habitat for candidate, threatened, and endangered species. This section assumes that the river corridors could be both habitat and the conveyance of flood flows. However, some candidate, threatened, or endangered species may not be able to be located within areas for flood flows. The Draft Specific Plan simply assumes this could be done and as a result would "eliminate the need for future developments to go through FEMA floodplain regulatory requirements and/or eliminating requirements to carry flood insurance, thus significantly increasing the ease of development."

This section of the Draft Specific Plan does not provide sufficient information for IID to provide meaningful input on this approach.

35. Page 126: Section 6.3.3.B. states that "Several of these IID drains are in poor condition and lack positive drainage to the Salton Sea, Alamo River, or the New River." It is unclear what is meant by "poor condition." There are limitations on certain maintenance activities where wetlands and/or candidate, threatened or endangered species may exist. However, this does not necessarily mean a drain is in poor condition. The conditions of drains should be assessed based on the current use of the drain and not conceptual future uses. Additionally, it is unclear what "positive drainage" means. Does that mean a direct connection to the Salton Sea, to the shoreline or to something else? This sentence should be deleted or further explained and clarified.
36. Page 126: Section 6.3.3.B. states that "Adjacent drains can also be connected to the drains that are extended to the Salton Sea to improve drainage and reduce the number of outfalls to the Salton Sea that need to be improved." IID has certain desert pupfish habitat connectivity requirements for its drains as a result of the QSA and the related permits. This Draft Specific Plan cannot preclude or interfere with IID's mitigation obligations. (See comment #10.) Additionally, the Draft Specific Plan does not consider the environmental requirements and limits that would apply and need to be addressed to accomplish this. Such environmental issues will need to be analyzed and addressed in the PEIR.
37. Page 126: Section 6.3.3.B. states that "these canals have recently experienced frequent flooding resulting from stormwater runoff as well as by sediments from the mountains and overflows entering the Specific Plan Area." This is an exaggeration to state that there is "frequent flooding." There was one recent unique extreme weather event that resulted in significant sediment from the mountains and desert to be captured within the East Highline Canal prevent further water flows in that canal for a relatively brief period of time. IID is not a flood control district and its facilities do not provide flood control. Rather, the purpose and use of IID's drains are to provide drainage of the runoff of the water that IID delivers to its customers. IID's facilities do not prevent stormwater from entering the drains, but the drains are not intended to provide flood control services. IID provides drainage services. This distinction should be made in the Draft Specific Plan.
38. Page 127: Section 6.3.3.B. states that "The IID drains are primarily used currently for agricultural irrigation." This statement confuses the purpose of the canals and laterals as compared to the drains. The irrigation water supply is conveyed through IID's canals and laterals to be delivered to water users, while the drains receive the discharged water from the water user receiving the water supply from the canal and laterals.
39. Page 127: Section 6.3.3.B. also states that "based on the proposed land use plan, a large portion of the Specific Plan Area is designated for uses other than agriculture. This

change in land use over time would slowly eliminate the need for irrigation water supply through IID Drains within the Specific Plan Area." Again, the irrigation water supply is not conveyed through IID's drains. IID's canals and laterals convey the water supply Also, this statement assumes that drainage could be eliminated completely simply by converting agricultural uses to non-agricultural uses. However, any land use receiving water will need to discharge drainage water. Even if you assume that all agricultural uses within the Draft Specific Plan area are converted to non-agricultural uses and all non-agricultural uses are somehow able to eliminate all water discharges to IID's drainage system through on-site retention basins or other mechanisms, this disregards irrigation water that may be conveyed to the MMC or other conservation areas within the plan area that will need to be discharged. This also disregards an enormous portion of IID's service area where there are upstream water users who will need water conveyed and discharged into IID's drains despite the Draft Specific Plan. (See comment #34.)

40. Page 127: Section 6.3.3.B. repeats what is stated in Section 6.3.2, specifically that "IID could either transfer the ownership of these drains at that point over to Imperial County or to a new Flood Control District if desired for their long-term ownership, operation and maintenance." (See comment #34.)
41. Page 127: Section 6.3.3.B. states that "If there are IID customers for irrigation water along the path of these stormwater channels, IID drains from adjacent block could be rerouted to serve these customers in the interim condition...." The Draft Specific Plan will need to provide more information on how this would be accomplished. Drains are generally lower in elevation than canals and laterals delivering water to customers, which means pumping would be required to use drains for water delivery purposes. Also, irrigation and drainage water cannot be mixed due to applicable regulations, including food and safety requirements. This portion of the Draft Specific Plan needs to be reconsidered and a new approach taken to ensure all logistical and legal issues are appropriately addressed.
42. Page 127: Section 6.3.3.B. states that "when all agricultural use ceases, the rest of the drains within the specific plan area could be abandoned." This also disregards an enormous portion of IID's service area where there are upstream water users who will need water conveyed and discharged into IID's drains despite the Draft Specific Plan. The complete abandonment of IID"s drains is infeasible. (See comment #31.)
43. Page 132: Figure 6-5 shows two new IID substations. IID is anticipating at least 1 to 2 new switching stations for generation resources. However, this will not be sufficient to serve the anticipated 2.6 GW/h of expected demand at the projected buildout in the Draft Specific Plan. The new substations identified in Figure 6-5 would be insufficient to meet that expected demand. However, without site-specific information, it is not possible to identify where and how many substations would be needed to meet the expected demand in the Draft Specific Plan.
44. Page 132: Figure 6-5 also indicates two new transmission lines, one of which is at the 500kV level. However, Figure 6-5 does not provide an end point and one is not indicated in the text on page 131. IID does not currently operate equipment at voltages above 230kV. The second line may be a previously proposed line that is currently suspended, but there is no identification or discussion to know whether that is what is being identified. The Draft Specific Plan simply states that these lines will be done without any

analysis or discussion of how that would occur. This is insufficient information for IID to provide any substantive comments.

45. Page 140: Policy I-1: Reliable Water Supply provides: "Consult with IID to provide a reliable water supply to the Special District through the preparation of a Water Master Plan (WMP). Continue to report and renegotiate water supply based on more accurate water demand calculations." The WMP will not apply to Phase 1. What mechanism is proposed for reliable water supply for Phase 1. (See comment #17.)
46. Page 140: Policy I-2: Special District provides that the Special District will "manage and distribute water supply." This should clarify whether the water is raw or treated water that will be managed and distributed by the Special District.
47. Page 140: Policy I-3: Water Recycling provides that mineral recovery operations will be required to recycle 20% of their water and every year this requirement will go up 10% until it reaches an 80% water recycling requirement in 2055. Is this in addition to State requirements? Or how does this fit into existing regulatory requirements for recycled water within California? (See comment #31.)
48. Page 143: Under Water Programs I-1, it states that "At the time any non-geothermal or mineral recovery development requests approval for The County of Imperial shall create a new Special District...." What does this mean? What is "non-geothermal"? Any other industrial project? What is the trigger? When a project applies for a permit from the County? The trigger stated here does not make sense. The timing is also unclear. At the time a project seeks approval, can it wait for the Special District to be created and everything for the Special District to be put in place? More information is needed.
49. Page 143: Under Water Programs I-2, it states that "A Water Master Plan will be prepared that addresses the first phase of development and is programed to expand based on phases 2 and 3 once they have been further defined. The Water Master Plan shall be prepared in collaboration with IID...." IID was not aware of the County's intention to prepare a WMP. IID is willing to consult with the County on this concept and approach, but more information must be provided for IID to provide meaningful input. Additionally, this contradicts statements in other places of the Draft Specific Plan that state the WMP will not apply to Phase 1. This should be reconciled. (See comment #8.)
50. Page 145: Under Wastewater Programs I-9, it states "Plan and build/convert IID drains and canals to dedicated stormwater channels to convey local drainage out to the rivers or the Salton Sea at strategic locations in a phased manner as the land use changes from agriculture to other activities and demand for irrigation water supply within the Specific Plan Area slowly decreases." (See comment #34.)
51. Page 146: Under Electrical Transmission Programs I-14, it states "Continue consultation with IID to establish a programmatic transmission plan...." Prior to the release of the Draft Specific Plan, IID was not aware of the County's intention to prepare a programmatic transmission plan. No references are made to this in any other part of the Draft Specific Plan, let alone any sort of explanation of how this would be done. IID can only provide limited and general comments, unless or until site-specific and project-specific information is provided. (See comment #4.)
52. Page 160: Table 8-1 provides Maintenance Responsibilities. This should be modified to be consistent with the text of the Draft Specific Plan. Is the Community Services District the Special District? What type of "Water" does this refer to, raw or treated water? (See comment #46.)

53. Page A-4: Appendix A Community Engagement Tracking. Is the 8/23/2025 meeting noted a "proposed" future meeting? If so, please note.
54. Page A-6: Appendix A Community Engagement Tracking. The meeting identified as 9/14/2023 via Zoom with IID should note "IID Water Department and General Manager".
55. Page A-8: Appendix A Community Engagement Tracking. The meeting identified as 10/18/2023 via Microsoft Teams should note "IID Water Department".
56. Page A-25: Appendix A Community Engagement Tracking. The meeting identified as 5/3/2024 via Microsoft Teams should note who the meeting was held with.
57. Page A-29: Appendix A Community Engagement Tracking. The meeting identified on 8/26/2024 via Webex should note "IID Water and Power Departments".
58. Page A-31: Appendix A Community Engagement Tracking. Is the 9/3/2025 meeting noted a "proposed" future meeting? If so, please note.
59. Page B-1: Appendix B Recommended Landscape Plant Palette includes the Arizona cypress (*Cupressus glabra*), Joshua trees (*Yucca brevifolia*), and Mojave yucca (*Yucca schidigera*). While the Arizona cypress and Joshua trees are native California species, they are not native to the Imperial County. The Mojave yucca is native to parts of the Sonoran and Mojave deserts, but are not commonly found within Imperial Valley or at the Salton Sea. IID does not use these plant species within Salton Sea projects. IID is also not aware of these species being used within any State projects at the Salton Sea. Below are plant species that IID uses at project sites within the Salton Sea area that are not included in Appendix B.

Trees	**Shrubs**
Black willow (*Salix gooddingii*)	Desert broom (*Baccharis sarothroides*)
Cottonwood (*Populus Fremontii*)	Mule fat (*Baccharis salicifolia*)

IID looks forward to further coordination and discussions with the County regarding the Lithium Valley Specific Plan.

Sincerely,

Joanna Smith Hoff
Deputy General Counsel

Cc: Jamie Asbury, General Manager
Geoff Holbrook, General Counsel
Mike Pacheco, Water Manager
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United States Department of the Interior
U.S. FISH AND WILDLIFE SERVICE
Ecological Services
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In Reply Refer to:
2024-0046381-CEQA-002-IMP

May 5, 2025
Sent Electronically

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Subject: Notice of Draft Lithium Valley Specific Plan, Public Comment Letter, County of Imperial, California

Dear Jim Minnick and Bari Bean:

This letter is in response to your email correspondence dated February 14, 2025, soliciting U.S. Fish and Wildlife Service's (Service) comments on possible effects the County of Imperial Lithium Valley Specific Plan, February 2025 Draft (Specific Plan) may have on the environment and suggestions on alternatives, avoidance/minimization/mitigation measures, and ways the Specific Plan may be revised to reduce or avoid significant environmental impacts to biological resources. Since January 2023, Service staff participated in the Lithium Valley Specific Plan Land Use Development Technical Advisory Group; and as such, we attended several meetings, reviewed the Baseline Study and Alternatives Analysis (Rick Engineering 2023), and provided initial guidance to help County of Imperial avoid and minimize adverse impacts on public trust resources. This letter also serves as a reiteration of many of the concerns raised in the Service's comment letter on the Notice of Preparation (NOP) for an Environmental Impact Report (EIR) submitted on February 20, 2024, regarding possible effects associated with future implementation of projects identified in the initial draft of the Specific Plan (2024-0046381-CEQA-001-IMP) dated December 7, 2023.

The Specific Plan was prepared by the County of Imperial to proactively establish a clear path forward towards an environmentally conscious employment hub, called Lithium Valley, which will assist in meeting the nation's increasing demands for lithium and other minerals present in the Salton Sea Known Geothermal Resource Area (KGRA). We understand that the intent of the

Specific Plan is to provide a framework and guidance for the development of renewable energy sources, such as geothermal and solar energy, lithium extraction, associated industrial uses, and infrastructure improvements, while minimizing adverse effects on the environment and public health. The Specific Plan, and planned submittal of the Programmatic Environmental Impact Report (PEIR), is expected to evaluate land use alternatives to support renewable energy industries that include the necessary facilities and infrastructure within an approximately 51,786-acre area southeast of the Salton Sea. The development in the Specific Plan area is driven by Federal and state renewable energy and greenhouse gas reduction goals, with a focus on providing resources for battery-powered vehicles.

Existing land cover in the Specific Plan boundary consists of various natural community habitats including wetlands, riparian areas, desert scrub, and barren/rock outcrop. These habitats provide resources for a variety of wildlife species, including aquatic invertebrates, fish, waterbirds, wading birds, shorebirds, songbirds, reptiles, and mammals. The wetland habitats, agricultural lands, irrigation drains, and Salton Sea shoreline habitats provide nesting, roosting, and foraging areas for resident wintering and migratory birds (Rick Engineering 2023). The area includes a vital portion of the Pacific Flyway for migratory birds that is essential for birds in North and South America. These habitats also support the federally endangered desert pupfish (*Cyprinodon macularius*) and Yuma Ridgway's (=clapper) rail [*Rallus obsoletus* (=*longirostris*) *yumanensis*]. The existing roads in the Specific Plan area generally carry low traffic volumes and human presence is light. These existing road conditions allow for movement of common terrestrial wildlife freely through the Specific Plan area using the roads and associated shoulders and berms. The Alamo River and New River provide wildlife movement corridors through the Specific Plan area.

We offer the following comments as they relate to potential direct and indirect impacts on public trust resources so that County of Imperial staff may incorporate policies, programs, and avoidance/minimization/mitigation measures as part of the Specific Plan to avoid adverse effects to biological resources in the Specific Plan area. The primary concern and mandate of the Service is the conservation, protection, and enhancement of fish and wildlife resources and their habitats for the continuing benefit of the American people. We have legal responsibility for the welfare of migratory birds and federally threatened or endangered animals and plants. The comments provided herein are based on our knowledge of sensitive and declining fish and wildlife resources and our participation in regional renewable energy and conservation planning efforts. Incorporation of these recommendations will help avoid and minimize adverse impacts to public trust resources, including migratory birds, the federally endangered desert pupfish and Yuma Ridgway's rail that occupy wetlands in the Specific Plan area, and conserved Federal and state land that provide habitat for these species.

Salton Sea 10-Year Management Plan

The Salton Sea is California's largest lake and is currently maintained by irrigation runoff from agricultural fields in the Imperial and Coachella valleys and local rivers. The Salton Sea has been shrinking in size as inflows are reduced because of water conservation and other water management actions. A rapid and substantial increase in salinity and reduction in the size of the Salton Sea is

occurring as a result of inflow reductions associated with Imperial Irrigation District's (IID) Water Conservation and Transfer Project (Water Transfer Project), which entails water conservation and transfer transactions pursuant to the Agreement for Transfer of Conserved Water executed by IID and the San Diego County Water Authority in 1998, and supplemented by the 2003 Quantification Settlement Agreement and related agreements. To address these concerns the Salton Sea 10-Year Management Plan (SSMP) was designed to provide a management program for multiple beneficial projects that combine dust suppression with habitat restoration. Many of the activities described in the SSMP require the issuance of an authorization by the U.S. Army Corps of Engineers, which is the lead Federal agency, pursuant to section 404 of the Clean Water Act. Other Federal actions by cooperating Federal agencies include issuance of use authorizations for habitat restoration and dust suppression projects located on lands under their jurisdiction. Similarly, the Sonny Bono Salton Sea National Wildlife Refuge (SBSSNWR) has jurisdiction over activities occurring within the boundaries of the SBSSNWR; therefore, any proposed activities would need to be compatible with the purpose for which the SBSSNWR was established, and any activities determined to be captive, would require a special use permit. Please address the SSMP in the Specific Plan, and coordinate with the Service, and other appropriate agencies who have jurisdiction over the areas where activities are being proposed within the SSMP action area (Figure 1).

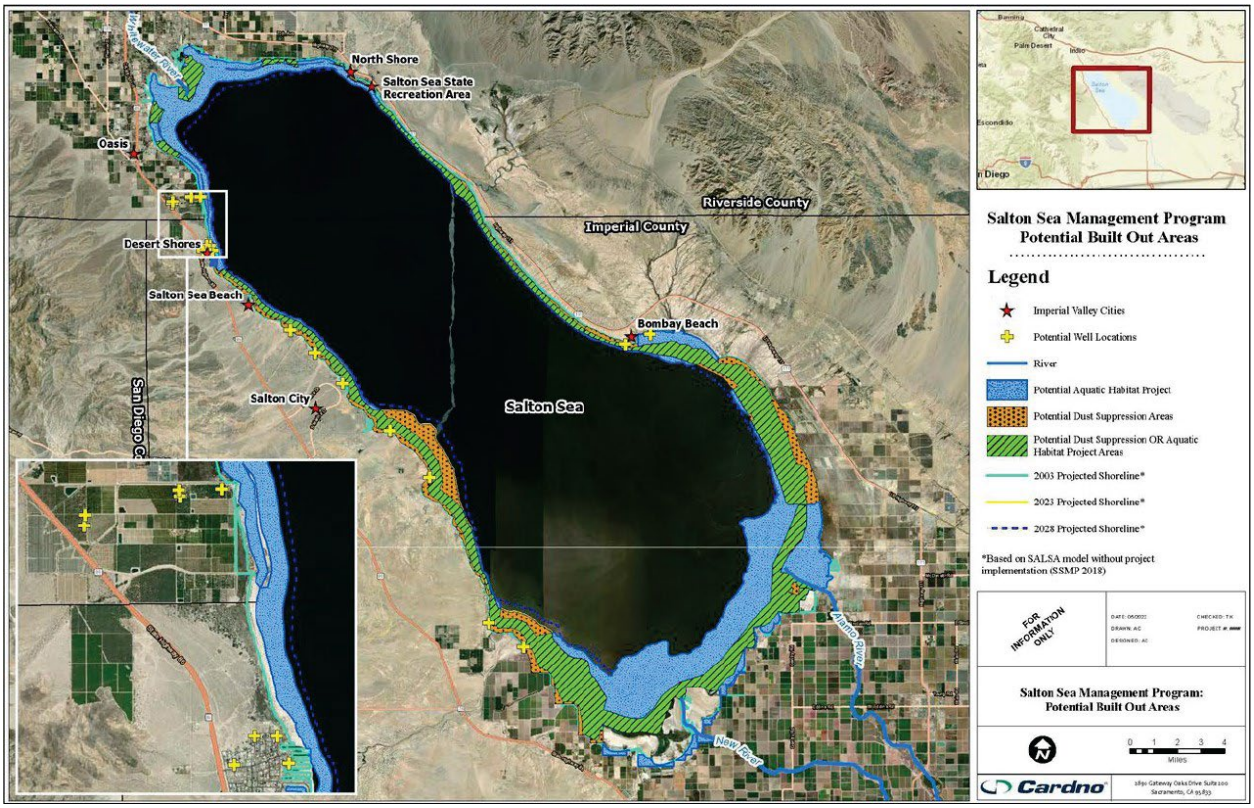

Figure 1. Salton Sea 10-Year Management Plan Action Area.

Green Industrial Land Use

The proposed land use alternative map in the Initial Study (Dudek 2023) indicates that Green Industrial development will occur adjacent to the SBSSNWR and other rare and declining natural communities such as open water and marsh habitat along the Pacific Flyway (Donnelly *et al*. 2022). Per the Specific Plan's Initial Study (Dudek 2023), Green Industry is described as development including geothermal energy production plants, mineral recovery, biofuel generation, and green hydrogen. Ancillary uses may include, but not limited to, supportive manufacturing, commercial, logistics, and battery manufacturing and storage. These proposed development activities would likely result in adverse effects to the species that occupy areas within the SBSSNWR and in open water, marsh, and upland natural communities due to noise, dust pollution, and fatalities associated with collisions/strikes. These adverse effects would likely lower reproductive rates in avian species, including federally listed bird species, that occupy these natural communities.

Please ensure that the Specific Plan includes a discussion of mitigation measures such as minimal setback distances, buffers, shielding of lighting, etc. when citing these industrial developments adjacent to the SBSSNWR and rare and declining natural communities (Donnelly *et al*. 2022). These setbacks should include a defined distance, usually expressed in feet or miles, from a resource feature (such as the edge of a natural community or occupied habitat) within which an activity would not occur. The purpose of the setback and other measures is to maintain the function and value of the existing biological resources in the Specific Plan area.

Main Transportation Corridor

Based on Figure 2 in the Initial Study (Dudek 2023), several existing dirt roads in the Specific Plan area will be designated as a "Main Transportation Corridor". However, no information is included to describe these corridors. Based on the proposed location of these corridors, there could be adverse effects to federally endangered species, migratory birds, and SBSSNWR lands. For example, the extension of Davis Road to the west could bisect wetlands managed by the SBSSNWR for the conservation of Yuma Ridgway's rail and other waterfowl, and the Alamo River, which supports the federally endangered desert pupfish. Any proposed transportation facilities will need to be sited to avoid impacts to SBSSNWR lands, wildlife corridors, and fragmentation of wildlife habitat and natural communities.

Where habitat impacts cannot be avoided, techniques such as wildlife over- and underpasses and noise abatement will need to be implemented to minimize effects to species. The impacts of paving on stormwater quality and quantity should be minimized by providing facilities such as vegetated swales that filter pollution and help recharge groundwater. The incorporation of native vegetation can reduce air, light, and noise pollution; avoid soil erosion; and provide shade to mitigate the effects of the urban heat island and reduce potential for invasive species establishment. Lastly, the extension of Davis Road to the south depicted in Figure 2 of the Initial Study (Dudek 2023) would bisect cattail (*Typha* spp.) marsh, seasonal wetlands, and the Alamo River, therefore, the proposed alignment of Davis Road should be reconfigured to avoid these sensitive wetlands resources.

Migratory Birds

The Specific Plan area is located adjacent to the Salton Sea within the Pacific Flyway. These areas provide permanent habitat and seasonal refuge to hundreds of species of resident and migratory birds and large populations of shorebirds, wading birds, waterfowl, raptors, upland gamebirds, neotropical migrants, and other passerines (Shuford *et al*. 2002; Patten *et al*. 2003). To date, limited published information exists on bird collisions at renewable energy facilities within the Salton Sea Basin due to a lack of systematic, statistically rigorous monitoring. However, utility-scale photovoltaic, parabolic trough, and power tower projects that are currently under construction or in operation in other parts of the California desert are reporting avian mortalities and injuries resulting from collisions and other accidents with various project features, including solar panels or heliostats, evaporation ponds, fencing, electrical distribution lines onsite, and generation tie (gen-tie) lines to regional substations on the electrical grid (Conkling *et al*. 2023).

Based on preliminary avian mortality reports from existing facilities, the Specific Plan area's proximity to the Salton Sea and Pacific Flyway, and the large number of permitted or proposed utility-scale solar and transmission projects in the area, there is a high potential for cumulative effects on the abundance and distribution of the bird species occurring as resident, winter visitors, and/or migrants in and around the Salton Sea.

Moreover, the Final Specific Plan will need to include implementation of measures as policies, programs, or biological requirements as a part of the PEIR to further avoid, minimize, and reduce adverse effects to migratory birds. For example, among other measures, participating in or establishing a joint venture collaborative that directly benefits the Salton Sea would help offset direct habitat loss to birds and potential population impacts to migratory birds. A joint venture is a collaborative, regional partnership of government agencies, non-profit organizations, corporations, tribes, and individuals that conserves habitat for priority bird species, other wildlife, and people.

All proposed projects associated with the Specific Plan that could have adverse effects to avian species should be required to develop an Avian Protection Plan (APP) that would further the conservation of avian species. The APP would include, at a minimum, a nesting bird management plan and systematic post-construction mortality monitoring along newly installed distribution and gen-tie lines to ensure the measures to reduce collisions with these lines are adequate. The Service is available to work with the project applicant to develop an effective APP.

Marsh Areas

As indicated in the Initial Study (Dudek 2023), proposed projects identified in the Specific Plan could potentially have a substantial adverse effect on state or federally protected wetlands, including marshes and other types of wetland habitats. Of the 8,115 acres of wetland communities and 4,097 acres of Salton Sea shoreline and playas that may support wetlands in the Specific Plan area (Rick Engineering 2023, Table 9.4-2), 7,788 acres are managed to support waterfowl and other avian species. These managed wetlands include the California Department of Fish and Wildlife's (CDFW) Imperial Wildlife Area Wister Unit, SBSSNWR, and the Imperial Irrigation

District's (IID) managed marsh complex. As mentioned above, the Specific Plan will need to include avoidance and minimization measures that would be incorporated for setbacks and buffers distances when citing industrial developments adjacent to the SBSSNWR and other wetland natural communities within the Specific Plan area. The purpose of the setback is to maintain the function and value of the existing biological resources and species within these wetland communities.

The IID-managed marsh complex was created to offset adverse impacts from the Quantification Settlement Agreement (QSA) and will be managed in perpetuity to support rare and listed species such as Yuma Ridgway's rail and California black rail (*Laterallus jamaicensis coturniculus*). Because the IID managed marsh is a mitigation area, the Final Specific Plan will need to avoid siting infrastructure near the marsh to ensure that it remains a viable mitigation area. The Land Use Alternative proposed in the Notice of Preparation indicates that Pound and English Roads will be improved to support Specific Plan goals. Improving these existing dirt roads would increase traffic and noise in the area, which would likely result in adverse impacts to avian species by road mortality and increases in noise levels that could impair essential breeding activities. The Final Specific Plan Land Use Alternative will need to identify road improvements in locations other than those adjacent to the IID managed marsh complex.

The Specific Plan references "Conservation" designation within the Specific Plan area boundary that include Federal and state lands. The Specific Plan further states that there may be opportunity to "Enhance Conservation lands and utilize Conservation Area for project mitigation." It is unclear how Federal, state, and other land that is currently in conservation could serve as future mitigation for potential projects within the Specific Plan. Please provide clarification and graphics in the Final Specific Plan/PEIR regarding where new conservation lands that would serve as mitigation for projects within the Specific Plan may be located.

The Specific Plan area also supports unmanaged marsh areas. These areas occur in discrete patches of shallow wetlands downstream of the IID irrigation drains that do not extend out to the Salton Sea. These areas also support desert pupfish and Yuma Ridgway's rail habitat and breeding areas essential for the species survival and recovery. The number of acres occurring as unmanaged marsh areas in the Specific Plan is unknown but is likely currently around 1,600 acres. Therefore, complete avoidance of dewatering drains, laterals, and unmanaged wetlands is paramount when citing proposed projects associated with the Specific Plan to ensure adverse effects to wetlands and listed and rare species are avoided.

Lastly, the Service is requesting that the Final Specific Plan/PEIR explicitly address how applicable State and Federal laws will be implemented for proposed projects identified in the Specific Plan. It is important for the Final Specific Plan/PEIR to identify the policies, programs, and biological requirements that will be required to be implemented to avoid, minimize, and fully mitigate potential direct and indirect effects to biological resources including listed species and their habitat.

We appreciate the opportunity to provide comments on the Specific Plan. If you have any questions regarding this letter, please contact Kent Kowalski[1] at 760-322-2070, extension 414.

Sincerely,

for Brian Croft
Field Supervisor

cc:
Jonathan Shore, Service
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United States Department of the Interior
U.S. FISH AND WILDLIFE SERVICE
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In Reply Refer to:
2024-0046381-CEQA-002-IMP

May 5, 2025
Sent by Email to
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Subject: Notice of Draft Lithium Valley Specific Plan, Public Comment Letter, County of Imperial, California

Dear Jim Minnick and Bari Bean:

This letter is in response to the Lithium Valley Site Specific Plan February 2025 Draft posted for public comment on February 7th, 2025, on the Imperial County website. Since January 2023, the Sonny Bono Salton Sea National Wildlife Refuge (Refuge) staff and U.S. Fish and Wildlife Service Ecological Service (ES) staff have participated in the Lithium Valley Specific Plan Land Use Development Technical Advisory Group; and attended several in person and virtual meetings to review the Baseline Study and Alternatives Analysis (Rick Engineering 2023) and provided initial guidance to help Imperial County avoid and minimize adverse impacts on both the refuge and the larger Salton Sea ecosystem. This letter would like to raise additional concerns related to the direct impact some of the proposed activities would have on the Refuge land, and reiterate the initial concerns raised in the Environmental Impact Report comment letter submitted to the County Planning and Development letter (2024-0046381-CEQA-001-IMP)

Established in 1930, the Sonny Bono Salton Sea National Wildlife Refuge encompasses 37,900 acres of land both within the sea and in the surrounding irrigated land of Imperial Valley (**Figure 1**). The actively managed section of Refuge is composed of two (2) separate managed units. Unit 1, near Westmoreland, California, primarily serves as a sanctuary for migratory waterfowl and to

prevent crop depredation, while Unit 2, near Calipatria and Niland, serves as a variety of recreational and educational purposes via the Refuge Visitor Center and about 800 acres of public hunting area (USFWS 2014). Both units provide critical wetland habitats, irrigated upland, and desert scrub habitat to sensitive and endangered species like the Yuma Ridgway's rail (*Rallus longirostris yumanensis*) and desert pupfish (*Cyprinodon macularius*).

Concerns we would like to be addressed are listed below. While some concerns are tied to language, others are tied to figures and charts. Each item of concern is called out and quoted as needed, and desired corrections are provided underneath it.

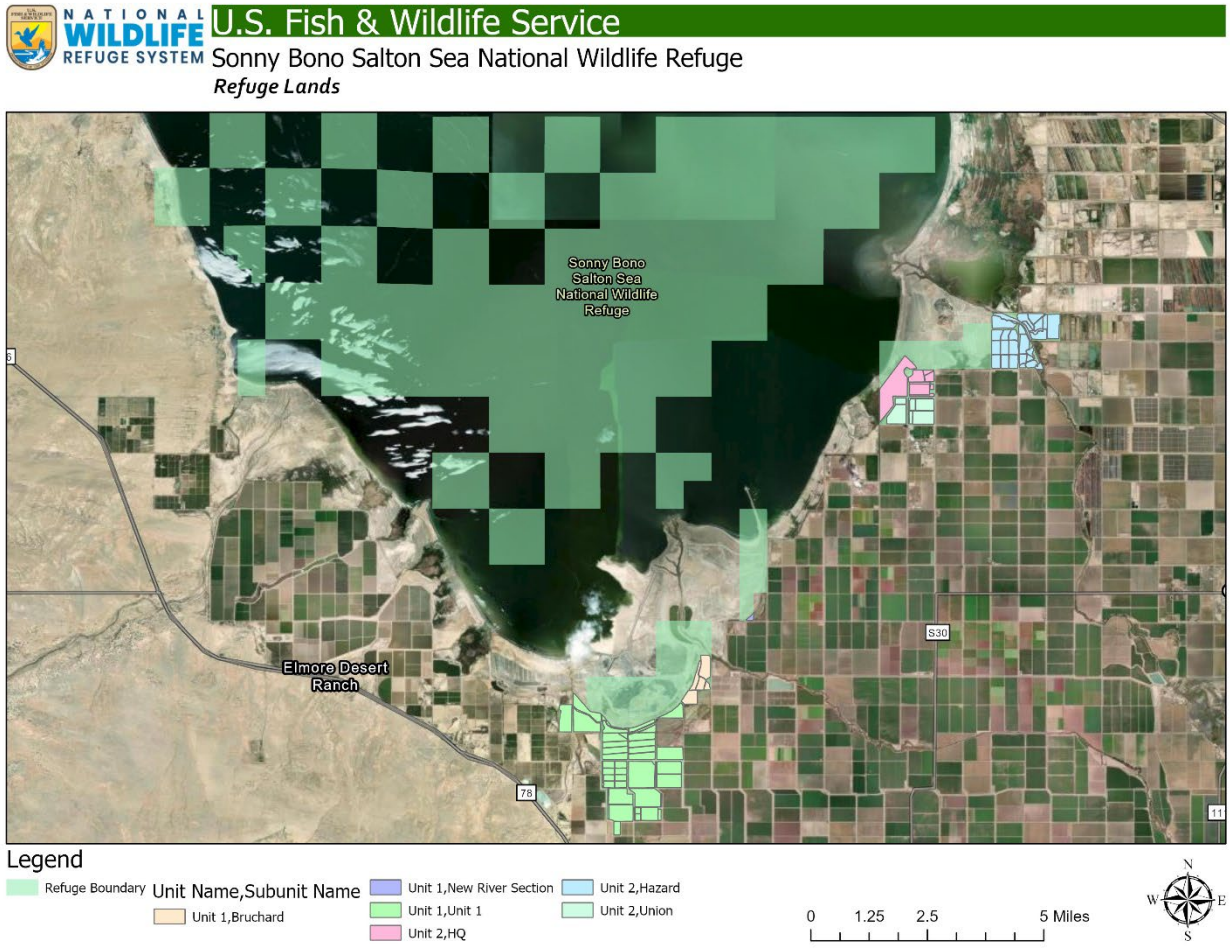


Figure 1. Map of the Sonny Bono Salton Sea National Wildlife Refuge, depicting all lands within the refuge boundary and the actively managed units and subunits.

Concerns:

1. **1.4 Specific Plan Area Location (Plan Area), Pg. 10**
    a. "However, elevated salinity levels and environmental toxins caused by lack of inflow and an increase of pollutants from the New River and Alamo River have significantly harmed fish and bird populations, leading to a decline in their numbers."

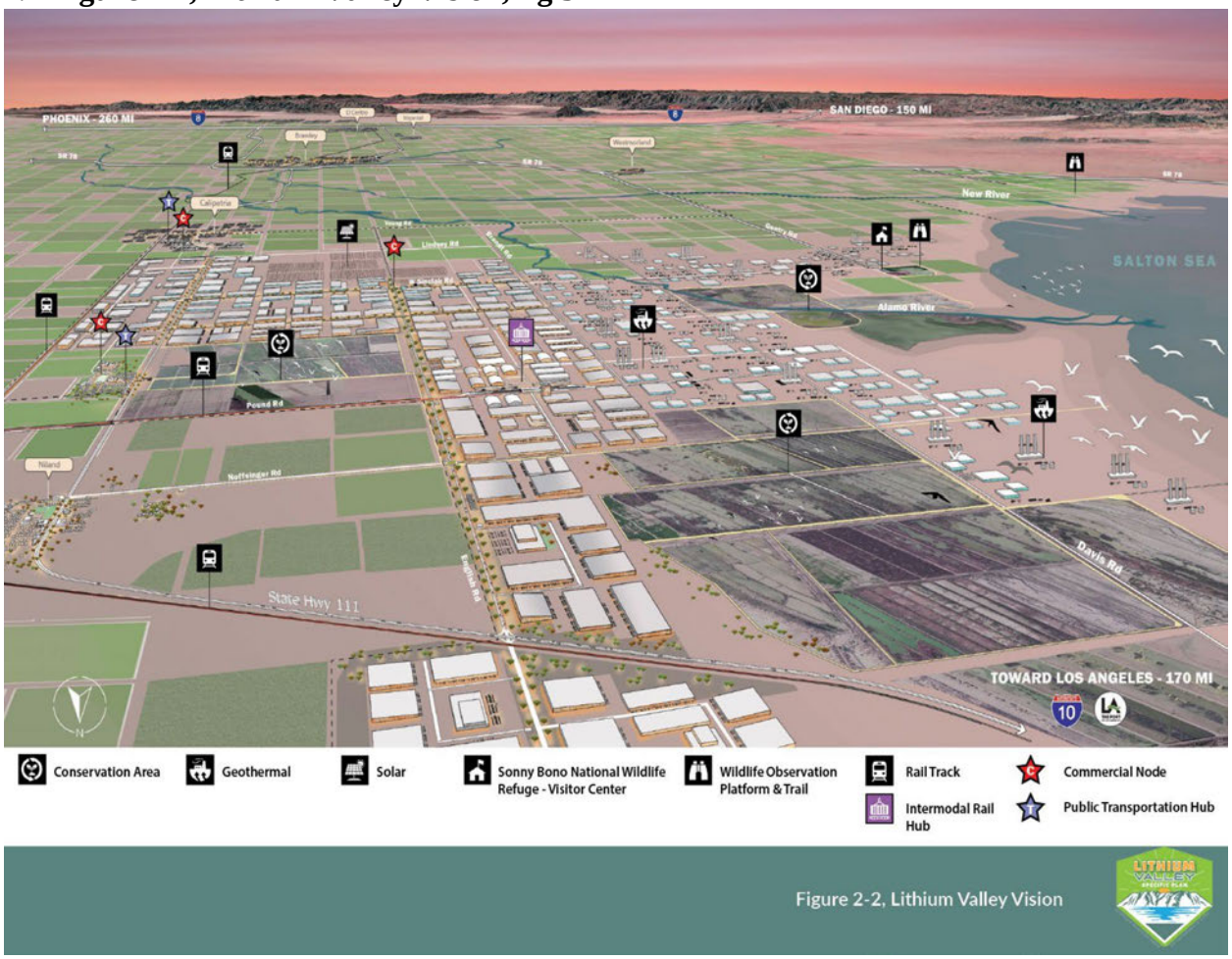
i. While changes in the Salton Sea salinity levels have led to diminished fish populations, that statement cannot be made for all bird populations. While piscivorous (fish-eating) birds like American white pelicans (*Pelecanus erythrorhynchos*) and double-crested cormorants (*Nannopterum auritum*) have seen their migratory and breeding use of the Salton Sea greatly reduced because of a lack of forage, the same statement cannot be made for shorebirds and waterfowl. Both groups have significantly benefited from the rise in water boatman (*Corixidae*) populations within the sea and continue to depend on the waters as a critical migratory habitat. (Jones et al 2019)

b. "The Specific Plan boundary was designed to encompass a significant portion of the Salton Sea Known Geothermal Resource Area (KGRA), excluding the unincorporated town of Niland, the City of Calipatria, and State and Federally owned land within the Salton Sea."
    i. This statement is misleading; these are not only state and federally owned lands, but well-established managed wildlife areas whose habitat boundaries should be recognized and made visible while developing the plan. Both the Sonny Bono Salton Sea National Wildlife Refuge, managed by the United States Fish and Wildlife Service (USFWS), and Imperial Wildlife Area – Wister Unit, managed by the California Department of Fish and Wildlife (CDFW) are Federal and State protected lands that have specific needs and restrictions for development and should be treated as such during the planning and development phase.

2. **1.5 Relationship to the General Plan and Other Planning Documents, Pg 13**
    a. "In addition to the Imperial County General Plan, other plans and policy documents that were reviewed and referenced to better understand existing conditions, planned improvements, and policy synergies include: • Imperial County Land Use Ordinance (As Amended 2025) • Imperial County Active Transportation Plan (2019) • Imperial County Community Health Improvement Plan (2024) February 2025 Draft Specific Plan | Page 14 • Imperial County Good Neighbor Community Benefit Agreement (CBA) Program (2024) • Imperial County Strategic Plan (2023) • Imperial Irrigation District (IID) Integrated Regional Water Management Plan (2008) • IID Interim Temporary Land Conversion Fallowing Policy (2016) • IID Equitable Distribution Plan (2023) • IID Water Conservation Plan (2021) • Imperial County Transportation Commission Long Range Transportation Plan (2024) • ICTC Regional Climate Action Plan (2021) • Southern California Association of Governments (SCAG) Connect SoCal (2024) • Desert Renewable Energy Conservation Plan (2016) • California Energy Commission (CEC) Report of the Blue Ribbon Commission on Lithium Extraction in California (2022)"
        i. The Salton Sea Management Program (SSMP) Phase 1: 10 Year Plan is not mentioned as a reference document for planning purposes. The Phase 1: 10 Year Plan provides a guidance document for the implementation of

29,800 acres of habitat restoration and dust suppression projects required by State Water Resources Control Board Stipulated Water Order 2017-0134.

3. **Chapter 6 Infrastructure, Electrical Transmission, Pg 19**
    a. "Due to the high investment costs to construct transmission lines, the existing process constructs transmission lines only when there is shovel-ready development to support. To accommodate future energy demand, the recommended electrical transmission network provides the voltage and locations of what transmission lines may need upgrades and/or extensions into the Specific Plan Area as development is proposed."
        i. Any new or improved transmission lines or gen-tie should be placed underground, where possible, to reduce impact to migratory birds due to their proximity to the Sonny Bono Salton Sea National Wildlife Refuge, and Imperial Wildlife Area -Wister Unit. All three of these locations are heavily used bird sites, and additional transmission or gen-tie lines would negatively impact these areas (Smallwood 2022).
4. **Figure 2-2, Lithium Valley Vision, Pg 32**



a. In its current iteration, the Figure is missing or incorrectly labels the following entities:
    i. The Refuge Unit 2 Headquarters sub-unit is not correctly labeled as a conservation area, nor is the area footprint for the Hazard Subunit reflective of the full extent of the conservation area. The Hazard Subunit is managed as part of the Refuge by the USFWS, but it is owned fee-title by the CDFW. Please refer to the corrections in **Figure 2.**
    ii. The Refuge Unit 2 observation platform and trail label are misplaced. Please refer to the corrections in **Figure 2.**
    iii. The Sonny Bono Salton Sea National Wildlife Refuge Visitor Center, which is also a part of the headquarters, is not properly labeled. The Refuge's proper name is the Sonny Bono Salton Sea National Wildlife Refuge. The correct label should read Sonny Bono Salton Sea National Wildlife Refuge Complex Headquarters – Visitor Center
    iv. While the Figure does show the correct location of the Refuge Unit 1 observation tower, it does not correctly outline or label the whole unit as a conservation area. Please refer to the corrections in **Figure 2.**
    v. The Figure is missing the State of California's Salton Sea Management Program Species Conservation Habitat (SCH) Project as a conservation area. Please refer to the corrections in **Figure 2.**

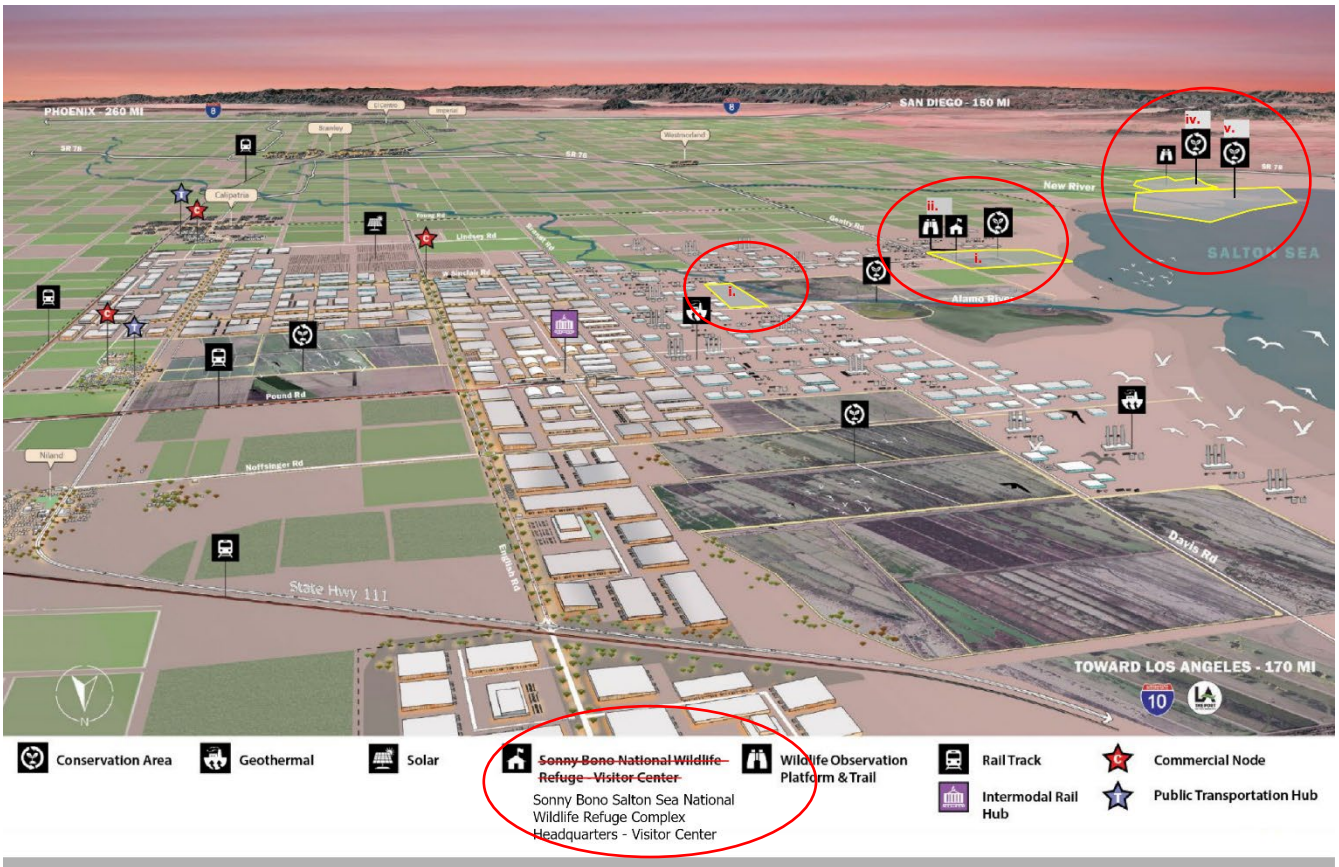
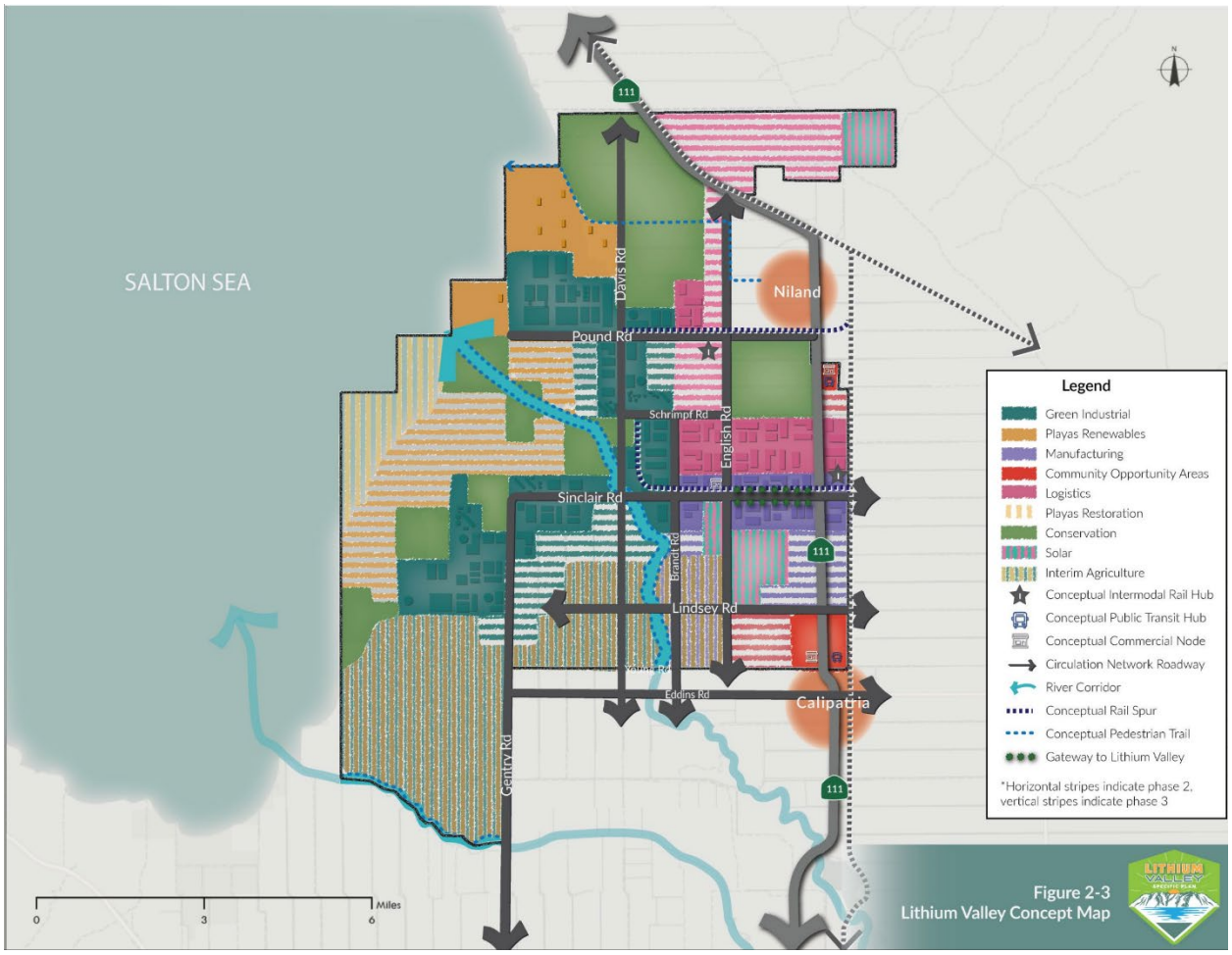


Figure 2. Lithium Valley Vision Map with all requested corrections. Corrections are circled in red and marked with their corresponding comment when needed.

5. **Figure 2-3, Lithium Valley Concept Map, Pg 33**



a. The Figure does not correctly represent the Refuge management units within its conservation designation. Please refer to the corrections in **Figure 3** below and **Figure 1** for the overall Refuge boundary.

b. The figure and overall plan fail to define what constitutes a conservation area/land designation. In its current configuration, this figure and the plan label both federally and state-protected lands as wildlife conservation areas and define them the same as potential future mitigation sites. This can be misleading, as both federally and state-protected lands cannot be used as mitigation sites (2008 Compensatory Mitigation Rule, 73 FR 19670, April 10, 2008).

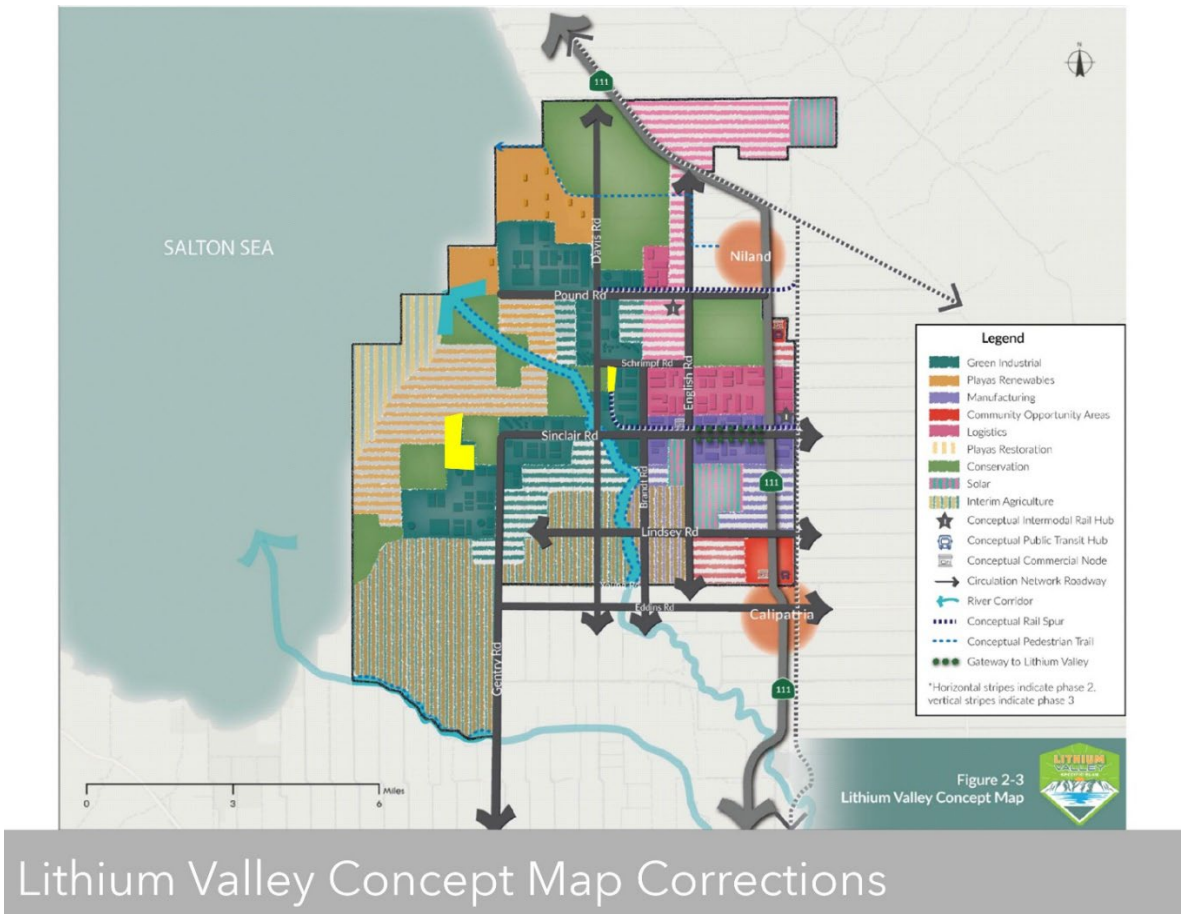
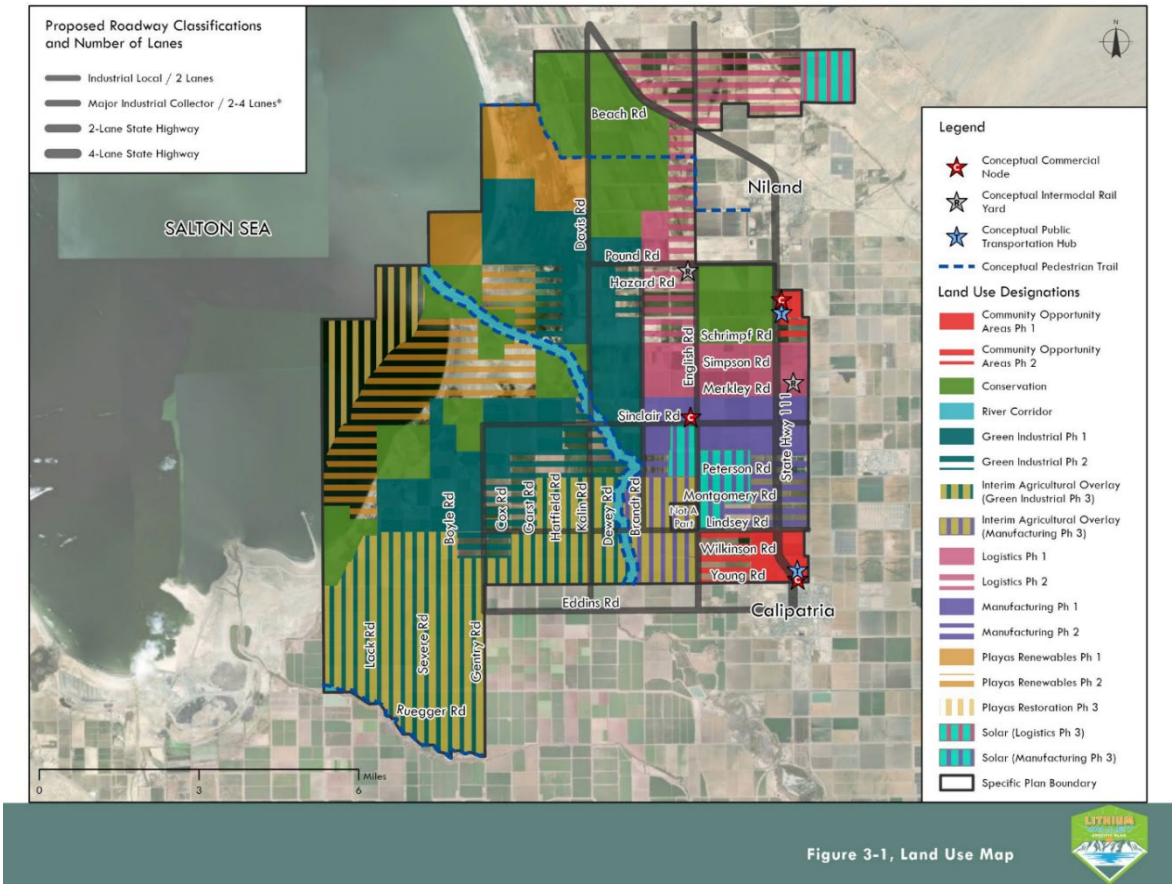


Figure 3. Lithium Valley Concept Map with requested correction in yellow polygons

6. **Figure 3-1, Land Use Map, Pg 36**

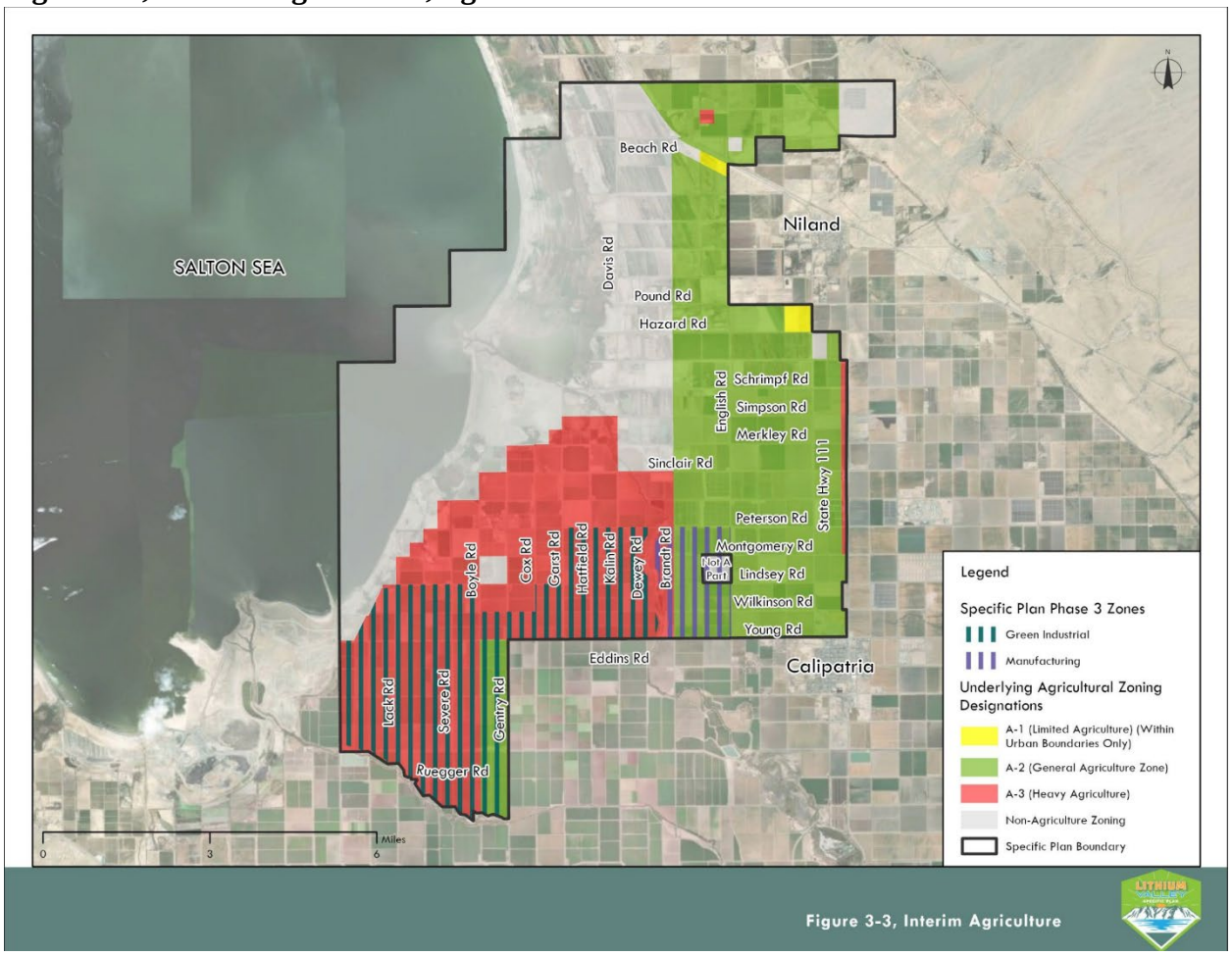


   a. The Figure does not correctly represent the Refuge boundary within its conservation designation. Please refer to the corrections in **Figure 3** and **Figure 1** for the most accurate depiction of the Refuge boundary and management units.
   b. Please refer to comment 5.b.

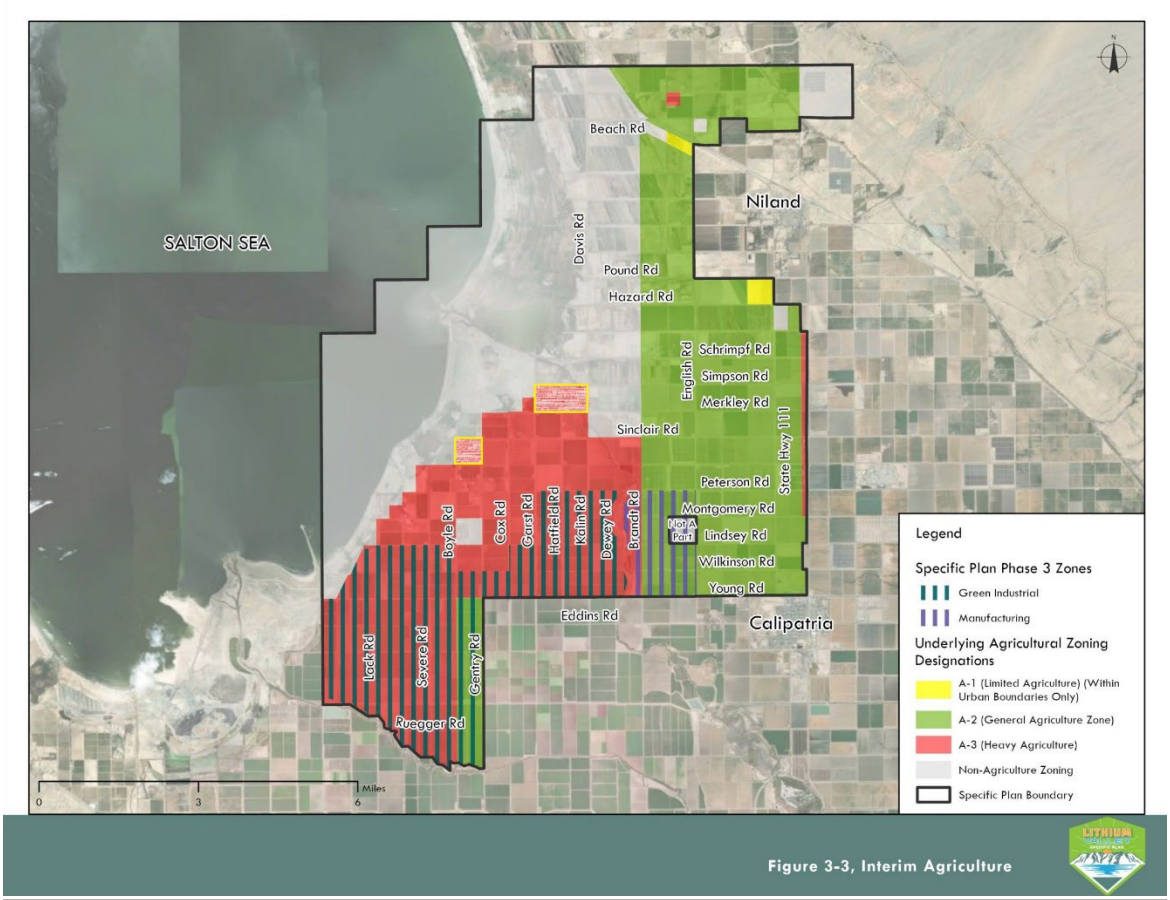
7. **3.2.4 Playas Renewables, Pg 40**
   a. "The purpose of this designation is to promote similar uses to Green Industrial while restricting these uses to be compatible with environmental factors of the Salton Sea and the exposed lakebed (playas), such as soil stability and toxic dust."
      i. Currently, a majority of Phase 1 of the green industrial development site sits on top of emergent cattail marshes, managed duck clubs, and active agricultural farm fields, not barren exposed playa. Cattail marshes emerged as the Salton Sea shoreline receded beyond the reach of agricultural drainage canals; these emergent cattail marshes are a diverse ecosystem that serves as a crucial habitat to endangered species like Yuma Ridgway's Rail and desert pupfish (USFWS 1993 & USFWS 2009). The presence of these marshes and the endangered species within them should be acknowledged so that proper endangered species consultations and

CEQA processes are followed while proposing construction and development within this location.

8. **Figure 3-3, Interim Agriculture, Pg 44**



a. The figure does not correctly represent the Refuge boundary and mislabels the south end of the Hazard Subunit, and both irrigated upland fields, 419 and 420, as A-3 (Heavy Agriculture).
    i. All three of the mentioned locations, Hazard Subunit, Field 419, and Field 420, are federally protected lands within the Refuge and should be referred to as such. Please refer to the corrections in **Figure 4** and **Figure 5** for the locations of the above-mentioned fields and Hazard Subunit.



Interim Agriculture Map Corrections

Figure 4. Interim Agriculture Map with requested correction in yellow polygons showing the actively managed Refuge Units incorrectly labeled as A-3 heavy agriculture.

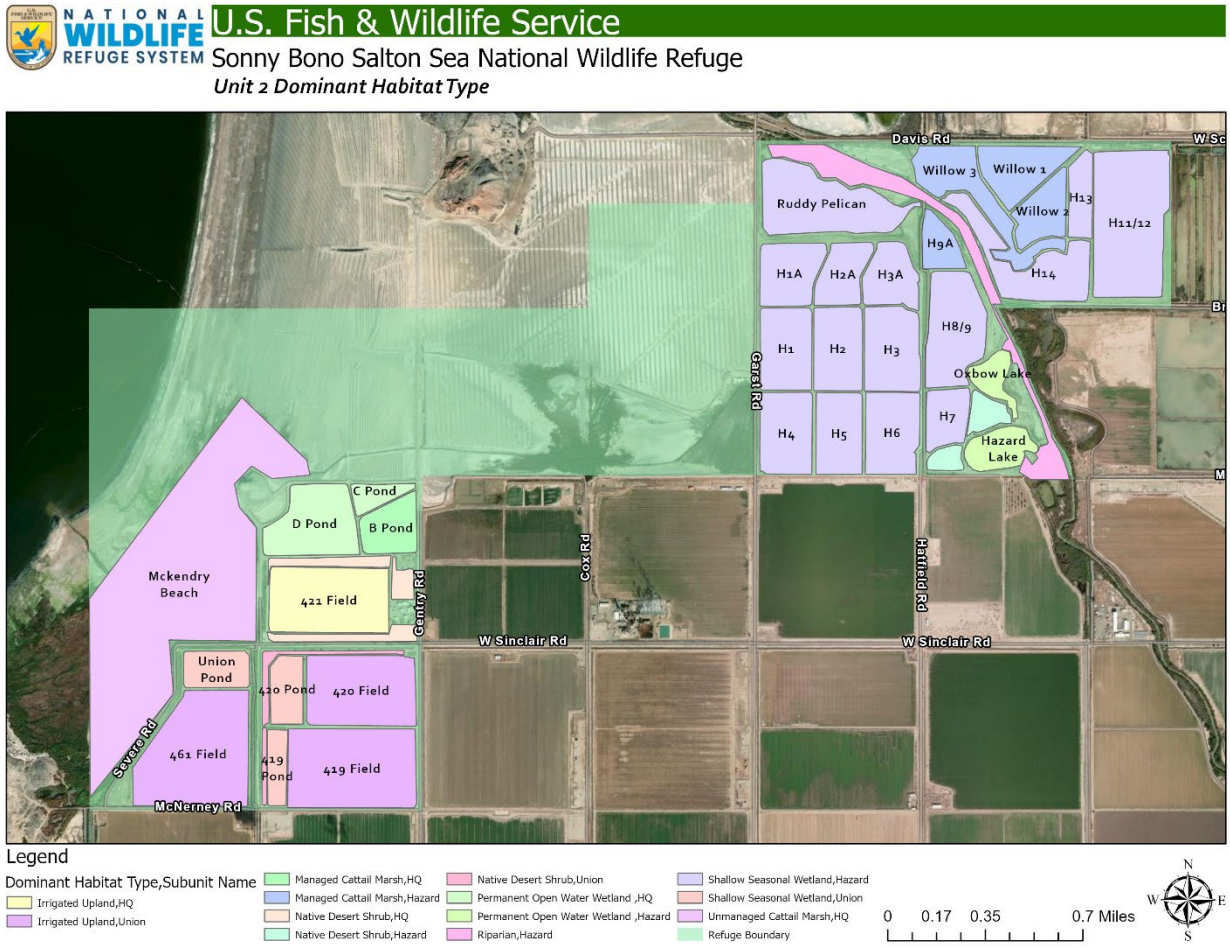
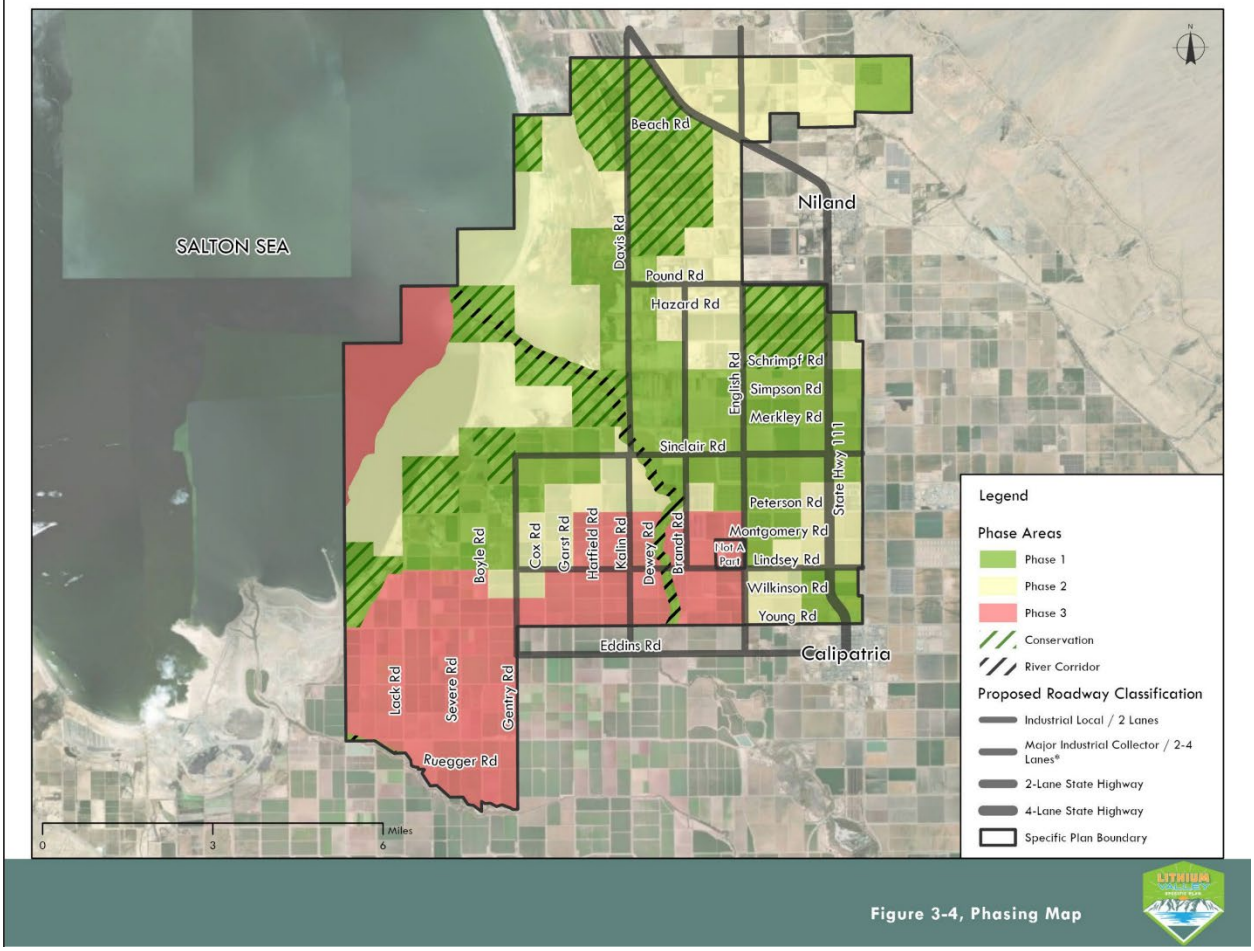


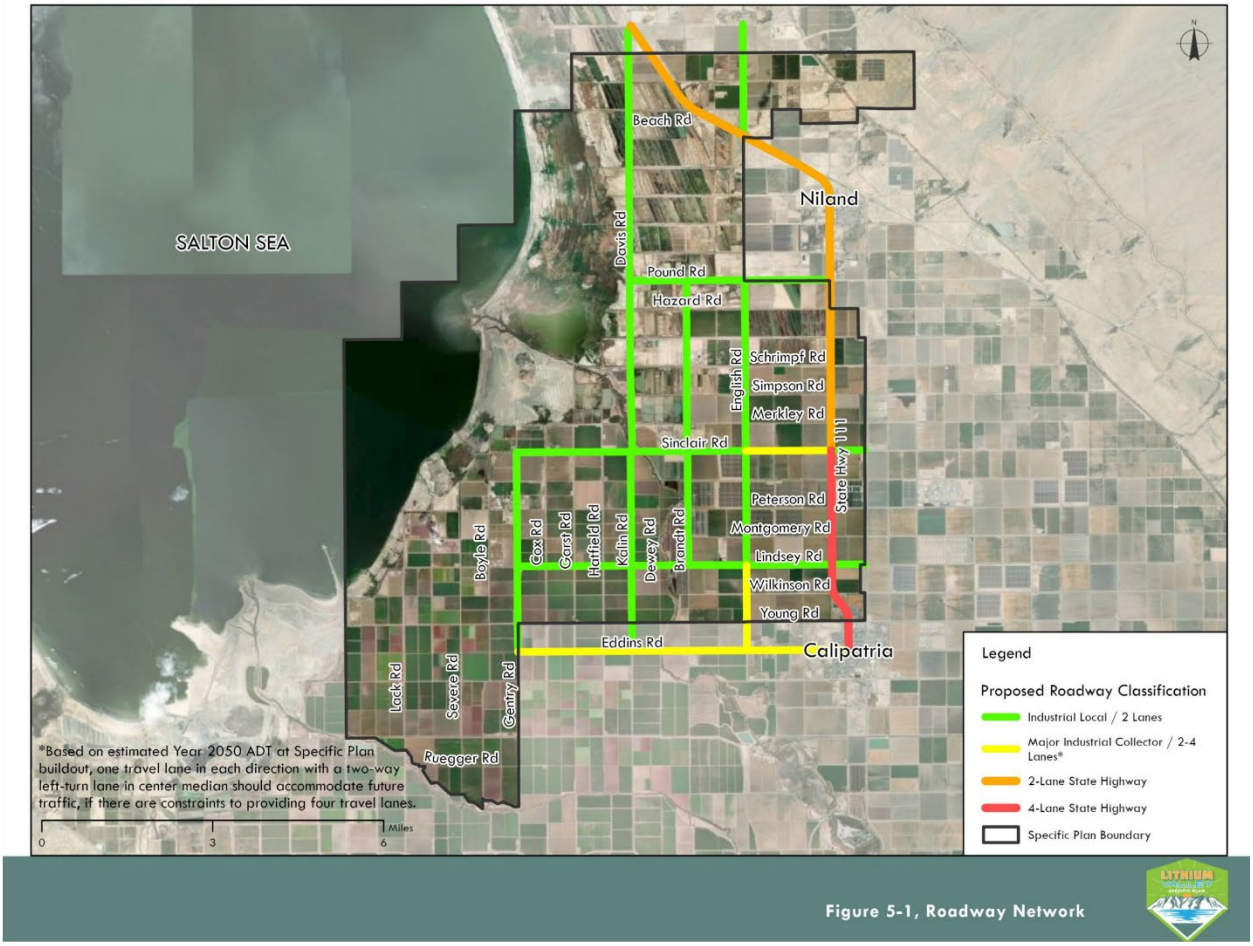
Figure 5. Refuge Map showing the Unit 2 management area, the dominant habitat types found within it, labeled.

9. **Figure 3-4, Phasing Map, Pg 51**



a. The Figure does not correctly represent the Refuge boundary within its conservation designation. Please refer to **Figure 1** and **Figure 5** for the correct Refuge boundary. Additionally, please refer to **Figure 3** for the correct conservation area boundary.

10. **Figure 5-1, Roadway Network, Pg 93**



a. As the Figure is currently displayed, an Industrial Local / 2 Lanes proposed roadway, Davis Road, will cut through both the Hazard Subunit and the entirety of Wister. The proposed location of Davis Road would divide the Hazard Subunit in half and would intersect right through both the under-construction endangered species habitat referred to as the Willows site, and H11/12 seasonal shallow water wetland, **Figure 5,** an actively used public hunt site H11A through H13, **Figure 6**. Additionally, Wister is a highly used state-protected and operated hunting area and would have similar, if not greater, impacts if an industrial 2-lane road were to be installed within its boundary **Figure 7**.

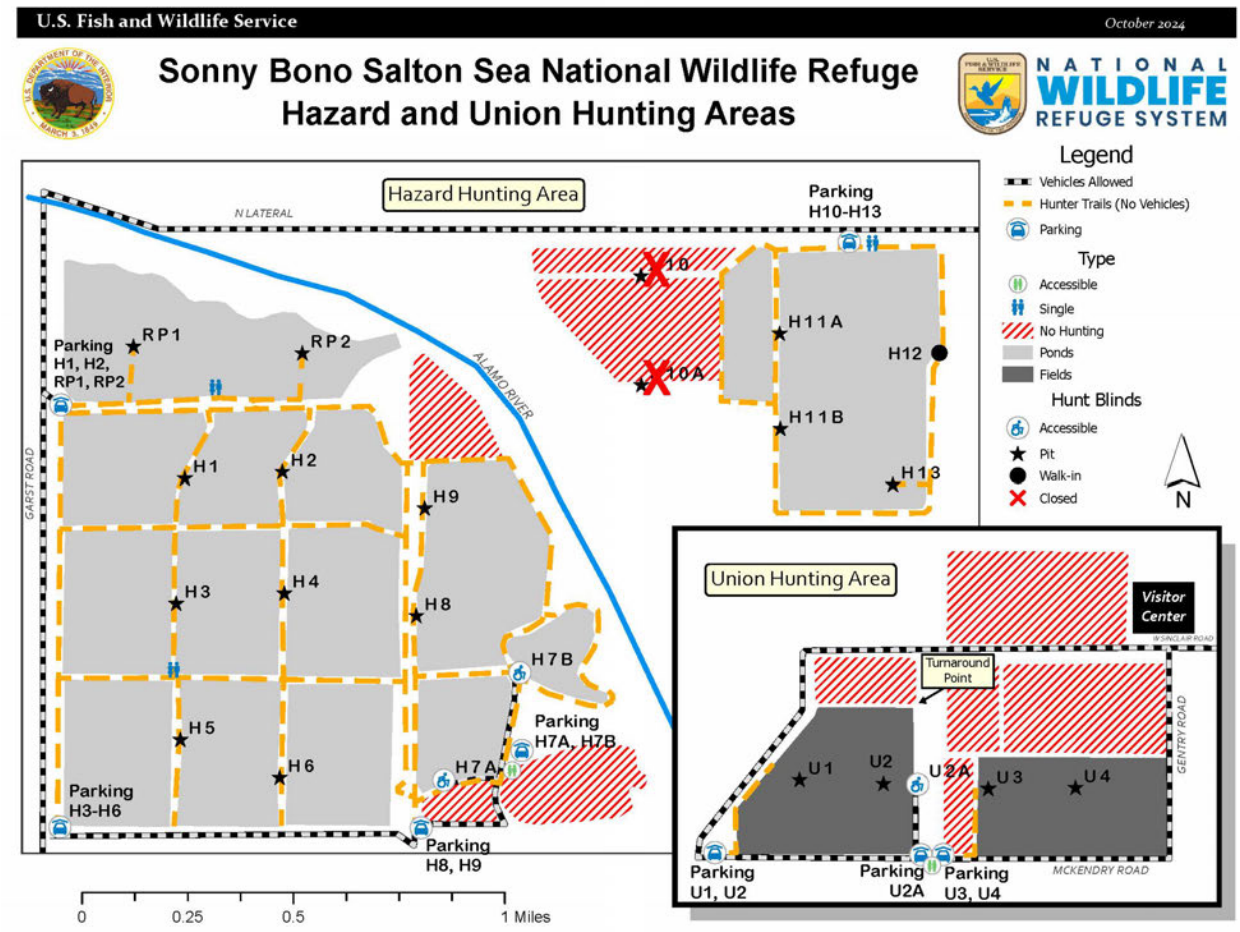


Figure 6. Refuge Hunt Map showing all active waterfowl hunt blinds in the Unit 2 management area.

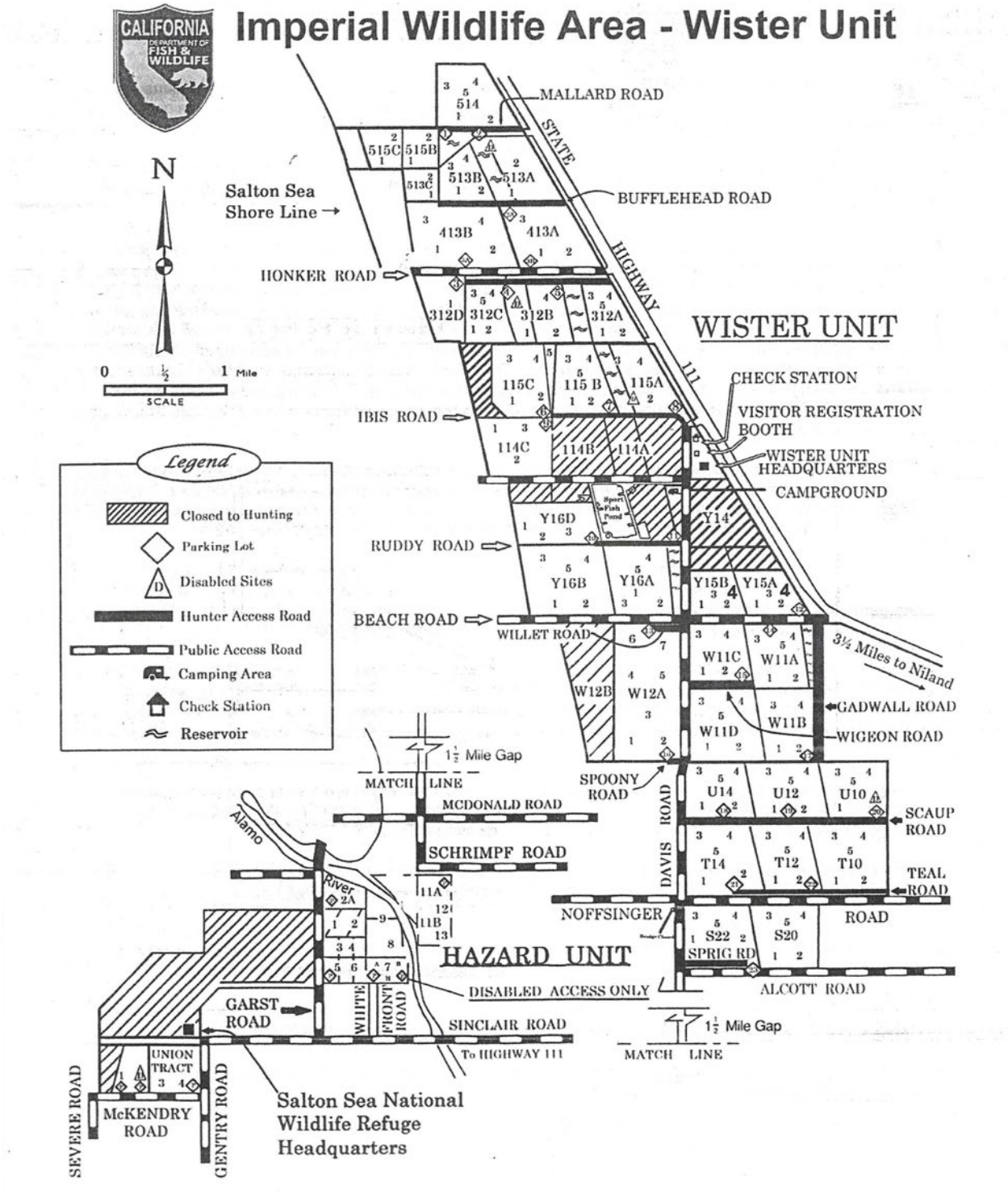
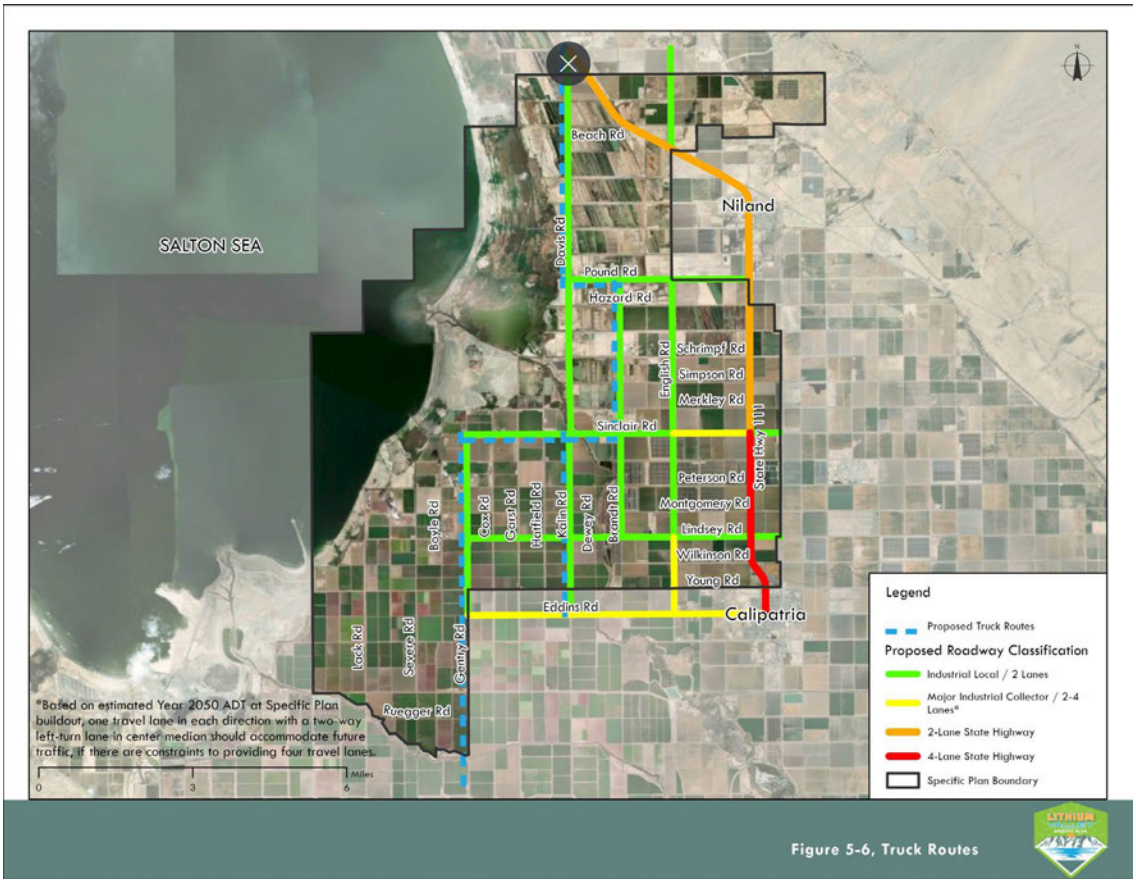
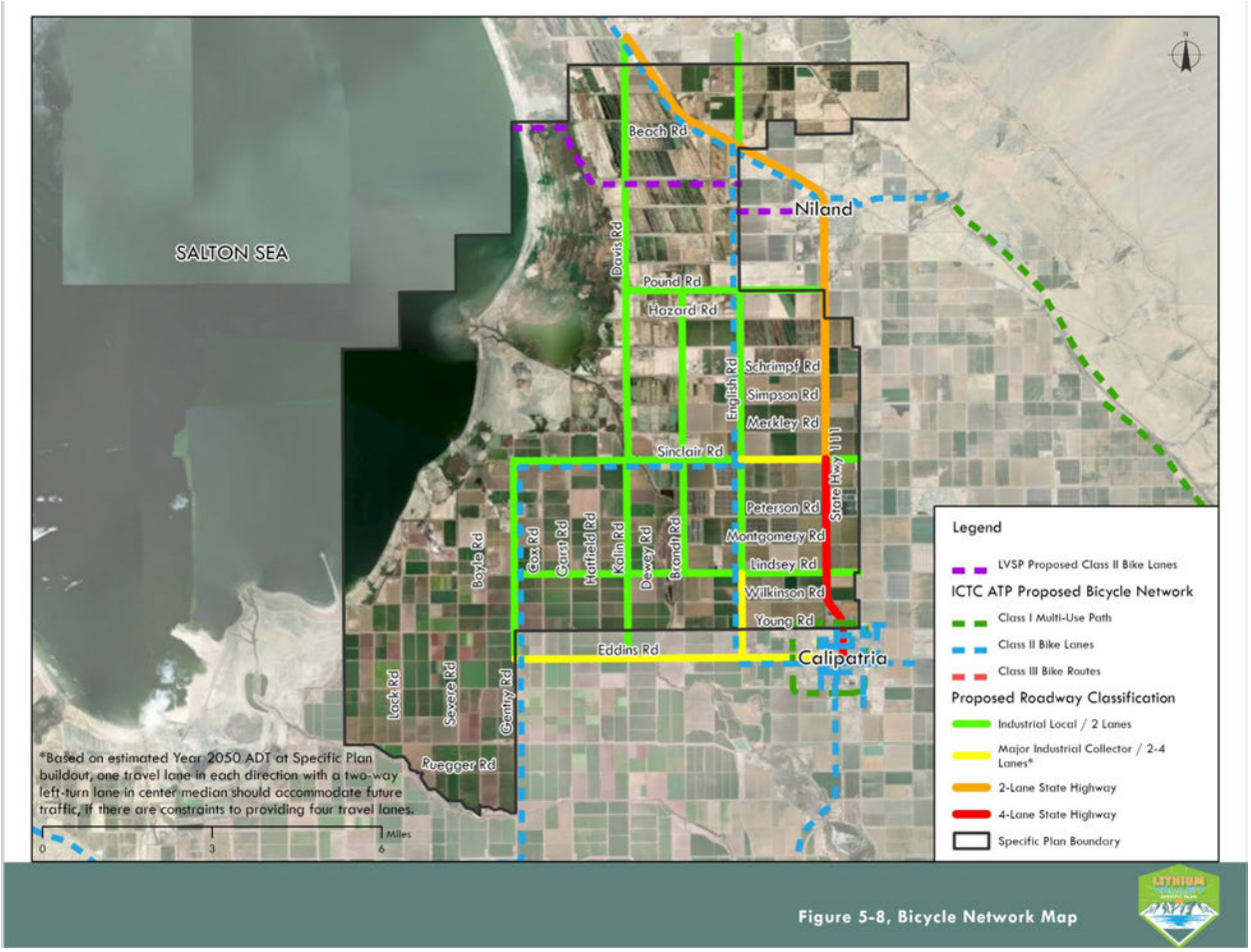


Figure 7. Map of the Wister Hunt Unit of the Imperial Wildlife area with all accessible hunt sites.

11. **5.1.2 Truck Routes, Pg 101**
    a. "To minimize new truck traffic through Calipatria and Niland on Highway 111, effective roadway design and wayfinding strategies should guide and/or require trucks to utilize designated routes like Davis Road, Pound Road, Kalin Road, and Gentry Road, reducing highway congestion and enhancing public safety." & "Establish and enforce designated truck routes for the transportation of hazardous and non-hazardous waste to ensure safety and compliance with transportation regulations."
        i. While it is greatly appreciated that efforts are being made to reduce industrial traffic impacts within the neighboring communities of Niland and Calipatria, the solution cannot be at the cost of both protected wildlife areas at the Refuge and Wister. As stated in comment 7 and 10 within this letter, both locations provide habitat for endangered species and are also actively managed federally and state public hunting sites for both upland game birds and waterfowl **Figure 6** and **Figure 7**. Both public use and habitat quality would be severely impacted by such a diversion of industrial traffic through it and reduce recreational opportunities to already underserved communities surrounding the Salton Sea.
    b. **Figure 5-6, Truck Routes, Pg 103**

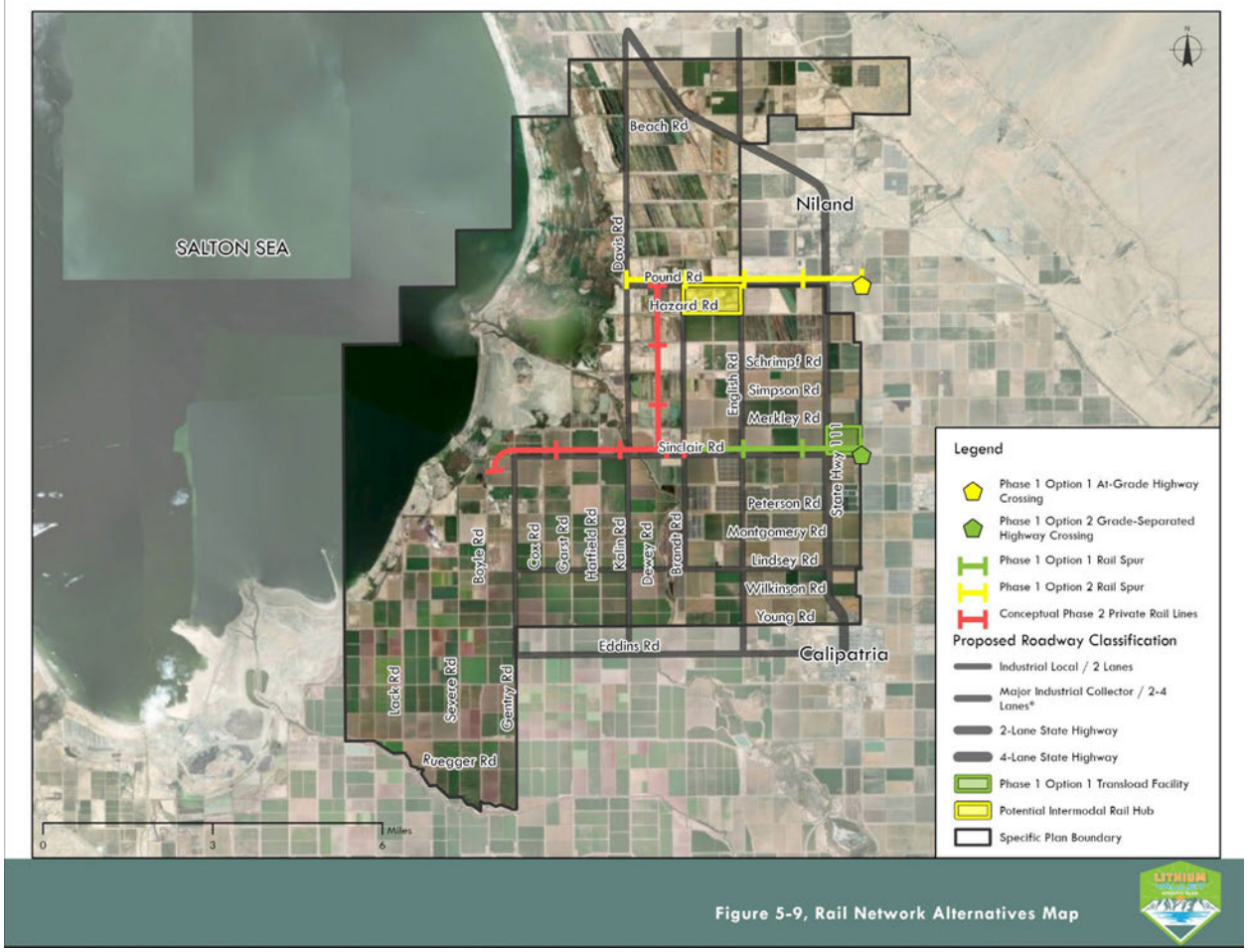


12. **5.3 Bicycle and Pedestrian Access, Pg 106**
    a. "Provide a connection from Niland to the Salton Sea via a Recreational Access Easement" & **Figure 5-8, Bicycle Network Map, Pg 107**



    i. While this route could increase public recreation opportunities for the community, all proposed changes within the Wister boundary need to be approved by the appropriate staff at the CDFW, especially if they conflict with public hunting or endangered species conservation **Figure 7**.

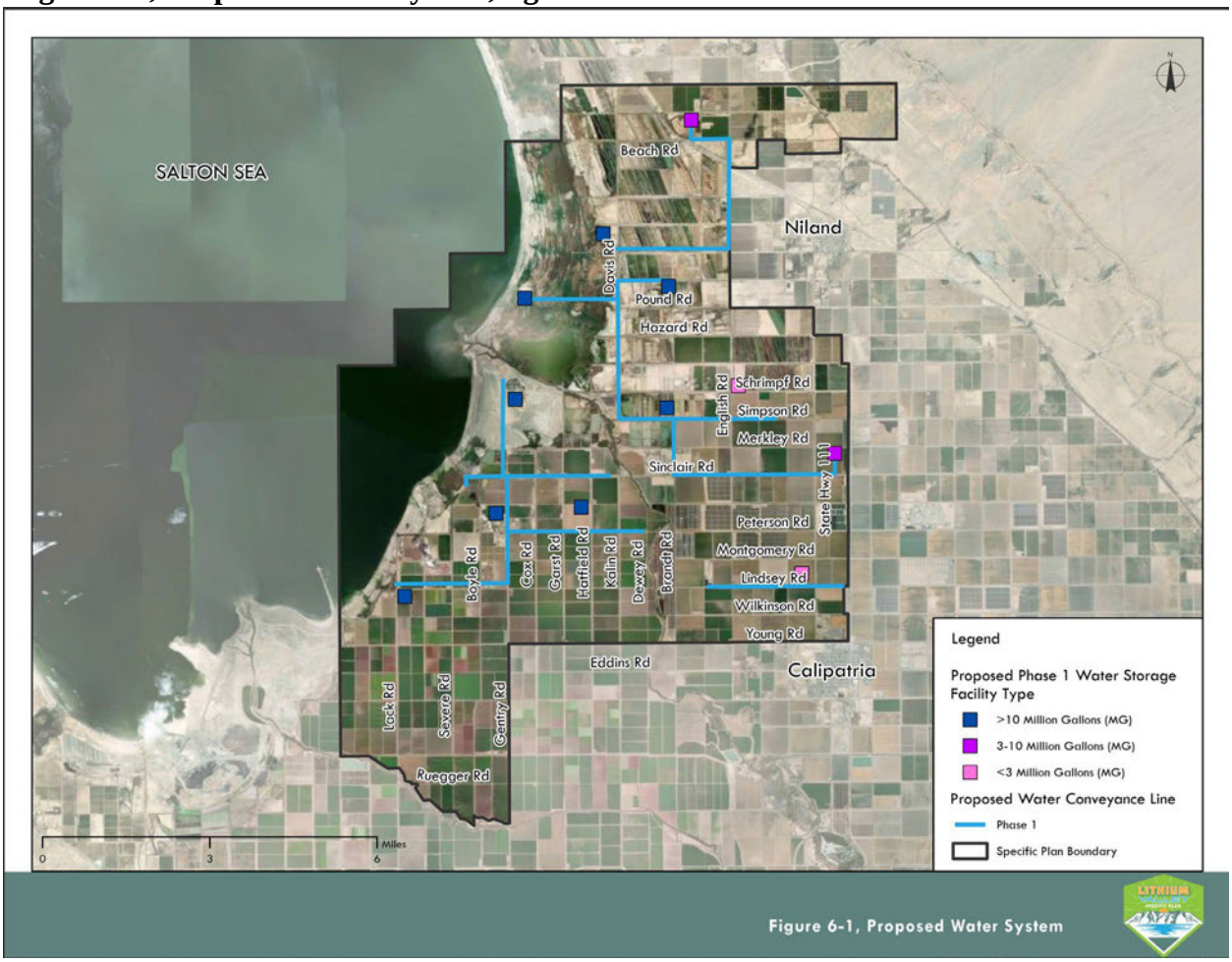
13. **Figure 5-9, Rail Network Alternatives Map, Pg 110**



a. While Phase 1 Option 1 At-Grade Highway Crossing & Phase 1 Option 2 Grade-Separated Highway Crossing of the Rail Network Alternatives Map do not directly impact the Refuge lands, these plans will have a detrimental impact on the habitat quality of Wister. Any changes made on land within the Wister boundary or directly adjacent to it need to be approved by the appropriate staff at the CDFW.

b. Conceptual Phase 2 Private Rail Lines, as depicted within the figure, cuts through much of the Refuge Headquarters area, **Figure 1** & **Figure 5**, and effectively cuts off the Refuge's access to county roads if and when a train is traversing the line. While reducing the Refuge's access to county roads is not an issue, if rail traffic is sparse, it will be a huge detriment to the standard operation of the Refuge if the Potential Intermodal Rail Hub is established between Pound and Hazard Road. Additionally, a private rail line cannot be established on federally protected lands with the designation of wildlife conservation (National Wildlife Refuge System Administration Act of 1966). Additionally, building a private rail line through the Refuge Headquarters would displace all Refuge staff and effectively shut down all operations.

14. **6.1.2 Water Infrastructure, Pg 116**
    a. "Among other statements, this resolution states IID's commitment to provide reliable and cost-effective water and power services to all of its customers and develop the necessary water management policies, programs, and tools to support Lithium Valley's development."
        i. We would like to reiterate that the Refuge, Wister, and other water dependent habitat within the Lithium Valley Specific Plan footprint should also be included in the above statement so that they can continue maintaining the critical wildlife habitat within their boundaries and provide recreational opportunities to the residents of Imperial Valley and beyond.
15. **Figure 6-1, Proposed Water System, Pg 118**



    a. Two >10-million-gallon water storage facilities are proposed within the Refuge boundary or adjacent to it in the Proposed Phase 1 water Storage Facility Type. While the construction of these facilities will not have a direct impact on the refuge beyond the initial construction noise. We would like to stress that the water required to fill and maintain these facilities does not impact the water apportionment appointed to the Refuge, nor should the delivery of water to these facilities hinder any water delivery to the Refuge habitats. Additionally, these

water storage facilities should be constructed and maintained in a manner that prevents them from becoming endangered species habitat. Maintenance includes, but is not limited to, removing cattails before they become a marsh bird attractant.

b. Phase 1 of the Proposed Water Conveyance Line covers the Pumice drain as it enters the Refuge and empties into McKendry Beach emergent marsh, **Figure 5** & **Figure 8**. McKendry Beach emergent marsh is a highly active marsh that serves as habitat for a variety of species, including the endangered Yuma Ridgway's rail and desert pupfish. Without Pumice drain supplying water to the McKendry Marsh, that habitat will be lost. To avoid any detrimental impacts to the environment, the Refuge would like clarity on what the final design of the water conveyance line will be, including the overall structure of the line, where it will end, if it will still provide water to the marsh and finally how much water will be provided to the marsh.

c. Phase 1 of the Proposed Water Conveyance Line also cuts the Hazard Subunit in the same location as the proposed extension of Davis Rd. Please refer to **Figure 1** and **Figure 5** for the Refuge boundary and management units. Please refer to the remark in comments 7, 10, & 11 as the same impacts apply to the construction of a conveyance line. Additionally, any projects or activities conducted by non-Refuge staff within the Refuge boundary must first be authorized by a Compatibility Determination and a Special Use Permit must be issued to allow such activity.

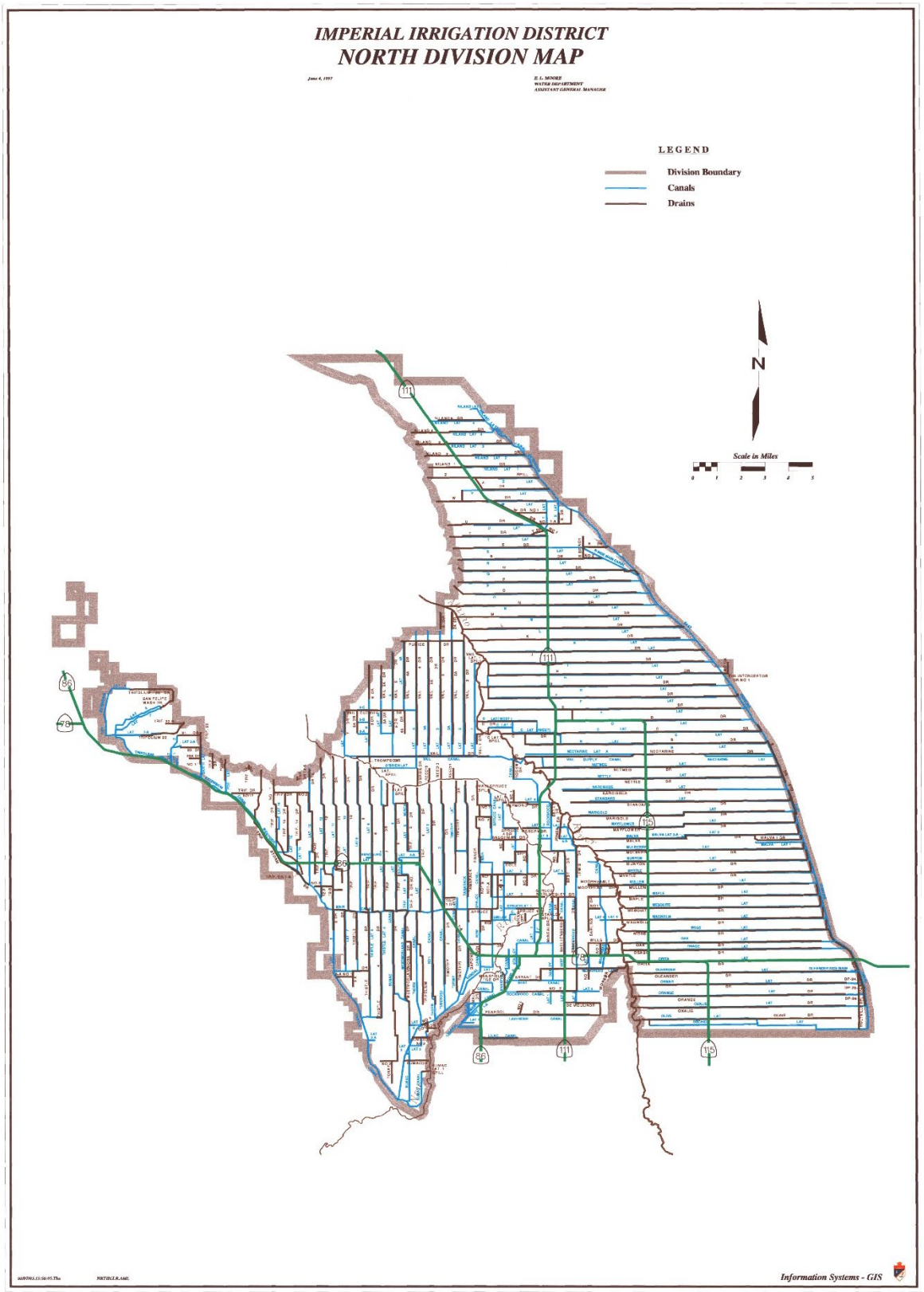


Figure 8. IID North Division Map depicting all the water drains and delivery canals within the Imperial Valley.

16. **6.2.2 Wastewater Recommendations, Pg 121**
    a. “Tertiary treatment, compared to primary wastewater treatment options, could significantly contribute to Salton Sea mitigation efforts and improve long-term environmental health issues. Tertiary treatment processes remove a higher percentage of contaminants, including nutrients like nitrogen and phosphorus, which can contribute to eutrophication and harmful algal blooms in the Salton Sea. By producing higher-quality effluent, tertiary treatment helps to reduce the existing environmental damage to the sea, promoting healthier aquatic ecosystems and improving overall water quality. Additionally, reclaimed water from tertiary treatment can be reused for irrigation and industrial purposes, decreasing the demand on freshwater resources.”
        i. While the Refuge supports water treatment options that clean water before returning to the sea, it has concerns about the amount of water that would be reclaimed versus the amount of water that would eventually be released into the Salton Sea. The sea is currently shrinking at an estimated 38.44 meters or 126.12 feet per year (Sinclair et al, 2024). If the amount of water released into the sea is reduced, the rate of decline will only increase. Additionally, the SCH project is dependent on the New River water to feed its brackish water wetlands. Any reduction in discharge levels of the New River would negatively impact the State’s Project, and any changes in discharge should be communicated with the appropriate CDFW and California Department of Water Resources staff.

17. **Figure 6-2, Proposed Wastewater System, Pg 122**

a. The refuge has serious concerns with the location of the westernmost proposed wastewater treatment plant. This plant is proposed for construction within the Refuge boundary, on Field 461, **Figure 5**. Field 461 is an irrigated upland site that serves as habitat for migratory waterfowl, specifically migratory Snow (*Anser caerulescens*) and Ross's geese (*Chen rossii*) (USFWS 2014). This field also provides hunting opportunities for white geese, including a designated ADA blind **Figure 6**. Refuge lands are federally protected, and any activity conducted within the refuge boundary must meet Refuge and NEPA compliance (National Wildlife Refuge System Administration Act of 1966).
b. The second proposed wastewater treatment plant on Schrimpf Road is located adjacent to the Hazard Subunit and potentially lies on the mud pot. In addition to the Volcanic features around the Sea, the mud pots are a culturally significant site for a majority of the Southern California tribes and are currently petitioned for protection as part of the Historic Lake Cahuilla Volcanic Cultural District (California Energy Commission 2024). Any construction on such a site needs to follow proper tribal consultation procedures, and all affected tribes must be

consulted. Affected tribes include but are not limited to Chumash, Cahuilla, Kumeyaay, Cocopah, and Quechan.

18. **6.3.3 Drainage Recommendations, Pg 126 - 128**
    a. "Currently, many of the IID drains serve as conveyance systems for stormwater within the Specific Plan Area, primarily in an east-to-west direction. Several of these IID drains are in poor condition and lack positive drainage to the Salton Sea, the Alamo River, or the New River. Positive drainage can be achieved by clearing out and extending drains out to the Salton Sea in strategic locations; however, this will require permitting through several regulatory agencies."
        i. The Refuge would like to reiterate comments made in both the Environmental Impact Report comment letter and numerous times throughout this letter. Please refer to the points made in comments 15 and 7. Any kind of alteration to the drainages around the Salton Sea shoreline would result in alterations to endangered species habitat.
    b. **Figure 6-4, Drainage Infrastructure Opportunities, Pg 128**

Figure 6-4, Drainage Infrastructure Opportunities

    i. In addition to the comment above, the proposed Potential Stream, Habitat, Wetland Restorations within the New and Alamo River fall into the conservation area. Any alteration to the New River will affect the SCH

Project both through direct alterations to the SCH Project footprint and by potentially altering the amount of water the project receives through the river. Any alterations to the 1.7 miles of the Alamo River that crosses through the Hazard Subunit of the Refuge, **Figure 5,** need to be approved by approved by Refuge leadership and done in such a way that does not increase the amount of management responsibility that lies on Refuge staff without proper funding to carry it out.

19. **Programs, Pg 143-145**
    a. **I-2:** "A Water Master Plan will be prepared that addresses the first phase of development and is programmed to expand based on phases 2 and 3 once they have been further defined. The Water Master Plan shall be prepared in collaboration with IID, and shall consider: a. Expansion of water conservation opportunities to support additional nonagricultural beneficial uses; c. Construction of new water projects and changes in land use with a hydrologic analysis and requisite environmental analysis."
        i. The Water Master Plan should also be shared with appropriate state and federal agencies that will be affected by it.
    b. **I-6:** "Construct and maintain a river corridor in a phased approach for the Alamo River and New River that is wide enough to contain and convey the 100-year peak flow from its tributary and reduce the 100-year floodplain that currently encompasses a large portion of the Specific Plan Area."
        i. Please refer to comment 18 b.i
    c. **I-10:** "Secure all required permits and approvals from resource agencies (US Army Corps of Engineers, California State Water Resources Control Board, and California Department of Fish and Wildlife), ensuring strict adherence to environmental standards and operational guidelines for the stormwater drainage infrastructure projects."
        i. Permits should also be attained from the U. S. Fish and Wildlife Service for any activities that would affect endangered species, endangered species habitat, and migratory birds. Additionally, special use permits need to be attained for any work that would take place on Refuge land, if that work does not conflict with the Refuge's purpose (USFWS 2014).
20. **Policy HP-15 Policy HP-15: Salton Sea Restoration Partnerships, Pg 152**
    a. "Continue coordination and partnerships with the organizations working on Salton Sea restoration and enhancement projects, such as: the Salton Sea Authority, California Natural Resources Agency (CNRA), IID, Audubon California, and the Sierra Club."
        i. Both the State and Federal agencies operating around the Salton Sea should also be included in any coordination and partnership work, such as USFWS, CDFW, & DWR. Any management for already established protected lands should also be included in any partnership and coordination talks. Key areas to include are the Sonny Bono Salton Sea

National Wildlife Refuge, Imperial Wildlife Area – Wister Unit, and the Species Habitat Conservation Project.

ii. Additionally, many privately owned Duck clubs within the Lithium Valley Specific Plan footprint will be affected by all the proposed changes and should be given the opportunity to be included in any future coordination.

21. **8.1.3 Discretionary Review Process Subsection C. Subsequent Environmental Review, Pg 158**
    a. "Subsequent development applications within the Plan Area must be evaluated to determine if additional CEQA documentation needs to be prepared."
        i. If any of the development proposed within the federally protected land continues forward, then NEPA processes also need to be followed.
22. **Appendix B – Recommended Landscape Plant Palette, Pg B-1**
    a. Plants listed not native to the Sonoran Desert or to the Salton Sea trough, and hence not in line with the proposal to plant native vegetation from the region.
        i. *Cupressus glabra* Arizona Cypress, correct on scientific name, correct name is *Cupressus arizonica*
        ii. *Fraxinus velutina* Velvet ash
        iii. *Yucca brevifolia* Joshua Tree
        iv. *Phoenix dactylifera* Date Plam
        v. *Agave deserti* Desert Agave
        vi. *Dalea pulchra* Bush Dalea
        vii. *Dasylirion wheeleri* Desert Spoon
        viii. *Hesperaloe parviflora* Red Yucca
        ix. *Leucophyllum sp.* Texas Ranger
        x. *Muhlenbergia rigens* Deergrass
        xi. *Opuntia basilaris* Beavertail Pricklypear

We appreciate the opportunity to provide comments on the Specific Plan. If you have any questions regarding this letter, please contact Jonathan Shore[1] at 760-348-8209.

Sincerely,

Jonathan A. Shore
Project Leader

cc:
Brian Croft, USFWS
MaryBeth Woulfe, USFWS
Maria Davydova-Flores, CDFW
Charles Land, CDFW

[1] jonathan_shore@fws.gov

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February 2025 Draft Lithium Valley Specific Plan

Public Review Comments

Section 2: Tribal Nations

Supporting acknowledgement

RT

Ray Teran <rteran@viejas-nsn.gov>

Tuesday, May 6, 2025 at 12:27 PM

To: Bari Bean; Ernest Pingleton; **Cc:** courtcoyle@aol.com

2025 05 05 CAC co...
3.1 MB

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CAUTION: This email originated outside our organization; please use caution.

On behalf of Ernest Pingleton, THPO, please accept the attached letter as Viejas input to the Lithium Valley Site Specific Plan.

Ray Teran
Viejas Tribal Government
Resource Management Director
619-659-2312
rteran@viejas-nsn.gov

This letter was also received by the Viejas Band of Kumeyaay Indians.

COURTNEY ANN COYLE
ATTORNEY AT LAW

HELD-PALMER HOUSE
1609 SOLEDAD AVENUE
LA JOLLA, CA USA 92037-3817

TELEPHONE: 858-454-8687 E-MAIL: COURTCOYLE@AOL.COM FACSIMILE: 858-454-8493

Kwaaymii Laguna Comments on
draft Lithium Valley Specific Plan (public review draft January 2025)

Dear Supervisors, Staff, and Consultants, May 5, 2025

The following comments on the draft Lithium Valley Specific Plan (public review draft January 2025) ("Draft Specific Plan" or "Plan") are submitted on behalf of Carmen Lucas, Kwaaymii Laguna Band of Indians. We hope that these comments are useful as you continue to shape the proposed Plan and that tribes will see their concerns better integrated into the Plan in the future.

1. **The Draft Specific Plan does not adequately identify or protect Tribal Sacred Places or Tribal Cultural Resources.** Affiliated tribes have documented the Southeast Lake Cahuilla Active Volcanic Cultural District (SELCAVCD) which is a tribal cultural landscape recognized by staff from both state and federal agencies. Yet, reference to tribal cultural resources, California Native American Tribes, and cultural landscapes (terms of art in CEQA as revised by AB 52) and references to the SELCAVCD and its boundary are absent from the Plan. In turn, the Plan's Lithium Valley Vision (Figure 2-1) lacks a vision for how tribal sacred lands could co-exist with proposed Lithium Valley uses.

   However, the County may not ignore tribal identifications of tribal cultural resources under SB 18 or AB 52. *Koi Nation of Northern California v. City of Clearlake* (2025) A169438, A169805 (the tribal consultation requirement is intended to facilitate lead agency consideration of the value and significance of resources to tribes). While the Plan gives lip service to minimizing impacts to tribes (p. 15), it should instead put focus on addressing the identified tribal cultural resource cultural landscape and then prioritizing avoidance and preservation in place of the tribal cultural resources.

Instead, the Plan places new administrative burdens on Tribes to establish Cultural Resource Preservation districts at some future time, which would require a Specific Plan amendment, and approval by the Board of Supervisors (p. 26). This is ironic since the Use Table (p. 59) lists a "P" for permitted in nearly every land use for cultural resource preservation yet at the same time the Plan says a cultural district or overlay would need to go through extra, separate hoops. The state legislature found that is precisely within planning processes where SB 18 and other open space requirements for tribal cultural resources are often best addressed. Moreover, information should be comprehensive enough to satisfy the needs of both the specific plan and its CEQA document. OPR's *The Planner's Guide to Specific Plans* (January 2001)(*"The Planner's Guide to Specific Plans"*).

The specific need to protect tribal cultural resources must also be addressed in more detail under the Conservation land use, which is currently focused primarily on restoration and mitigation projects (pp. 49, 51). Such projects also need to be harmonized with the SELCAVCD and informed by tribal consultation to minimize effects. The Plan is also unclear about whether the open space would be dedicated or in perpetuity or something less. Without such information in the Plan or a concurrent EIR, it is not possible to fully understand the Plan's effects. The EIR must be certified by the legislative body prior to the adoption of the specific plan (CEQA Guidelines section 15092(a)).

There are also potential concerns with what is shown in the Plan. Instead of protection, industrial and extractive developments like geothermal plants, mineral recovery, conversion, processing, production, large water storage facilities, wastewater treatment plants, geothermal pipelines and wells are proposed as allowed uses to be sited on tribal cultural resources, fragile wetlands, and exposed playas (pp. 56-60). For example, water storage facilities and conveyance lines, wastewater treatment plants and conveyance lines, drain extensions, optional and conceptual rail lines, electrical transmission, and other infrastructure appear to be placed on or very close to cultural features such as Red Hill, Obsidian Butte, and the Old Muds Pots (Figures 5-9, 6-1, 6-2, 6-4, 6-5).

Also, the Use Table (Table 3-2, footnote 3) appears to allow transmission and geothermal pipeline corridors within the Conservation designation. Similarly, subsurface geothermal directional drilling assumes, without support, that tribal cultural values are only at the surface (p. 27). There are no examinations of less intrusive alternatives/design options, design guidelines, including consideration of

buffers or context-sensitive screening techniques, for siting such uses within or near the SELCAVCD to reduce Plan effects on the tribal cultural resource. Even though such analysis would be entirely consistent with Policy DD-1 to create development standards that address special conditions to guide development in a more informed, and context-specific way (p. 91). Similarly, the Plan lacks standards and criteria for conservation of such areas, also contrary to *The Planner's Guide to Specific Plans*.

To date, the County's consultation with Kwaaymii Laguna, and possibly other affiliated tribes, has not been integrated into the Plan: tribal resource identifications, input, and concerns are absent from the Plan and its Land Use Map. This current lack of integration risks rendering the Land Acknowledgment (p. 4) performative. The County must show progress on these topics prior to presenting a Final Plan. This includes consultation with affiliated tribes on adding a potential recreational trail linking cultural feature areas as well as on the proposed River Corridor uses as sensitive tribal cultural resources are often co-located, adjacent to, or within river resources (pp. 38, 50, 70). In recognition of, and out of respect for tribal values, there should also be a restriction from using obsidian related resources as road or other building material.

We recommend striking the use of "Indigenous" people or lands from the draft (i.e., pp. 4, 15, 16, 26, 34, 35); the County knows to whom these lands are traditionally affiliated and these are the California Indian Tribes wo were invited to consult. We also recommend replacing past tense wording (such as "who have stewarded") with present tense ("who steward") – the tribes are still here (p. 4).

2. **The Draft Specific Plan is missing key elements required by the Model Specific Plan Outline in *The Planner's Guide to Specific Plans*.** This includes discussion of the relationship of the Specific Plan's environmental document to subsequent discretionary projects, Specific Plan administration, and Specific Plan enforcement. These key aspects of orderly planning are not well developed in the Plan. The Plan says that permitted uses do not require additional discretionary actions and would be by right and ministerial (pp. 17, 55). The Implementation section provides no onramp for tribal consultation (pp. 157-162). Further, to our knowledge, there has been no consultation on feasible mitigation measures. Thus, the Plan's approach will put a tremendous pressure on the forthcoming PEIR to adequately consider tribal cultural resources. Without that, significant effects, public engagement, and tribal consultation would be overlooked in Plan implementation.

3. **The Draft Specific Plan includes potential harmful industrial uses that are outside of lithium development that would offer few local jobs and instead pose many harmful environmental burdens in a disadvantaged area that is already highly impacted.** Such uses include airport, anaerobic digesting/waste-to-energy facilities, automobile wrecking/recycling yard, data centers, desalinization, gas station/hydrogen fueling stations, pharmaceuticals, recycling centers, and wastewater treatment plants (pp. 61-62). Please tighten the uses allowed under the Plan to only those necessary.

4. **The Draft Specific Plan defers analysis and solutions to serious problems for later instead of addressing immediate concerns expressed by community members and environmental and social justice advocates about cumulative effects.** The Plan puts off to a new, hypothetical, and unfunded "Infrastructure Financing Special District" to solve complex issues related to water supply, wastewater, and solid waste (pp. 143-147). These would be treated outside of the PEIR and Phase 1 development would be allowed to occur even though needs are projected to surpass present infrastructure and without the proposed "Water Master Plan". However, analysis of significant effects may not be deferred to later developments under the specific plan, nor to later tiered EIRs (*Stanislaus Natural Heritage Project, Sierra Club v. County of Stanislaus,* 48 Cal.App.4th 182 (1996)(analysis of water covered supply only through first five years of project, deferring further analysis to future phases of development found improper). Further, no information is shared on the feasibility of standing up and implementing such districts. What evidence or precedent is there that such efforts would be successful here? The Plan should require an appropriate level of analysis, funding, and mitigation, preceding or concurrent with each phase of the Plan. Otherwise, required analyses might never occur and fence line communities and tribes will suffer for it.

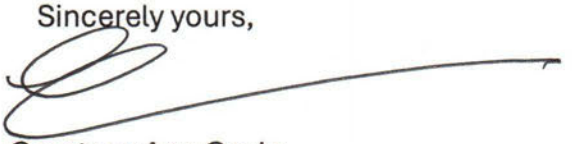
5. **The Draft Specific Plan's standards for renewable energy sourcing fail to meet California's climate goals and instead could result in a significantly increased net dependence on fossil fuels.** The Plan shows total buildout of energy produced at 519 megawatts/hour, but this requires a much greater energy demand of 2,642 MW/h (p. 131). Even if all energy produced were dedicated to co-located uses within the study area (which environmental review documents for projects approved by the County show is not the case), there would be a total energy demand delta of 2,123 MW/h, so that more power would likely be sourced from the grid, which may include

fossil fuels, while transmission is also deferred in Plan (pp. 20, 131-132). To call itself a renewable energy solution, the Plan should provide clean, renewable energy sourcing for the lifecycle of the Plan.

6. **Draft Specific Plan does not address direct and cumulative biological concerns related to sensitive species, wetlands, and the viability and well-being of the Sonny Bono Salton Sea National Wildlife Refuge.** We are concerned about Plan elements being sited on the Refuge or having adverse indirect or cumulative effects to the Refuge. The urgency of restoring the Salton Sea to avoid ecological catastrophe is well documented, yet the Plan's conservation easements are not permanent and playas restoration would not occur until Phase 3 (pp. 34, 49, 54). The Plan's Lithium Valley Vision (Figure 2-1) also lacks a vision for how the Refuge's special ecological area could co-exist with Lithium Valley uses apart from simply noting where the current Refuge Visitor Center and two observation platforms are. The Plan also appears to incorporate nonnative plants and trees into landscape palette which could have negative effects on native species and water use (p. 83 (renderings)). Lighting plans should also incorporate all recommendations from Dark Night Sky guidance to protect and preserve the night time experience for species and the cultural environment and not simply rely on Engineering Society Standards (p. 87). Similarly, the proposed truck route should be routed away from the Refuge for public safety and to preserve visitor experience. (Figure 5-6). Consideration should also be given to contextually appropriate noise levels from Plan uses.

In conclusion, while the Plan says that no responses to comments will be provided, we sincerely hope that the topics in this comment letter will be part of the continued consultation with Kwaaymii Laguna on the proposed Plan and its PEIR. Please put my office on the list of those to receive all future notices for both.

Sincerely yours,



Courtney Ann Coyle
Attorney at Law

Cc: Carmen Lucas
Interested Parties

TWENTY-NINE PALMS BAND OF MISSION INDIANS
46-200 Harrison Place . Coachella, California . 92236 . Ph. 760.863.2444 . Fax: 760.863.2449

April 24, 2025

Imperial County
ATTN: Diana Robinson, Planning Division Manager
801 Main St.
El Centro, CA 92243

Subject: Imperial County's Lithium Valley Draft Specific Plan

Ms. Robinson,

The Twenty-Nine Palms Band of Mission Indians (Tribe) are a Chemehuevi people, a federally recognized tribe whose Reservation is located near the city of Twentynine Palms and the city of Coachella, California. The Tribe inhabited the desert area of the Oasis of Mara (Mar'rah) in the vicinity of today's Joshua Tree National Park. The Tribe's Traditional Territory, *Nungwuh Tuhveep*, stretches throughout the Mojave Desert, and includes what is now known as the Marble and Clipper Mountains.

The Tribe is primarily concerned with the air quality issues caused by the exposed playa of the Salton Sea. Communities that are nearer to the Salton Sea already face higher levels of asthma and other respiratory diseases, and this problem will only worsen through the process of development of all this planned infrastructure. It is imperative that the most effective methods of dust suppression are used to their maximum potential to impede further air pollution. Air quality monitors need to be placed wherever possible and be used to inform the local community about their daily air quality.

California Senate Bill 125 requires any entity that extracts lithium must pay a lithium extraction excise tax, with 20% of the funds being allocated to the Salton Sea Restoration Fund, and the remaining 80% of the funds belong to the County of Imperial. According to the Lithium Excise Tax Funding Plan, 2% of the County's funding is allocated for Tribal and Cultural Affairs. When the board votes on the allocation categories in the future, Tribal and Cultural Affairs, as well as the other recipient categories in the Lithium Community Benefits Program, should receive a base allocation on top of their percentage to ensure consistent funding.

The Salton Sea was always known as Ancient Lake Cahuilla to Tribes, and now the surrounding region is called Lithium Valley, after the resource that is being extracted for profit. This highlights the need to have Tribal cultural monitors present during the development process, and that Tribes are well compensated for their efforts.

This broad plan sounds like it has the potential to bring a great amount of business to the region, but it can't come at the cost of public health of the communities already disproportionately affected by their proximity to the Salton Sea. Breathable air is a human right that cannot come second to potential profit.

TWENTY-NINE PALMS BAND OF MISSION INDIANS

46-200 Harrison Place . Coachella, California . 92236 . Ph. 760.863.2444 . Fax: 760.863.2449

The Tribe appreciates the opportunity to consult and comment on the Lithium Valley Draft Specific Plan. The Tribe requests to be notified of any future developments. This letter should not be considered government to government consultation or as a replacement for such; this response letter is a communication of any possible comments or concerns that the Tribe may have regarding the referenced project. The Tribe defines government to government consultation as direct communication between Tribal Leadership and the equivalent body of the requesting government or organization. If you have any questions or concerns, please contact Joseph Brombacher, Environmental Manager, via e-mail at jbrombacher@29palmbomi-nsn.gov or by phone at 760-863-3974.

Sincerely,

Darrell Mike

Chairman Darrell Mike
Twenty-Nine Palms Band of Mission Indians

Cc: Joseph Brombacher, Environmental Manager

Manzanita Band of the Kumeyaay Nation

May 5, 2025

Comments on draft Lithium Valley Specific Plan (Public Review Draft January 2025

Dear Supervisors, Staff and Consultants,

The Manzanita Band of the Kumeyaay Nation ("Tribe"), also known as the Manzanita Band of Diegueno Mission Indians, is a federally recognized Self-Governance Indian Tribe that operates pursuant to its Constitution and Bylaws adopted on July 12, 1975 pursuant to the Indian Reorganization Act of 1934, and possesses inherent powers of self-governance with duties, rights and responsibilities, and with power, authority, and jurisdiction over the lands and waters governed by the Manzanita Tribe and with interest and standing over lands that are within the Traditional Territory of the Kumeyaay People.

The Manzanita Tribe is one of twelve Tribes of the Kumeyaay People whose aboriginal territory extends from the Pacific Ocean to the desert lands of the Colorado River and approximately seventy-five miles north and south of the international border, adopted by the State of California through Assembly Joint Resolution No. 60 on the 29th day of August 2002. The Manzanita Tribe is also traditionally and culturally affiliated with cultural resources now submerged in the Pacific Ocean from three to seventeen kilometers further westward than today's coastline including the islands off the coast and as far as we could travel to harvest marine resources. Therefore, The Manzanita Tribe also strives to protect resources within the Aboriginal Territory.

The following comments on the draft Lithium Valley Specific Plan (public review draft January 2025) ("Draft Specific Plan" or "Plan") reflect the concerns of the Tribe and we hope they will be useful in understanding and addressing issues that are important to the Tribe.

The Draft Specific Plan does not adequately identify or protect Tribal Sacred Places or Tribal Cultural Resources. The local Tribes have documented the Southeast Lake Cahuilla Active Volcanic Cultural District (SELCAVCD) which is a Tribal Cultural Landscape recognized by state and federal agencies. However, reference to Tribal Cultural Resources, California Tribes, and Cultural Landscapes and references to the SELCAVCD and its boundary are absent from the Plan. The SELCAVCD is a very important Cultural Resource and Cultural Landscape for the Manzanita Tribe, and we have serious concerns for the protection of this Cultural District and other sites within the project area. The plan needs to address the protection and avoidance of this Cultural District.

While the Plan mentions minimizing impacts to Tribes, it should specifically address Tribal Concerns, Tribal Cultural Resources, Tribal Landscapes, including specifically the SELCAVCD, and how the development is avoiding or protecting these very important resources. The Manzanita Tribe is surprised that there is very little mention of these resources and even less about their protection. The County, State, and Federal governments have knowledge of these resources and have completely ignored their importance.

The Tribes should not have to "try" to protect these resources by establishing Cultural Resource Preservation districts at some time in the future, the time to include and protect these resources is now. Tribal Resource protection is always the last to be addressed and usually only after the projects are designed and ready to be implemented, that is not right.

The Conservation land use, which is currently focused primarily on restoration and mitigation projects, should specifically address protection and avoidance of Tribal Cultural Resources. A protection and avoidance plan should be Tribally driven that includes the Tribes in every aspect and all phases of the project. Without such information in the Plan or a concurrent EIR it is not possible to fully understand the Plan's effects on Tribal Cultural Resources or Tribal Cultural Landscapes.

The Tribe is surprised and very concerned that project facilities and infrastructure, such as mineral recovery, conversion, processing, production, large water storage facilities, wastewater plants, roads, pipelines, wells, rail lines, electrical transmission and other infrastructure are placed on or very close to cultural features and resources such as Red Hill, Obsidian Butte, and the Old Muds Pots. We have seen the destruction of Cultural Resources and Sacred Sites by projects like this where facilities are placed sometimes with in feet or inches from resources. This is unacceptable because this kind of plan and development will not institute the necessary measures to protect these Resources from careless employees, who in some cases in the County have intentionally run over resources with large equipment, insufficient barriers incapable of protection, and inadequate monitoring. This does not even take into consideration buried Cultural Resources which are highly likely in these areas. The Plan should take into consideration buffers or other design guidelines that will actually avoid, protect, and conserve these highly sensitive areas.

The Manzanita Tribe is wondering where the discussion of Tribal Consultation is in this Plan. What Tribes consulted and what were their comments. What areas and resources were identified through consultation? Government-to-Government Consultation should be conducted with the affiliated Tribes, the Manzanita Tribe is requesting consultation at this time. The Tribes are still here stewarding these very important Cultural Resources and it would be very disturbing to see the project using obsidian related resources, which are very important Cultural Resources to the Kumeyaay People, as road or other building materials. The Tribe is asserting that significant mitigation should be paid to the affiliated Tribes if obsidian resources are used in the project or if these resources or any Cultural Resources are damaged or destroyed by the Projects contemplated.

These finite Cultural Resources are the legacy of the Kumeyaay People and need to be preserved for future generations of Kumeyaay. There is no project significant enough to warrant the destruction of these Cultural Resources.

The Plan does not address direct and cumulative biological concerns related to sensitive species, wetlands, and the viability and well-being of the Sonny Bono Salton Sea Nation Wildlife Refuge ("Refuge"). Biological Resources are also Cultural Resources, and the Tribe is concerned for the protection of these resources. The biological diversity of the entire area, including flora, fauna, and the ecosystems they live in should be protected and restored. In addition, there is no discussion or plan on how the development would affect or co-exist with the Refuge. The Plan also appears to incorporate non-native plants and trees into the landscape palette which could have negative effects on native species and water use. The Tribe would like to see only native plants used in the development and lighting plans should incorporate all recommendations from Dark Night Sky guidance to protect and preserve the nighttime experience for species of the area and to protect the natural and cultural environment.

The Tribe appreciates the opportunity to make comments on this Plan however more work needs to be done to respect Tribal consultation and contributions in developing the final Plan and to protect the finite Cultural Resources within the Plan Area. The Tribe would like to engage in Government-to-Government Consultation on the Plan. We look forward to seeing changes and discussion on the protection of Cultural Resources and Cultural Landscapes being included into the Plan.

Sincerely,

Angela Elliott Santos

Angela Elliott Santos, Tribal Chairwoman
Manzanita Band of the Kumeyaay Nation

February 2025 Draft Lithium Valley Specific Plan

Public Review Comments

Section 3: Public, Private, and Non-Profit Organizations

AMERICAN CIVIL LIBERTIES UNION
San Diego and
Imperial Counties

May 5, 2025

Diana Robinson
Planning Division Manager
Imperial County Planning & Development Services Department
801 Main Street, El Centro, CA 92243
Via email: DianaRobinson@co.imperial.ca.us
LithiumValley@co.imperial.ca.us

Re: County of Imperial Lithium Valley Specific Plan Public Comment

VIA ELECTRONIC MAIL

The American Civil Liberties Union of San Diego & Imperial Counties (ACLU-SDIC) supports responsible development in Imperial County, especially the promise of a thriving Lithium Valley.

The current Lithium Valley Specific Plan (LVSP) is an ambitious proposal for bringing opportunities and investment to Imperial County. However, in its current form, this plan lacks accessibility, community benefits agreements and crucial impact analyses on water, power and special districts. Meanwhile, the plan also promotes potentially toxic industries unrelated to lithium that can have devastating consequences to the region while doing little to bring quality jobs to Imperial Valley.

As a Valle Unido por Beneficios Comunitarios (Valle Unido) coalition member, the ACLU-SDIC supports the responsible development of lithium extraction industries. This includes prioritizing strong and enforceable community benefits agreements, the appropriate analysis and mitigation of environmental impacts and taking the appropriate steps to involve and educate the community in this process. We aim to inform the LVSP by highlighting community concerns and help create a more people-centered Lithium Valley that prioritizes racial equity, economic justice and environmental progress.

Imperial Valley residents deserve a voice in decisions that impact them, including the continued development of the lithium and geothermal industries in the region. The ACLU-SDIC is concerned by Imperial County's failure to provide equitable access to the LSVP. We are disappointed that the County has not provided a Spanish translated copy of this plan to the community. At least 76.1% of Imperial County residents speak a language other than English at home and 97.97% of those residents speak Spanish.

At the February 27 Spanish public workshop, which our staff attended, not one person in the audience was a monolingual Spanish speaker. There were only three people in attendance besides county staff and consultants, and they were all representing community-based

organizations. It is clear the County's community outreach was lackluster, given the extremely low attendance at the designated workshops.

Through our coalition work, we hosted meetings in Spanish to discuss the LVSP with more than 20 community members in attendance. Spanish-speaking residents are stakeholders in this plan and want to be engaged, however proper educational outreach is the County's responsibility. For the public to engage, the LVSP and other supplemental documents must be accessible – both in plain language and in Spanish.

Another area of concern is that the LVSP provides no specifics on where the water and power referenced will be acquired, or the impact on already increasing rates and resource usage. Our partners at Earth Justice highlight that without the Water Master Plan, the LVSP contains only a tiny sketch of a proposal for addressing our known and severe water shortages. At Valle Unido's LVSP town hall on March 12, most of the community concerns raised were related to water and power.

Lack of clarity and perceived lack of communication between the County and Imperial Irrigation District (IID) is a barrier to Lithium Valley transparency, creating an uninformed and further disenfranchised community. IID is currently working on restoring public trust – a strategy the County should take on Lithium Valley by providing full transparency.

Additionally, the LVSP streamlines pathways for potentially toxic industries. Data centers will require massive amounts of water and electricity. Green hydrogen also requires large amounts of fresh water. Anaerobic digesting facilities are an expensive and inefficient approach to transitioning away from fossil fuels that contribute to air and water pollution. Imperial County regularly receives F grades in both air quality and environmental pollution. Streamlining the path for toxic industries will further negatively impact the health of our residents and continue to make life harder for our historically marginalized communities.

Lastly, while the County has pushed jobs as an incentive for Lithium Valley, these industries do not historically provide the quality jobs our communities need. Data centers have a history of bringing in specialized employees, leaving few jobs for local residents and provide few, if any, long-term, high-paying and sustainable jobs. While green hydrogen facilities will employ hundreds to build the facility, long-term positions are scarce. Furthermore, anaerobic digesting facilities require very little in terms of ongoing staff support, with some reporting as few as five positions.

The ACLU-SDIC, in coalition with Valle Unido, strongly supports responsible development that creates "high-road" careers, which focus on job quality, safe working conditions, opportunities for career advancement and family-sustaining wages and benefits. Quality jobs are necessary to improve the lives of Imperial Valley residents and ensure Imperial County thrives.

If the County truly intends to build sustainable economic growth and increase employment within Lithium Valley, pursuing the highlighted industries is not an ideal strategy to meet these goals. The County must be transparent with residents, so they have a full understanding of what lithium means for their futures. Imperial County must ensure that the LVSP outlines a vision for responsible development, one that not only creates family-sustaining, high-road careers, but also emphasizes protecting the environment so families can live long and healthy lives for generations to come.

County officials and administrators must use the LVSP and relevant Lithium Valley documents to establish protections and guarantees to facilitate a responsible, thriving and sustainable Lithium Valley. In a community with a high unemployment rate and a growing number of families, the County must prioritize industries that hire locally and have the capacity to create quality jobs to allow residents to not just survive, but to thrive.

Thank you,

Crystal Quezada
Imperial Valley Regional Director
ACLU of San Diego & Imperial Counties

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Monday, May 5, 2025 7:46:28 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Rhian Reyes
Email Address:: Rhian.reyes@audubon.org
City of Residence:: Indio
State of Residence:: CA
Comment:: May 5, 2025

Planning and Development Services Department

801 Main Street

El Centro, CA 92243

Re: Draft Lithium Valley Site Specific Plan

To whom it may concern,

On behalf of Audubon California, we submit these comments in response to the Draft Lithium Valley Site Specific Plan and associated environmental review materials. As the plan outlines a significant new green industrial development in the Salton Sea region, it is critical that the environmental review and planning process fully consider the area's sensitive ecological features, designated conservation lands, and water-dependent wildlife habitats.
We submit the following comments to help ensure a comprehensive understanding of the project's potential ecological and cultural impacts:

Habitat Use and Migratory Birds

While the plan notes the decline in fish populations at the Salton Sea, it inaccurately extends this trend to all bird species. Fish-eating birds like the American White Pelican and Double-crested Cormorant have indeed experienced declines due to reduced forage, but other groups, particularly shorebirds and waterfowl, are thriving in large numbers. These birds have adapted by feeding on abundant invertebrates such as water boatman, which have flourished in the changing ecosystem. It is essential that the Plan reflects this nuanced ecological reality to support informed habitat management and responsible development.

Conservation Area Boundaries

The Sonny Bono Salton Sea National Wildlife Refuge and the Imperial Wildlife Area - Wister Unit are not only state and federal lands but are also designated conservation areas with legal protections and biological management priorities. Their boundaries and habitat classifications should be delineated and integrated into planning maps, and any activities within or adjacent to these lands must comply with their specific development restrictions.

Omission of the Salton Sea Management Program (SSMP)

The Draft Plan does not reference the Salton Sea Management Program (SSMP) as a planning resource. This is a significant oversight. The SSMP is the state-led initiative to manage and restore the Salton Sea and includes clear objectives for habitat creation, dust suppression, and public health protection. The absence of the SSMP from the Draft Plan likely contributed to the misalignment between project siting and existing ecological commitments in the region.

Transmission and Gen-Tie Infrastructure

Given the proximity to critical bird habitats, we strongly recommend that any new or upgraded transmission or gen-tie lines be placed underground whenever feasible. Overhead lines pose significant hazards to both migratory and resident birds, particularly near the Salton Sea shoreline, the Wildlife Refuge, and the Wister Unit, all of which are home to a substantial amount of bird activity. We acknowledge that undergrounding may not always be feasible due to factors like distance and the amount of energy being transmitted. In cases where underground placement is not possible, we recommend upgrading existing transmission infrastructure using grid-enhancing technologies, such as advanced or high-performance conductors. Additionally, alternative strategies, such as virtual power plants, should be explored to minimize the need for new overhead lines in sensitive habitat areas.

Ecological Integrity of the Phase 1 Site

The Draft Plan inaccurately presents Phase 1 development areas as being located on 'exposed playa.' In fact, much of this area includes emergent cattail marshes, managed duck clubs, and active agriculture fields. These habitats are utilized by endangered species such as the Yuma Ridgway’s Rail (Rallus longirostris yumanensis) and Desert Pupfish (Cyprinodon macularius). These ecological values require NEPA and CEQA obligations and must be fully analyzed before development proceeds.

Impacts of Industrial Roads on Protected Wildlife Areas

The proposed industrial two-lane road cutting through the Hazard and Wister Wildlife Areas would have severe impacts on wildlife. It would bisect the Hazard subunit, cross through vital endangered rail habitat, and disturb a highly used public hunt site. Similarly, routing infrastructure through the Wister Unit, one of California’s most actively hunted wetland areas, would fragment habitat and disrupt both wildlife and public recreational uses.

Water Security for Conservation Areas

The Refuge and Wister Unit are heavily dependent on a continued and reliable water supply. The Pumice water delivery system, which supports the McKendry Beach emergent marsh, is crucial to maintaining this habitat. The Plan must clarify how the proposed conveyance infrastructure will affect this system. Additionally, if water is being diverted for reuse by industry and agriculture, the Plan should quantify the reduction in flows to the Sea and model the resulting impacts on salinity, evaporation, and habitat viability.

Wastewater Facility Placement Concerns

The westernmost proposed wastewater facility is sited within Refuge lands and would impact an active public hunting area. A second facility proposed across from the Hazard subunit may

lie on a culturally significant mud pot site. Both locations raise serious environmental, cultural, and land use concerns and should be reconsidered.

Non-Native Plant Selections

Several of the plant species listed in the plan's revegetation proposal are not native to the Sonoran Desert or Salton Sea trough, contrary to stated restoration goals. These include:

Yucca brevifolia (Joshua Tree): native to the Mojave Desert, not the Salton Sea basin

Phoenix dactylifera (Date Palm): a cultivated crop, not a native plant

Leucophyllum sp. (Texas Ranger): native to the Chihuahuan Desert

We urge the plan to revise its species list to reflect locally native flora of the Salton Sea region to ensure ecological compatibility with desert restoration goals.

The Lithium Valley Site Specific Plan has the potential to provide economic and energy benefits, but it must not come at the cost of protected lands, endangered species habitat, and the ecological viability of the Salton Sea region. We urge the planning team to:

- Reference and align with the SSMP
- Accurately characterize habitat types and bird use
- Avoid new infrastructure through conservation areas
- Ensure water security for existing wildlife areas
- Reevaluate wastewater facility locations
- Correct the list of native plantings to match the region

Thank you for your consideration of these comments.

Sincerely,

Rhian Reyes, Campaign Organizer

May 2, 2025

Imperial Valley Planning and Development Services Department
801 Main Street
El Centro, CA 92243
Via email: lithiumvalley@co.imperial.ca.us

RE: Lithium Valley Specific Plan

To Whom It May Concern:

The California Waterfowl Association (CWA) would like to take this opportunity to provide brief comments on the Lithium Valley Specific Plan.

CWA is a 20,000 member nonprofit conservation organization that restores and enhances wetlands and other waterfowl habitat, and protects California's hunting heritage. Our work includes ongoing waterfowl habitat conservation projects at the California Department of Fish and Wildlife's Imperial Wildlife Area (Wildlife Area), which will be impacted by the proposed project.

It is of paramount importance that the Wildlife Area and its natural resources be protected. California has lost over 90% of its historic wetlands, and those that remain serve as critical wintering areas for Pacific Flyway waterfowl. The Imperial Wildlife Area, which is one the most significant freshwater wetland complexes in southern California, not only serves as key habitat for waterfowl and many other wetland-dependent species, but also includes significant upland habitats used by a variety of other wildlife. Almost 400 species inhabit the property, which is amongst the highest of any Wildlife Area in the state. This includes a number of special status species, such as the endangered desert pupfish, Yuma Ridgeway's rail and California black rail.

With this abundance of wildlife, the property also receives significant public recreational use. Chief among these is hunting, with 5400 visits in 2022 for waterfowl hunting alone. The Wildlife Area is also an important venue for dove, quail and rabbit hunting. The hunting

and other wildlife-dependent recreation not only benefit the residents of the Imperial Valley, but attracts sportsmen and other wildlife enthusiasts from across California who provide significant benefits to the local economy through their patronage of motels, gas stations, restaurants, sporting goods stores, etc. Hunting also provides a significant source of funding for wildlife conservation through the purchase of hunting licenses and related validations as well as payment of excise taxes on sporting arms and munitions via the federal Pittman-Robertson Act.

The following are the most significant impacts to waterfowl, other game species and hunting that should be avoided or, at the very least, fully mitigated:

- [Section 5.1.2, Page 101] Using Davis Road as a trucking route, which runs right through the Wildlife Area's Wister Unit, will cause major disruption to both wildlife (including increased mortality from vehicle collisions) and wildlife-dependent recreation. Waterfowl flight patterns, in particular, will be disrupted because of the substantial disturbance caused by additional noise and light. This, in turn, will degrade public hunting opportunities.

- [Section 5.3, Figure 5-8, Page 107] The additional bicycle route will create new opportunities for illegal access to the Wildlife Area, further disturbing wildlife and their habitats, creating potential poaching problems and increasing trash and vandalism issues. In particular, this will increase the potential for incompatible off-road uses such as e-bikers, mountain bikers and OHV vehicles that can significantly degrade wildlife habitat.

- [Section 5.1.2, Page 101] Additional sources of lighting from the truck routes and facilities adjacent to the Wildlife Area will disrupt waterfowl flight patterns and drive them away from existing habitats provided on the Wildlife Area. Reduced waterfowl usage will, in turn, negatively impact and degrade hunting opportunities on the Wildlife Area.

- [Section 5.1.2, Page 101] Expansion of roads, new roundabouts, rest areas and loading/unloading along Davis Road will reduce and degrade important wildlife habitat.

It should be noted that the Executive Summary for the Lithium Valley Specific Plan includes the following statement:

"Conservation: Protects areas of environmental, cultural, and tribal significance, retaining areas for restoration and mitigation projects, including those under contract for restoration efforts and new areas for Salton Sea rehabilitation projects."

If the Plan is truly intended to protect areas of environmental significance, then every effort possible must be taken to ensure that the proposed project does not adversely impact the Imperial Wildlife Area, since it is the most critical environmental resource within the project area.

Thank you for the opportunity to comment.

Sincerely,

Mark Hennelly, Vice President of Advocacy
California Waterfowl Association

COMITE CIVICO DEL VALLE, INC.
INFORMED PEOPLE BUILD HEALTHY COMMUNITIES
www.ccvhealth.org

May 5, 2025

VIA email

Imperial County Board of Supervisors
County Administration Center
940 W. Main Street El Centro, CA 92243

RE: Lithium Valley Specific Plan Draft Comments

Dear Imperial County Supervisors:

On behalf of Comité Cívico del Valle, we submit the following comments to the County of Imperial ("County") regarding the draft Lithium Valley Specific Plan ("LVSP" or "Specific Plan").

Imperial Valley is home to resilience. Its communities are rooted in the legacies of families, farmworkers, Tribal nations, and residents who have built their lives and communities over many generations here. Local agricultural and energy industries power California's economy, while local non-profit organizations work to improve Imperial Valley's environment, public health, and essential community infrastructure.

It is important for any plan for the future of Imperial Valley in the protection of community health and well-being. The LVSP draft plan remains far from a product that adequately balances this very important priority. While the LVSP prioritizes industrial expansion, there is significant room for improvement to strengthen environmental protection and not exacerbate the pollution burdens on already overexposed communities. It further defers critical decisions about the region's water supply, wastewater treatment, stormwater and drainage infrastructure, solid waste management, air quality monitoring, healthcare infrastructure, and fire protection to a speculative Special District and a future Water Master Plan. Neither of these entities are funded, finalized, or enforceable under the current plan.

The comments that follow provide a detailed analysis of how the LVSP, as drafted, threatens to repeat patterns of structural disinvestment in the communities of the Imperial Valley that need it the most. Specifically, the comments address the plan's:

1. failure to acknowledge the region's public health crisis and environmental justice status as a priority;
2. acceptance of polluting land uses adjacent to residential communities;
3. increase in heavy-duty truck traffic and expansion of industrial transportation corridors through already burdened areas;
4. inadequate environmental protections;
5. disregard for cumulative impacts and tribal cultural resources; and
6. overall lack of a clear, enforceable framework to achieve community health, economic prosperity, and a responsible renewable energy transition.

To move forward, the LVSP must be fundamentally revised to center the needs of Imperial Valley's communities.

235 Main Street, Brawley, CA 92227 • Tel: (760) 351-8761 • Fax: (760) 351-8762

General Comments

- **The Draft Specific Plan includes potentially harmful industrial uses that are outside the scope of Lithium Valley.** In 2023, the California Legislature passed SB 125 (Budget) to fund Imperial County's preparation of a programmatic Environmental Iimpact Report (EIR) "for geothermal energy development and lithium extraction, processing, production, and related manufacturing activities within the county." Yet, instead of focusing Imperial County's limited capacity on preparing for the highly complex, novel industry of direct lithium extraction tied to geothermal lithium development, it offers blanket permits to a myriad of unrelated alternative industrial uses. In its Vision Statement, the Draft Specific Plan defines Lithium Valley as "a dynamic and prosperous region that prioritizes public health and local jobs in innovative clean energy industries" (Draft LVSP, p. 15). However, many of the proposed uses permitted by this Specific Plan are tenuously related to the lithium battery supply chain or renewable energy industries. These uses may have industry-specific adverse impacts that merit their own project-by-project CEQA analysis, not streamlining under the program EIR meant for geothermal lithium. Several of the loosely related permitted uses would likely provide relatively few local jobs and instead pose potentially harmful environmental burdens in a disadvantaged area that is already highly polluted, including but not limited to:
    - Anaerobic Digesting or Waste-to-Energy Facilities
        - Incineration and biogas combustion from anaerobic digestion can release carbon monoxide, nitrogen oxides, sulfur dioxide, particulate matter, and volatile organic compounds, leading to respiratory problems. Cumulative impacts of additional odor from hydrogen sulfide must be analyzed and mitigated, especially in close proximity to the Salton Sea. This is especially concerning because the LVSP would allow for heavy agricultural interim uses, that may include feedlots, which have already plagued directly affected communities, such as Calipatria with odor and dust.
        - The LVSP asserts that "only organic waste sources (e.g. food waste, agricultural by-products)...are to be used" (p. 61). It needs to be made clear that if permitted, this use would not allow for sewage sludge dumping, which Imperial Valley residents have long opposed. The LVSP currently mentions biosolids which can potentially include sewage sludge.
        - Improper management of "digestate" from anaerobic digestion can result in nutrient pollution, which the Salton Sea already is significantly impaired by. This may warrant restricting this where runoff or seepage might end up in riparian areas, wetlands or the Salton Sea causing further eutrophication.
        - Waste-to-energy processes generate ash containing heavy metals, requiring careful disposal.
        - Leachate from waste facilities can pollute groundwater and surface water.
        - These can be complex operations emerging post adoption of SB 1383 (Lara), that should be subject to a special use permit ("SUP") to provide adequate oversight and project-level analysis once project-level details are known.
    - Automobile Wrecking and Recycling Yard
        - Leaks from oil, antifreeze, and heavy metals pollute surrounding land and water sources.

- Metal shredding releases harmful dust, heavy metals, and volatile organic compounds.
- Improper management of lead acid batteries can contaminate soils and water.
- Lithium-ion batteries in scrapped vehicles can catch fire or explode.

o Data Centers
- Data centers require enormous amounts of energy and water, which contradicts Lithium Valley's sustainability goals.
- Cooling systems consume large amounts of water, contributing to local water scarcity. The LVSP's Standard Use Conditions state that "Data centers must adopt water-free cooling technologies or systems that minimize water consumption, such as air cooling" (p. 61). However, air cooling is generally used in an energy efficient way in areas with cool weather, and may not be feasible in deserts with extreme heat like Imperial Valley.
- Air conditioning, fans and vents may help reduce water use, but this would drive up energy use, which is especially concerning if the LVSP only requires data centers to be powered on average by 30% renewable energy sources and to be carbon neutral by 2045, similar to hydrogen fuel stations (p. 61).
- Disposal of outdated servers and hardware creates toxic e-waste.

o Green Hydrogen and Hydrogen Fuel Stations
- Hydrogen production still tends to rely on fossil fuels with adverse climate and public health impacts. The LVSP uses the label "green hydrogen," but it requires only 30% renewable energy sources for hydrogen fueling stations, and 100% by 2045 (p. 62).
- This industrial use therefore may not be considered green hydrogen until at least 2045 and is more likely to be blue hydrogen, produced from natural gas, or worse.
- Green hydrogen has limitations and impacts that should be assessed independently in accordance with CEQA, including energy inefficiency, pollution from combustion, risks of transport and storage, and water use.
- There is no mention of pipelines for hydrogen. Will these be permitted utilities?
- The Specific Plan may want to clarify this through a more specific definition of the use (i.e., Section 3.4) and allowing this to be fleshed out once project-level details are available through a SUP process (under Section 3.4.2).

o Recycling Centers
- Processing recycled materials releases dust, microplastics, toxic fumes, and other airborne pollution.
- Leachate from improperly stored materials contaminates water supplies with toxic substances, such as per- and polyfluoroalkyl substances (PFAS).
- Lithium-ion batteries in e-waste and mixed recyclables can ignite, causing dangerous fires and hazardous fumes.
- The LVSP should prioritize material conservation and environmental protection strategies that are higher on the zero waste hierarchy for batteries, including reduction, repair, reuse and repurposing when safe and feasible.
- As currently drafted, Recycling Centers are broadly defined to include various unique types of operations (e.g., organic waste, battery recycling, construction waste, metal recycling, material recovery facilities ["MRF"]). Each of these types of facilities are unique and some are more novel and/or less traditional than

others (e.g., construction debris is fairly routine as compared to organic waste encouraged post-passage of SB 1383). The Specific Plan should consider separate definitions (under section 3.4.2) and perhaps allow this to be fleshed out once project-level details are available through a SUP process (under Section 3.4.2)

- **The Draft Specific Plan defers challenges regarding water supply, wastewater and solid waste to the future.** Instead of addressing the immediate concerns expressed by community members and environmental justice advocates about cumulative impacts of the proposed development, the Draft Specific Plan suggests that the County of Imperial establish a new hypothetical "Infrastructure Special District" to solve complex issues related to water supply, wastewater and solid waste. The feasibility of this Special District has not been examined, and there is no current funding in place for either this imagined Special District or its potential "Water Master Plan." Even though they are framed as a silver bullet for eliminating constraints on development, the Special District and Water Master Plan would not materialize for at least 5-10 years (p. 143). That timing would coincide with the end of Phase 1 of development even though water supply, wastewater and solid waste needs are projected to surpass current limits during Phase 1. Moreover, the Special District and Water Master Plan would not be established until long after the CEQA process is already over for the Lithium Valley Specific Plan and Programmatic Environmental Impact Report (PEIR). This staggered phasing would make the requisite environmental analysis and mitigation for the Special District and Water Master Plan go unenforced during the potential boom of Lithium Valley–if it ever happens at all–and fenceline communities and Tribes will suffer the consequences. To the extent the Specific Plan intends to rely on these speculative Waster Master Plan and Special District Financing, these plans need to be in place prior to the start of any development that rely on these speculative programs of currently unknown impacts/mitigation. Thus, the Program EIR must consider alternative forms of mitigation during the interim, such as project-specific mitigation measures, impact mitigation fees, and other conditions of approval that could be placed as part of a discretionary project-level review process.

- **The Draft Specific Plan's standards for renewable energy sourcing fail to meet California's climate goals.** Even though the Plan is supposed to prioritize decarbonization, the proposed uses would result in a significantly increased net dependence on fossil fuels. According to the draft Specific Plan, the total buildout of energy produced would be 519 megawatts/hour (MW/h), but this would require a much greater energy demand of 2,642 MW/h (p. 131). If all energy produced were dedicated to co-located uses within the study area, then the Plan assumes this would leave a total energy demand delta of 2,123 MW/h. However, environmental review documents for projects approved by the County within the Lithium Valley area have already suggested that this may not be the case, and even more power would likely be sourced from the grid, which may include fossil fuels. Finally, while the long-term goal may be carbon neutrality by 2045, the initial threshold for renewable energy sourcing is remarkably low if the following industrial uses are sited within a "clean energy" hub:
    - 30% renewable energy sources for data centers (p. 61)
    - 30% renewable energy sources for hydrogen fueling stations (p. 62)

- 95% renewable energy sources for mineral recovery *by 2040* (p. 151)

The Program EIR should consider the Specific Plan's impacts on GHGs not only in terms of long term goals, but also short-term and intermediate goals, with adequate analysis of mitigation and alternatives.

- **There is no mention of expanding the natural gas pipeline in the LVSP, which will increase GHGs and undermine California's climate goals**. There is a natural gas transmission pipeline running along the Specific Plan area but no mention of these utilities in the LVSP. This is an important impact to document if the plan is the expand the pipeline system because it will commit the area to increased GHGs and locking in combustion fuels instead of supporting the state's electrification efforts. Another concern is the community's ratepayer may end up paying for these stranded assets as the area eventually electrifies. To correspond to state decarbonization policy goals, the LVSP should specify that no new natural gas distribution pipelines will be developed in the LVSP area. This too needs to be clarified and analyzed in the future PEIR.

- **Orphaned Community Opportunity Areas.** The concept of having "community opportunity areas" is a best practice in planning and land use. However, given the limited direction in the draft Specific Plan regarding the community opportunity areas and a yet-to-be-created special district assigned to sort out the financing and delivery of infrastructure, it is unclear whether community priority projects can ever be developed. This should be clarified and given greater detail as to a framework, especially potential near term phase 1 development of these areas. This framework should consider solutions to finance and develop these areas in the interim of any speculative special districts and other financing mechanisms not yet in place.

- **There is not enough implementation in the Specific Plan**. The central purpose of a specific plan is the "systematic implementation" (Gov. Code § 65450) of the general plan, including the "standards and criteria by which development will proceed" and a "program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out these activities (Gov. Code § 65451). The Specific Plan fails to meet these basic statutory requirements, especially in terms of having an infrastructure development plan that moves goals and objectives forward, actionable financing recommendations, and the level of detail in implementation policies that make the area more attractive to public and private investors.

Comments on "Chapter 1: Introduction and Intent"

- **Claims of relative sustainability of DLE not supported by scientific evidence.** The claim that geothermal direct lithium extraction ("DLE"), a novel industry that has not been demonstrated on a commercial scale anywhere in the world, would bring "reduced environmental impact compared to traditional lithium extraction methods" (p. 7) is not supported by scientific evidence. Unfortunately, life cycle assessments and water footprint analyses published to date have shown that the climate, air and water footprints of DLE are significantly higher than conventional methods, such as brine evaporation that already has a well-deserved poor reputation for depleting

water resources and draining wetlands. Namely, DLE requires considerably more freshwater and more energy, which tends to come from fossil fuels in the energy mix of the grid. Moreover, these impacts are even higher for DLE paired with geothermal due to drilling and the significant needs of water for cooling and dilution in geothermal development. The Specific Plan should be transparent about these issues with DLE operations, as well as the forthcoming PEIR, including but not limited to adequate analysis, mitigation, and alternative analysis.

- **Environmental justice impacts due to Salton Sea pollution are ignored.** In discussion of the Salton Sea environmental problems, the LVSP mentions impacts of Salton Sea pollution and recession on fish and birds (p. 10), but not people, despite an ongoing public health crisis. Residents near the Salton Sea have experienced increased rates of adolescent asthma hospitalizations as a result of the rapid recession of the sea, which causes vulnerability to toxic sea spray and dust from the exposed playa. Salton Sea pollution, combined with heavy agriculture and border traffic, have put Northend communities, such as Brawley, Westmorland and Calipatria at the 99th percentile for asthma and the 92nd percentile for cardiovascular disease, according to CalEnviroScreen. As a result, in 2023, CARB approved the establishment of the Community Air Protection Program ("CAPP") to respond to AB 617 with the aim of reducing exposure to air pollution, mitigating health impacts, and monitoring air quality. In fact, there is significant overlap between the Northend CAPP and the Study Area for the LVSP, and this needs to be taken into close consideration in cumulative impact assessment regarding air quality.

- **Inconsistent tense and timing.** The LSVP refers to the PEIR in several locations in the past tense, but the draft has not yet been released (p. 14). The graphic in Figure 1-2 Project Process (p. 21) does not include public review for the draft PEIR or the final Specific Plan and PEIR. This gives the impression that public review will not be taken into serious consideration and the process will be streamlined for board approval. Often draft specific plans are released, reviewed, and approved concurrently with their CEQA review. So too, these draft documents will often contain placeholders for key dates of this process (e.g., release of draft documents, approval hearings, final approval hearings, etc.). Here, while commendable that the County has provided an early comment period on the Draft LVSP, it remains confusing in the absence of the PEIR. The County may want to consider inserting placeholders in a revised draft LVSP (as well as other corrections and changes to the Specific Plan), with an updated draft included along with the draft PEIR during the CEQA comment period.

- **Failure to prioritize industrial uses that would enhance public health and local jobs in clean energy industries**. Again, all aspects of the LVSP should reflect the goals laid out in the Vision Statement centered on prioritizing "public health and local jobs in innovative clean energy industries" but public health or local jobs do not appear to be prioritized in several of the aforementioned industries listed among the land uses. There is almost complete overlap between and among categories, such as green industrial, manufacturing and logistics. This means that there is nothing preventing sectors like manufacturing–that might provide high road jobs–from being completely displaced by extractive industries or data centers that provide relatively few long-term local jobs (p. 15)

- **Unacceptable geothermal infrastructure on playas in need of restoration.** The Land Use Designation for Playas Restoration allows for "very limited geothermal wells" (p. 16) without any objective criteria defining what constitutes "very limited". Additionally, the Specific Plan states geothermal energy and operation, mineral recovery, processing and production are also

eligible for a Special Use Permit in areas designated Playas Restoration (p. 46), but allows in contradictory fashion various geothermal operations by-right in the Plays Restoration areas (e.g., subsurface geothermal directional drilling, geothermal pipelines and wells) (pp. 56, 57). Furthermore, geothermal plants are also allowed under Playas Renewables (p. 40). If restoration may take the form of constructed wetlands, how would it be compatible or even possible to create sufficient habitat in the immediate vicinity of heavy industries, including geothermal plants, mining and processing? A common concern that community members have expressed is that rather than addressing the urgent ecological crisis of the recession of the Salton Sea with adequate restoration as soon as possible, this land use designation gives industry a loophole to circumvent restoration for further geothermal development onto the playa. It is important to note that dust from exposed playas is not the only respiratory risk because recent studies show other hazards related to toxic sea spray, so it will be important for worker health and safety not just to suppress dust but also to mitigate aerosolized aqueous contaminants from the Salton Sea, itself. This should be integrated into Policy LU-5: Reduce Airborne Pollutants through Land Use (p. 63).

- **Water supply assessment is much too speculative.** Again, the LVSP is sorely lacking crucial plans for water supply. It is too speculative to suggest that "Phase 1 water supply, estimated at approximately 48,023 acre-feet per year, will be secured through negotiations with IID" (p. 18). It bears reminding that the IID apportions 25,000 acre-feet per year for non-agricultural uses, and much of this has already been apportioned. While we appreciate the consideration of alternative sourcing from surface water, groundwater, and reclaimed water, it is critical to finalize arrangements with IID before approval of the LVSP, or else the plan fails to adhere to the IID's Equitable Distribution Plan. Ideally, a comprehensive Water Master Plan would be implemented as part of this LVSP, rather than triggered in 5-10 years to cover subsequent phases under the potential Special District. This should be addressed in a revised Specific Plan and in the forthcoming PEIR.

- **Community health and prosperity appears as an afterthought.** Chapter 7 Community Health and Prosperity and Chapter 8 Implementation should arguably be the most important chapters of the LVSP if it is meant to align with its vision statement, yet the description of the chapters in the summary (p. 20), and the chapters themselves, are very vague. The draft Specific Plan should describe in detail these "multiple supplemental initiatives" (id.) and describe what enforceable measures have been implemented. Furthermore, the draft Specific Plan does not address common land use tools that can be used to further health and prosperity, which could be implemented through this LVSP–including but not limited to the use Community Advisory Committees ("CAC(s)"), Community Benefit Agreements ("CBA(s"), Development Agreements ("DA(s)"), and mitigation impact fees, and/or combination thereof. Nor is there any explanation why these common land use tools, which have been effective at securing tangible and enforceable community health and property benefits for communities, are not being incorporated into the LVSP framework. Failure to do so would seem to directly benefit industry at the expense of fence line communities on the ground.

- **Claims of support for Community-Based Organizations (CBOs) in community outreach and engagement are misleading.** The LVSP rightly describes the County's significant reliance on Community-Based Organizations ("CBO(s)") for community engagement and outreach (p. 22). However, it is important to note the timing of these engagements having abruptly ended in summer 2024 when the County refused to grant no-cost extensions, even though the draft LVSP and PEIR are being released to the public more than a year behind schedule. Unfortunately,

subsequent community workshops held by the County, including those held for engagement on this LVSP draft, were not advertised with enough outreach and showed poor attendance by local residents. This has revealed how the strong efforts of CBOs acknowledged in the LVSP might have significantly improved community outreach and engagement if the County had allowed for their work to continue when it matters most now that a draft of the LVSP is available.

- **Tribal consultation and outreach needs explanation.** The statement on Tribal Consultation and Outreach (p. 23) needs clarification to adhere to AB 52 and CEQA. It would be helpful to offer more details, if they are not confidential, for which Tribes were contacted, how many meetings happened, when they occurred, and which Tribes requested further consultation and engagement. Furthermore, notwithstanding the formal AB 52 process, the County should not reduce AB 52's requirement of meaningful consultation to mere procedural formalities. The forthcoming PEIR and draft comment period is also a vital opportunity to solicit comments from all commenting parties, including tribal representatives, that have expertise in this matter, including but not limited to proposed mitigation measures.

- **Unclear relationship to General Plan.** Existing law requires the Lithium Valley Specific Plan to be consistent with the Imperial County General Plan and clearly identify the relationship between the two documents, Government Code Section 65451. Further, the Specific Plan is intended to facilitate the systematic implementation of the general plan (Government Code Section 65450). To this end, the current draft Specific Plan mentions unspecified "General Plan Amendments" (p. 7). The draft LVSP should be revised to include placeholders for these specific General Plan Amendments, which should be clarified with the forthcoming PEIR that identifies all proposed amendments to the General Plan, including but not limited to:

    - Agriculture Element - linked here
    - Circulation and Scenic Highways Element - linked here
    - Environmental Justice Element - linked here
    - Housing Element - linked here
    - Noise element - linked here
    - Parks Element - linked here
    - Renewable Energy and Transmission Element - linked here
    - Seismic and Public Safety Element - linked here
    - Water Element - linked here

While perhaps unintentional, releasing the Draft Specific Plan for public review without also providing the proposed changes to the General Plan Amendments ("GPA(s)") undermines the public's ability to assess the plan's consistency and its potential impact on the broader Salton Sea community, as well as on those who live, work, or own businesses in areas within or adjacent to the proposed Specific Plan area. The absence of these forthcoming GPAs are further complicated by the following:

Evolving General Plan Elements and Overriding Other County Land Use Documents - On page 7, it states that should there be a conflict between the Lithium Valley Specific Plan and the Imperial County Municipal Code, or its Land Use Ordinance, the provisions of the Specific Plan take precedence and control. Without the GPAs and other project approvals to

be considered with the forthcoming PEIR, it is difficult to assess these potential conflicts. This should be addressed in a revised draft LVSP to be released along with the PEIR.

- **Public engagement with limited information to share.** According to the Specific Plan (page 24), prior to the release of the draft Specific Plan, over 170 stakeholder events were held, including 59 community meetings. At these early phase meetings, community members heard a general outline of different land uses that may be permitted in the area and were able to place stickers and write comments on posters. For attendees who did not have a background in land use planning or economic development, it was challenging to provide actionable feedback, except that they wanted local jobs and housing, and they did not want any new projects to degrade the air quality further, pollute the Salton Sea, or misuse the dwindling supply of water. However, real community input would not be possible until people could review the draft of the Specific Plan and see where and how the area would be developed. Once the draft Specific Plan was released on February 7, 2025, community members had only 20 days to read the nearly 200-page document in preparation for the scheduled public meetings on February 26 and 27. The rush to public meetings gave community members little time to read and review the document. In addition, notices for these meetings were not posted on the Lithium Valley Specific Plan website, making general awareness of the meetings low and resulting in low attendance. Additional time must be given for public review and comment. Thus, we respectfully request that the County take sufficient time to digest comments made during this initial draft Specific Plan stage, make appropriate revisions to the LVSP, before releasing the draft Specific Plan along with the PEIR.

Comments on "Chapter 2: Vision and Guiding Principles"

- **The Draft Specific Plan fails to uphold environmental justice principles and protect Tribal lands.** Among the Guiding Principles of the Draft Specific Plan are "Environmental Justice," "Community Engagement," and "Acknowledgement and Respect to Indigenous Lands" (p. 16; 28-29). These principles are thinly described and non-committal in contrast to other principles listed, and this superficial engagement with these principles is reflected throughout the plan.
    - In the Plan's numerous tables listing a wide array of goals, policies, and programs, there are only two references to Environmental Justice (LU-3, p. 64; HP-5, p. 153) and one reference to Community Engagement (HP-1, p. 152).
    - Remarkably, "Indigenous Lands" does not appear anywhere in the entire Plan under the Applicable Guiding Principle column. The sensitive locations of sacred sites have been well documented by affiliated Tribes, yet the Plan's proposed Conservation easements ignore many identified Tribal cultural resources, there are no identified setbacks for sacred sites, and the Conservation areas are not permanent.
- **Energy demand far surpasses supply, making it impossible to meet climate goals.** The framing suggests that "to achieve the State's climate goals, it is imperative to extract new sources of lithium as soon as possible" (p. 27). This assertion is not supported by the energy demand analysis suggesting that much of the energy needed to extract lithium would have to come from the grid that may include fossil fuels in the energy mix. Moreover, sophisticated scenarios are available to pursue other pathways to mitigate climate change that would allow for more mobility

with less mining, including reducing car dependency, promoting alternative transportation, repurposing and recycling. The impacts of any purported "unprecedented rate of transition" should be analyzed and mitigated, including but not limited to short-term and mid-term impacts.

- **Misleading information regarding lithium sourced from brine.** The assertion that "Lithium sourced from brine has a relatively smaller footprint" needs clarification (p. 27). Lithium sourced from brine has a notoriously high footprint when it comes to land use and water use. Is this supposed to say "geothermal" brine? If so, this statement is speculative and has been debunked by peer-reviewed life cycle assessments. The draft Specific Plan, and especially the forthcoming PEIR, should be transparent about these live issues and not downplay potential impacts.

- **Fundamental purpose and objectives fall out of the plan.** The Fundamental Purpose and Objectives are focused mainly on geothermal energy production and lithium extraction, but many of the permitted uses described later in the plan have little if anything to do with this purpose. The main purpose and objective is therefore diluted or lost in explanation and implementation. Many of the uses are generically defined and allow numerous speculative activities/operations to be permitted by-right without project-level details and other objective performance standards to guide future decision makers. This and the absence of a PEIR makes it difficult if not impossible to assess whether the Specific Plan is a "comprehensive and high-quality plan" (p. 28).

- **Opening the Door to a Broad Array of Non-Energy and Lithium Uses**. The draft Specific Plan advances the following Visions and Purpose:

Vision - "*Lithium Valley is a dynamic and prosperous region that prioritizes public health and local jobs in innovative clean energy industries. Lithium Valley aims to lead the way toward energy independence, a domestic supply of critical minerals, and a reduction in global emissions, by harnessing Imperial County's geothermal and other natural resources. Through collaboration, Lithium Valley increases economic opportunity, enhances infrastructure, and creates lasting benefits for the community*," page 27 of the Draft Specific Plan.

Purpose - The "*fundamental purpose of the Project is to approve and implement a Specific Plan that provides a streamlined permitting and approval process for geothermal energy production and lithium extraction, processing, production, and manufacturing within Imperial County that will assist in the Country's need to quickly transition to renewable energy and improve domestic supply of critical materials and create new economic opportunities for historically underinvested and disadvantaged communities*," page 31 of Draft Specific Plan.

While a laudable vision and purpose, for the reasons discussed more fully below, the Specific Plan allows for development activities much broader than the stated vision and purpose. These additional areas were not fully explained or discussed with the community. For example, what would it mean for the community if Imperial County became the new epicenter for Data Centers? Just as lithium extraction and processing impact land-use design and development standards, what would need to happen to make the area competitive for Data Centers? Should workforce training focus on training facilities appropriate for learning artificial intelligence and building designs that provide maximum security and ensure compatible land uses that keep people away from the Specific Plan area? Would Data Centers drive up land costs so that lithium extraction and other renewable energy activities would no longer be profitable? Data centers require backup "diesel/hydrotreated vegetable oil, natural gas, or other renewable fuels" (page 52). These

developments could also worsen air quality and undermine clean energy targets, in addition to exceeding water supply apportionment.

Comments on "Chapter 3: Land Use"

- **Missed Opportunity to Advance Sustainable Economic Development Projects.** As currently drafted, the Specific Plan represents a missed opportunity to advance sustainable economic development projects. While it includes development policies and goals, land use designations, a capital improvement plan, and a financing program, it fails to provide the specificity to give developers, investors, and business owners the clarity of purpose and tools to jumpstart those activities.

- **Conservation, Community Opportunity Areas, and Playas Restoration should be described in further detail with acreage included in each phase of the development.** Phasing of land uses shown in Table 3-1 Land Use Acreages (p. 34) lists 8,140 acres for Conservation in phase 1, but none in phase 2 or 3. This is concerning when we consider the high probability of further recession of the shoreline of the Salton Sea. Additional playa may need to be conserved as it is exposed over time. Moreover, while the acreage for Conservation may seem significant, the proposed boundaries (shown on p. 36) fails to cover the proposed Southeast Lake Cahuilla Active Volcanic Cultural District (SELCAVCD) that has been proposed and documented by Tribes, such as the Kwaaymii Laguna Band of Indians, to protect Tribal cultural resources throughout the area. The specific need to protect Tribal cultural resources should be addressed in more detail under the Conservation land use, which is focused primarily on restoration and mitigation projects (p. 48). New administrative burdens are placed on Tribes to establish Cultural Resource Preservation districts, requiring a Specific Plan Amendment and approval by the County Board of Supervisors (p. 52). Instead, potentially significant industrial and extractive developments like geothermal plants, mineral recovery, conversion, processing, and production and large water storage facilities may be sited in close proximity to Tribal cultural resources and fragile wetlands on exposed playas (p. 40; 57; 118). Geothermal pipelines and wells may even be allowed in Conservation areas with a SUP according to the plan (p. 56). This is especially concerning because a public hearing is not required for the County's Planning Commission to approve any SUP (p. 158).

- **Community Opportunity Areas should be expanded in proportion to development in all phases.** The same table (p. 34) lists 815 acres in phase 1 and 828 acres in phase 2 for Community Opportunity Areas. Additional acreage should be included in phase 3, particularly to ensure sufficient setbacks from further buildout of adjacent industries.

- **Urgently needed restoration is delayed until the final phase.** Despite the urgency of restoring the Salton Sea to avoid ecological catastrophe, the LVSP states that playas restoration would not occur until Phase 3 (p. 49; 34). How does this phasing align (or not) with the Salton Sea Management Program's long-range planning? Clear coordination should be demonstrated to show how these restoration areas are consistent with the planning process that has been underway by the CNRA and other agencies. This is especially concerning because the LVSP allows development of industrial uses, including "Mineral Recovery, Conversion, Processing, and

Production" on areas with the land use designation Playas Restoration with a Special Use Permit (SUP) (p. 46; 56-57).

- **Need for stronger Standard Use Conditions across several land use types.** The plan's standard use conditions for several land use types are inadequate for ensuring community and public health. In Section 3.5.2 Anaerobic digesters - monitoring requirements are unacceptably lax and there are no standards except to ensure facilities comply with federal, state, and local laws. Biogas from agricultural residues can contain more toxic impurities than natural gas including increased furans, dioxins, and heavy metals. There are no set back requirements or standards for toxic and criteria air pollutants produced from various sources of feedstocks for anaerobic digesters. Section 3.5.3 Battery Energy Storage Systems (BESS) also should spell out specific standard best practices for fire safety, thermal management, and emergency response. The NFPA safety standards listed (erroneously called a law on page 61) are applicable but are only for construction of BESS systems. UL 9540A covers operations and testing requirements also. Importantly the UL 9540A certification ensures that there is adequate containment in BESS between racks of batteries in the event of a fire or smoke event, which could result in toxic air pollution. It is unlikely any warehouses could be certified to UL 9540A. There are also applicable NFPA standards for fire setbacks, so any county approved setbacks and buffers cannot conflict with NFPA 855. The list of things the BESS shall do should include an inspection with the local fire department or State Fire Marshal. BESS systems should be required to submit an emergency response plan to the county and emergency responders, and a decommissioning plan. Given the risk of heavy metals and polycyclic aromatic hydrocarbons in smoke from BESS fires, the County should reconsider where BESS systems are appropriate for Community Opportunity Areas.

- **Lack of transparency on water sources for desalination.** The Plan includes a land use designation for desalination facilities but fails to define the use (see e.g., p. 52) or provide essential details regarding the water source, design, and environmental impact. The omission of these crucial details raises concerns about transparency and the potential for misleading narratives that downplay the environmental risks associated with desalination facilities.The Plan does not specify whether desalination facilities will use local water, or imported water, a crucial distinction with major environmental implications. If the desalination process relies on importing sea water from outside the region, this could lead to long-term salinity accumulation within the Imperial Valley basin. In the long run, increased salt concentrations in the soil and groundwater can reduce agricultural productivity, degrade drinking water sources, and harm natural habitats. The Plan does not provide any analysis of how these long-term changes in salinity levels would be managed or mitigated. Over time, excessive salt accumulation could necessitate costly soil remediation efforts, air quality issues, and drinking water treatment measures, placing an undue financial burden on local communities. This issue must be thoroughly evaluated before permitting any desalination facility that could alter the region's salinity balance. Without clarity on the source of water, decision-makers and the public cannot accurately assess the sustainability and environmental consequences of the desalination proposal. While it is currently proposed via a SUP (p. 56), it is impossible to assess whether there is currently adequate mitigation measures considered under the PEIR (i.e., a relevant factor under the SUP process) (p. 159).

- **Brine Management and Disposal – a major environmental risk.** Desalination generates highly saline brine containing concentrated pollutants such as heavy metals, residual treatment chemicals, and other hazardous byproducts. The Plan lacks a defined strategy for safe disposal of this brine, which is a critical oversight given the potential for severe environmental harm. Poorly managed brine discharge can contaminate groundwater, degrade soil quality, and threaten aquatic ecosystems in the Salton Sea and surrounding areas. Common disposal methods such as deep well injection pose risks of inducing seismic activity and contaminating deep aquifers, while evaporation ponds can lead to the accumulation of toxic residues and require significant land area. If brine is discharged into local surface water bodies, it can change salinity levels and disrupt the already fragile ecological balance of the region. In addition, desalination is an energy-intensive process requiring substantial amounts of electricity. The Plan fails to address how these facilities will mitigate their energy footprint or integrate renewable energy solutions. A robust, transparent, and scientifically sound brine management plan must be established before any desalination facility is approved. This should be addressed and clarified in a revised draft LVSP and in the forthcoming PEIR.

- **Wastewater Treatment Plants – lack of distinction between municipal and industrial facilities.** The Plan includes a land use designation for Wastewater Treatment Plant facilities but fails to provide essential details regarding the wastewater source, design, and environmental impact.The Plan does not differentiate between municipal and industrial facilities. In some parts of the LVSP there is a plan to build one central WWTP (p. 144), and elsewhere there are indications that two might be built (p. 122). Industrial wastewater treatment plants often pose greater environmental risks due to the presence of heavy metals, toxic organic compounds, and other industrial contaminants. If not properly designed, constructed, and managed, such facilities can impact air quality by emitting volatile organic compounds and hazardous air pollutants. Additionally, improper treatment and disposal of industrial wastewater could lead to soil and surface water contamination, further exacerbating the region's existing environmental challenges. WWTP plants also can be a source of methane and NOx emissions where biogas or biomethane is produced or flared. Granting blanket approval to wastewater treatment plants without specifying design standards, pollutant limits, and monitoring requirements is a serious oversight that could have long-term negative consequences for the environment and public health. This is especially concerning if there has not yet been any consultation with the California Regional Water Quality Control Board or other relevant agencies, as indicated in the LVSP (pp. 120, 130). This should be addressed and clarified in a revised draft LVSP and in the forthcoming PEIR before making these uses by right as currently proposed (p. 57).

- **Phasing out of sync with the need for critical or energy transition minerals.** Critical or energy transition minerals, including lithium, are essential for producing many modern technologies, including consumer electronics, clean energy, and defense. This includes manufacturing consumer electronics, such as mobile phones, televisions, and other digital devices, and clean energy transition technologies, such as wind turbines, solar panels, and electric vehicles. They are also used to produce defense systems, including fighter jets, submarines, and unmanned aerial systems. According to the US Department of Defense, obtaining a secure source of "critical minerals" is vital to the US defense industrial base, which uses them to produce virtually every Defense Department system. The need for significant and reliable domestic sources of lithium is

a key driver in developing the Lithium Valley Specific Plan. While the US needs critical minerals today, the Draft Specific Plan does not sufficiently provide an actionable plan for moving Imperial County toward being a part of meeting those needs, especially in terms of infrastructure and broader economic activity. The LVSP also fails to provide any details about different methods of mineral "recovery" that could be addressed in section 3.5 Standard Use Conditions (p. 61). The lack of urgency in triggering economic activity is displayed in the poorly undertaken financing plan and the anticipated phasing of the plan's implementation. Page 17 of the Draft Specific Plan, Phase 1 of the plan "is anticipated to occur over the first 10 years with 2025 as the inaugural year," with initial development coming "from existing infrastructure and geothermal plants," (p. 17).

- **Public Transportation Hub**. Public Transportation Hubs should be permitted in the Green Industrial, Manufacturing, and Warehousing and Logistics land use designations. The Specific Plan covers a significant area, and workers should be able to rely on public transportation.

- **Airport**. Airport is listed as Special Use under Manufacturing and Logistics, but it is unclear why an airport, which would bring significant air quality impacts in an already overburdened area, would be necessary at all for operations. Airports generate significant air pollution from aircraft and ground vehicles, contributing to respiratory diseases and cardiovascular problems. Chronic exposure to aircraft noise is linked to stress, sleep disturbances, and cognitive impairment in children. Fuel spills and firefighting foams can contaminate local water sources.

- **Dust Suppression**: Given the poor air quality in Imperial County and the high rate of asthma, dust suppression should be permitted in the Logistics and Interim Agriculture land use designation. In Section 3.5.1 Renewable and Industrial Type uses should require a dust mitigation plan (similar to how they are required to prepare a decommissioning plan). Photovoltaic/solar projects and any industrial development that requires extensive development of roads should avoid contributing to the impaired air quality. Solar development should avoid disc-and-roll development where alternative practices can help significantly reduce dust pollution. For example the suppression in the LVSP on page 40 shows one technique used in playa restoration that could be used to reduce dust from solar developments. This shows that dust suppression and utility scale solar are compatible.

- **Flexibility Versus Lack of Direction (3 parts):**
    - **Renewable energy in every land use designation**. The purpose of a Specific Plan is to guide the development and use of an area in alignment with community goals and objectives, as represented by the General Plan. Ideally, a Specific Plan will make the area more attractive to investors and business owners. According to "Table 3-2 Use Table" (beginning on page 55), there are no areas within the Specific Plan Area where some level of renewable energy is not authorized, except in the Conservation designation. Renewable energy is authorized in Playa Restoration, Green Industrial, Manufacturing, Logistics, Interim Agriculture, and Solar. While being flexible in permitted land uses can demonstrate a local government's willingness to be business-

friendly, the lack of differentiation in land uses can also deter investment. This ambiguity can send a negative signal to investors and lenders about the orderly development of the land surrounding their property. This is especially important in the context of developing transmission infrastructure. The county has an opportunity to make decisions now about where future transmission lines should go by also identifying the most appropriate sites for renewable energy development. An environment that resembles the "Wild West" is not a positive image for many investors and planners, and will result in uncoordinated and haphazard development. Additionally, this lack of differentiation between land use designations may lead to land speculation, with landowners holding onto properties for the highest financial return. Consequently, this makes the development of infrastructure and community facilities more expensive and may hinder the development of other permitted uses that are less financially rewarding.

- **Zoning without a distinction**. The draft Specific Plan includes extensive lists of public and private activities allowed within the Specific Plan area. It contains 10 land use designations. However, several of them authorize nearly identical permitted uses. The illustrations in the draft Specific Plan show images of distinct land uses in specific portions of the Specific Plan area. These images are misleading, given the lack of real differentiation between the land use designations.

  - The chart below shows the similarities between Green Industrial, Manufacturing, and Warehousing and Logistics. To the extent designations are identical, the column is marked with an "X," and differences in the designations are noted. Based on "Table 3-2 Use Table" (beginning on page 55), the only areas where the Green Industrial, Manufacturing, and Logistics land uses are not authorized for all three land use designations are in terms of Airports, Desalinization, Dust Suppression, and Habitat Restoration. This raises the question why Dust Suppression is not required or permitted in Logistics, Interim Agriculture, Solar, or other construction projects. Similarly, Habitat Restoration may be expanded to River Corridor, Community Opportunity Areas, Interim Agriculture, Logistics, and Solar.

Land Use Designations			
	Green Industrial	**Manufacturing**	**Logistics**
Agrivoltaics - Dual use of land for solar energy and agriculture	X	X	X
Anaerobic Digesting Facility	X	X	X
Automobile Wrecking and Recycling Yard	X	X	X

Battery Energy Storage Systems	X	X	X
Battery Energy Storage Systems	X	X	X
Business Industrial Parks	X	X	X
Commercial-Scale Solar	X	X	X
Data Centers	X	X	X
Electrical Vehicles Charging Stations as a Primary Use (Passenger and Heavy Duty Vehicles)	X	X	X
Electrical Vehicles Charging Stations (Passenger Vehicles)	X	X	X
Floatovolatics or Waterway-Covering Solar	X	X	X
Geothermal Energy and Operations	X	X	X
Geothermal Pipelines and Wells	X	X	X
Green Hydrogen	X	X	X
Hydrogen Fuel Station (Passenger and Heavy Duty Vehicles)	X	X	X
Intermodal Rail Hub	Special	Special	X
Logistics and Wholesale Distribution	Ancillary	Ancillary	X
Manufacturing and Assembly	X	X	Ancillary
Mineral Recovery, Conversion, Processing, and Production	X	X	X
On-Site Solar	X	X	X
Outdoor Storage of Trucks, Trailers, Shipping Containers	Ancillary	Ancillary	X
Rail	X	X	X
Recycling Centers	X	Special	Special
Subsurface Geothermal Directional Drilling	X	X	X
Temporary Contractors Equipment and Storage Yard	Ancillary	Ancillary	X

Utilities	X	X	X
Wastewater Treatment Plan	X	X	X
Water Storage Facility Regional Scale	X	X	X
Office and Government Buildings	Ancillary	X	X
Research and Development	X	X	X
Workforce Training and Employment Services	X	X	X
Agriculture, Limited (A-1)	X	X	X
Cooling Centers	X	X	X
Educational Institutions, Colleges, and Universities	X	X	X
Emergency Services	X	X	X
Gas Station and Auto Services within an Enclosed Facility	Ancillary	X	X
Restaurants and Catering	X	X	X
Temporary Construction Housing	X	X	X
Trade Schools	X	X	X
Parks	X	X	X
Passive Recreation	X	X	X
Public Art Installations	X	X	X
Air Quality Monitoring	X	X	X
Cultural Resource Preservation	X	X	X
Mitigation Projects	X	X	X
Native Riparian Restoration	X	X	X

- **Non-Agriculture Uses on Light Agriculture Zone Land** (Page 52 of the Draft Specific Plan) - The description of land uses in Chapter 3 states that the phrase "Light Agriculture" is equivalent to Imperial County Municipal Code Sections 90507.01-90507.02, the use of which is "limited primarily to agricultural-related uses and agricultural activities that are compatible with agricultural uses." However, a reading of

Municipal Code Section 90507.01 includes many other permitted uses in the A-1 zone, which are not directly ag-related or specifically called out in the draft Specific Plan.

- Non-agriculture uses permitted in A-1:
  - Single-family dwelling (conventional or manufactured), Single-Room Occupancy (SRO) Units and Boarding/Rooming Houses, transitional housing, and Accessory Dwelling Units, as specified.
  - Daycare Home for less than five people
  - Residential care facilities serving six or fewer people.
  - Home occupation (home-based business)
  - Park, Playground, and swimming pool (all public).
  - Preschool, Elementary School, Junior High School, Senior High School, College or University.
  - Public buildings.
  - Electrical Vehicle Charging Stations as an Accessory Use.
  - Storage of products for use on the premises, including these non-agricultural uses.
  - Solar energy and wind-driven electrical generation are used for on-site consumption, including non-agricultural uses.
- Non-agriculture uses allowed with a special permit but require no zoning change:
  - Cemeteries, Mausoleums, Columbariums, and Mortuaries.
  - Churchs
  - Club or Lodge, including Gun Club.
  - Rest home, retirement home, Sanitarium, and Rehabilitation facility
  - Community Care/Veteran Facilities, Facilities for abused people, and Emergency shelters
  - Community Center, Senior Center
  - Community Recreational Facility
  - Golf Course, Golf Driving Range, Tennis or Swim Club
  - Race track or test track, including automobile, bicycle, horse, or motorcycle
  - Libraries and Museums
  - Preschool, elementary school, junior high school, senior high school, college, or university
  - Heliports
  - Potable water treatment and Wastewater Treatment Plant
  - Mineral Exploration and Mineral Extraction
  - Oil, gas, and geothermal exploration
  - Resource extraction
  - Public agency or public utility building or structure
  - Solar energy generation at more than ten (10) kilowatts
  - Utility and communication facilities
  - Utility substations that are not specifically exempted by other statutes.

- **Air Quality Monitoring should be permitted in Interim Agriculture and the River Corridor.** Air Quality Monitoring is permitted in every land use designation except Interim Agriculture and River Corridor. However, Interim Agriculture is the dominant land use for at least the first 10 years of the Specific Plan implementation period (p. 59),

and emissions from highly polluted rivers, such as the New River, may be significant, especially if wastewater treatment plants are developed along the rivers. Installing air quality monitoring should be required in these areas rather than limited according to this phasing.

Comments on "Chapter 4: Development and Design Standards"

- **Need Cohesive Vision for Streetscaping**: The Specific Plan area is not intended to be a faceless industrial park or mining pit. It envisions supporting a dynamic and vibrant mixed-use development, supporting a range of public and private activities. Unfortunately, Chapter 4 - Development and Design Standards is missing a holistic discussion on streetscaping and the importance of using the design and development of public spaces to foster a sense of community, promote economic vitality, and enhance the overall quality of life for residents, businesses, and visitors. The collective and intentional use of sidewalks, landscaping, street furniture, lighting, and public art should be an intentional focus of Chapter 4 of the Specific Plan. While some of these elements are mentioned, they are limited and do not serve as a driver of the design and development of the area. Lithium extraction and renewable energy generation are key elements of the Specific Plan area. Still, there are other uses, including commercial, community opportunity areas, conservation, and trails, where many workers and community members are envisioned. A cohesive streetscaping vision and plan can be based on functionality and still promote green infrastructure, sustainability, walkability, and community/worker/business access - taken together, an intentional focus on streetscapes fosters a positive sense of place. As people enter the Specific Plan area, what will their experience of the space be, how long are they envisioned to stay, what type of activities will they be doing, and how will they move from one place to another?
- The Development Standards for Setbacks describes how they may "serve as a buffer zone to ensure safety, privacy, and proper planning" (65). The examples provided are setbacks from roadways or setbacks between buildings, but there is no consideration of setbacks from Tribal cultural resources. Tribes have publicly expressed interest in setbacks from sacred sites, such as Obsidian Butte, citing relevant precedents, and any determination of relevant development standards or specific distances should be made through government-to-government engagement and consultation with free, prior, and informed consent.
- Standard Design Conditions for areas adjacent to the Salton Sea begin to describe dust suppression mechanisms, such as planting drought-tolerant native vegetation. Such re-vegetation should be consistent with Salton Sea Management Program best practices and long-range planning already undertaken by California Natural Resources Agency. Dust suppression should also be considered for solar where it is missing in Table 4-1 General Development Standards (p. 67). It should also be clarified why 100 feet was selected as compared to a greater distance and account for fluctuations in shoreline levels. Furthemore, dust suppression activities may be warranted near historic shoreline areas.
- Table 4-3 Development and Design Goal, Policies, and Programs regarding Goal 2: Development & Design only contains one row for Policy DD-1. Other policies relating to streetscaping and other design standards may merit further elaboration to meet guiding principles that are not listed in this table besides Environmental Stewardship & Responsible Growth.

Comments on "Chapter 5: Circulation & Transportation"

- **Heavy duty truck traffic and idling will bring significant air pollution to already overburdened communities.** The LVSP's plan to widen State Highway 111 between Calipatria and Niland will exacerbate the public health crisis in Northend communities with a significant increase in heavy duty truck traffic for goods transportation and other permitted industrial uses. Moreover, the planned logistics industry hub will significantly increase truck idling and diesel emissions, which has been shown to cause oxidative stress due to the pathophysiological effects of nitric oxide. Oxidative stress damages lung tissue and may lead to breathing issues due to poor lung development, asthma, severe allergies in children, as well as Chronic Obstructive Pulmonary Disease (COPD) in adults. The County should consider addressing with specific performance standards and mitigation as part of a revised draft LVSP and forthcoming PEIR.

- **Railyards will increase airborne emissions and related health risks.** Diesel particles from trains will add compounding problems to the above health risks linked to exposure to emissions due to goods transportation in fenceline communities of the Northend. CARB has developed standards for health risk assessments and mitigation plans to identify measures to reduce diesel particulate matter emissions from railyards, and the LVSP, Health Impact Assessment and PEIR can incorporate strategies from these regulations.

- **Class IV bike lanes that physically separate cyclists from vehicles would reduce health risks.** It is promising that the LVSP includes bike lanes to connect Niland and Calipatria. It would be considerably safer if Class IV bike lanes were implemented, rather than Class I or Class II bike lanes (let alone Class III which are not mentioned in the LVSP), especially with so much industrial truck traffic with minimal shoulder. Paint is not infrastructure, and studies show that Class IV bike lanes that physically separate cyclists from vehicles through curbs, bollards, or planters are significantly safer.

- **Shuttle and bus routes should serve the wider Northend community.** Employee shuttles and express bus routes focus primarily on Niland and Calipatria (p. 111-112). Connectivity to other Northend communities, such as Bombay Beach, Brawley, and Westmorland should also be improved and enhanced in the LVSP.

- **Environmental Justice should be a guiding principle for transportation planning.** Table 5-1 Circulation and Transportation Goal, Policies, and Programs only lists one Guiding Principle–Proactive Infrastructure and Services–but it may be worth considering how policies geared toward enhancing mobility and connectivity and mitigating pollution through intentional siting of truck routes or railyards may also support other principles, particularly Environmental Justice.

Comments on "Chapter 6: Infrastructure"

- **The LVSP needs to go into further detail about funding of the Special District.** This chapter suggests that funding may derive from a hypothetical Enhanced Infrastructure Financing District ("EIFD") or development impact fees (p. 116). Policy 1-2: Special District simply states that the "Special District may establish a new fee structure to fund infrastructure improvements" (p. 140). The EIFD needs explanation, and the structure and implementation of impact fees should be outlined in detail so that developers and community members have a clear sense of expectations.
    - Traffic impact fees have been used to fund multi-year capital improvements to community infrastructure like parks, sidewalks, and increased public transportation services. With respect to water, Imperial County could require a water impact fee tied to a project's annual water usage, which could be limited to fund not only infrastructure, but also mitigation programs. Such mitigation programs could fund community and environmental projects identified as a priority by a community advisory committee.
    - For example, the Controlled Thermal Resources direct lithium extraction operation is estimated to generate 22,000 metric tons of lithium carbonate per year, which will require 6,500 acre-feet-per-year (AFY) of water. A water impact fee matching the current Imperial Irrigation District's industrial water rate of $85 per AFY would be roughly $550,000, which is less than 1 percent of the company's estimated annual gross revenue of $440-$550 million where lithium prices are estimated to range from $20k - $25k per metric ton by 2027. Such a fee, triggered once direct lithium extraction operations commence, is an affordable way to fund mitigation programs important to fenceline communities.
    - CCV believes that these types of impact fee policies can and should be utilized to foster the sustainable development of the lithium industry in the Imperial Valley and can establish a model for communities across the country to follow.

- **Estimates and planning for water use are extremely speculative.** The variability in land uses is mentioned as a key reason making it difficult to accurately estimate water supply and demand (p. 116). This could be resolved by limiting the scope of permissible land uses to focus on the battery supply chain rather than ancillary uses, such as data centers and green hydrogen, which are especially water intensive. As it stands, the current draft asserts that estimates are conservative, but there is no breakdown of anticipated water supply demand by land use. Without such a breakdown, the estimates are unsubstantiated. This also suggests that cumulative impacts will be extremely difficult to accurately assess in any comprehensive way.

    - **Freshwater use may vary widely depending on design and development standards**. The LVSP may provide important guidance on this. For example, different DLE methods may range widely in terms of their use of water, acid and energy, yet there is no specific analysis of these key distinctions or policies governing efficient use of water in DLE deployment. If lithium is the eponymous industry for this development, and water conservation is a top concern among community members, then it is crucial for these specific lithium dynamics to receive further explanation and clarification.

- **A Water Master Plan is needed now, before water apportioned for non-agricultural uses is exhausted.** The LVSP anticipates that a Water Master Plan will be prepared in collaboration with IID, and that a new IID policy may be developed to meet water demands of non-agricultural uses (p. 117). This is much too speculative and inadequate when we consider that the estimate listed just for phase 1 of water demand of 48,023 AFY would nearly double the allowed 25,000 AFY apportioned for non-agricultural industrial uses in the IID's Equitable Distribution policy. Yet, the Water Master Plan would not be available until the end of Phase 1 (and apparently only triggered if non-geothermal or mineral recovery development requests approval according to Policy I-1 (p. 143)), making it impossible to enforce the necessary water supply policy right now when it is most needed before development occurs. Given the compounding crises of prolonged drought of the Colorado River accelerated by climate change, and the rapid recession of the Salton Sea that will be exacerbated by reduced inflows of agricultural runoff if industrial uses increase, water supply and demand deserve far greater attention in the LVSP.

- **Water recycling has not been demonstrated as a feasible alternative.** It may seem promising that the LVSP suggests that the Water Master Plan will enforce water recycling requirements for industrial users (p. 117). However, there is no pilot study or scientific evidence to support claims that such water recycling is actually feasible. Policy I-3 must go beyond "exploring" alternative water sources for cooling and processing and demonstrate feasibility in order to adequately enforce the use of such methods.

- **Setbacks should be in place for large storage water facilities to protect Tribal cultural resources.** Again, it is unacceptable for large water storage facilities to be sited so close to Tribal cultural resources, and there is no rationale for why this should be considered a permissible land use within sensitive conservation or restoration areas (p. 118).
- The Specific Plan and forthcoming PEIR should not kick the proverbial can down the road by relying on speculative future plans, but rather assess and mitigate these interim impacts (e.g., short-term and mid-term) with tangible, performance-based conditions, mitigaitons, and alternatives. For example, the Specific Plan could incorporate strategies for near/mid-term impacts until such time a speculative Water Master Plan is in place. Additionally, the County can address uncertainty about novel operations by incorporating conditions that allow for periodic review of novel operations subject to public hearings to consider emerging issues and best practices (akin to annual review period for CUPs).

- **Inadequate Stormwater and Drainage Plan:** The Plan does specify a section for "Stormwater and Drainage." However, the section suffers key technical weaknesses:

- **Lack of holistic stormwater management approach.** The plan primarily focuses on floodplain management and structural flood control but lacks a comprehensive approach to stormwater management, which should include stormwater capture, infiltration, and

treatment strategies. Best Management Practices (BMPs) such as permeable pavements, bioretention basins, green infrastructure, and stormwater harvesting are not discussed, which are crucial for enhancing groundwater recharge and improving water quality. Although infiltration might not be feasible in the region due to soil saturation and high groundwater table levels, BMPs need to be evaluated and not ignored by the Plan.

- **Inadequate consideration of climate change and hydrologic variability.** The plan does not account for the potential impacts of climate change, which could lead to increased storm intensity, prolonged droughts, and altered hydrologic cycles. Future flood projections should incorporate climate-resilient models rather than relying solely on historical 100-year floodplain data. A more robust hydrologic and hydraulic study should be referenced or conducted to assess long-term sustainability.

- **Ambiguity in drainage channel conversion proposal.** The proposal to convert irrigation drains and canals into stormwater conveyance channels is overly simplistic and lacks technical justification. Several critical questions remain unanswered:
  - Capacity & Functionality: Do these existing drains have the hydraulic capacity to manage peak stormwater flows?
  - Water Quality Considerations: Converting irrigation canals to stormwater channels may introduce pollutants such as sediments, heavy metals, and nutrients into the system. How will water quality be managed?
  - Ownership & Responsibility: Transferring ownership from IID to Imperial County or a “new” Flood Control District introduces governance challenges. How will maintenance, operation, and funding mechanisms be structured? Here, again, impact fees are mentioned but need explanation on how they will be structured or implemented (p. 123; 127).

- **Over-reliance on large-scale structural flood control:** The plan prioritizes large-scale river corridor widening (950 feet for the Alamo River, 1,275 feet for the New River) as a flood mitigation measure without evaluating alternative approaches. While floodplain expansion can provide ecological benefits, it has several challenges: 1) Land Use Conflicts: The expansion may require acquiring private land, potentially leading to displacement or conflicts with existing developments. 2) Implementation & Phasing Uncertainty: The plan acknowledges that full corridor implementation is unlikely before developments occur. This raises concerns about how incremental development will be managed in the interim.

- **Inadequate stormwater quality considerations:** Despite mentioning "stormwater quality" in the text, the plan fails to discuss how stormwater pollutants will be managed. Industrial and urban developments contribute to stormwater contamination, including heavy metals, hydrocarbons, and nutrients.

- **Lack of Integrated Water Resource Management (IWRM):** A stormwater management plan should integrate flood control, water supply, and water quality considerations. Lithium Valley's stormwater management strategy appears disjointed from water sustainability goals. Possible improvements could include: 1) Stormwater Harvesting & Reuse: Capturing stormwater for non-potable uses such as landscape irrigation or groundwater recharge should be considered. 2) Multi-Use Infrastructure: Parks, open spaces, and recreational areas could double as stormwater detention areas, promoting water conservation, ecological, and community benefits.

- **Energy demand analysis shows serious failure to meet California's climate goals:** It is remarkable that the total projected energy demand (2,642 MW/hr) far exceeds energy produced (519 MW/hr) (p. 131). According to this analysis, Lithium Valley would use 2,123 more MW/hr than it would produce. This already assumes an unlikely scenario that power generated within the Plan Area is used within the Plan Area, but again, developers' own modeling shows that electrical demand of proposed lithium plants is expected to be sourced from "brown power," including fossil fuels in the electrical grid, rather than geothermal power on-site. This raises the question: how would Lithium Valley "lead the way toward energy independence or a reduction in global emissions, as outlined in the Vision Statement?

  - For effective planning and review, the map in Figure 6-5, Electrical Transmission should show planned potential geothermal and solar, not just existing renewables.

- **Solid waste disposal infrastructure analysis ignores potentially hazardous filter cake material from geothermal development and lithium extraction.** Similar to other critical problems, such as water and wastewater, plans are not specified for potentially hazardous solid waste management from geothermal lithium development in the LVSP. Instead, it is anticipated that a hypothetical Special District will resolve this serious issue (p. 134). Yet, the industry anticipates generating significantly more iron-silica filter cake and scaling material as a result of lithium extraction, and this solid waste may contain hazardous materials, including lead and arsenic. Existing geothermal plants operating currently in the area already produce around 79,800 metric tons per year of solid waste. Therefore, the threshold listed in the LVSP of 30,000 tons of solid waste for a particular project in order to conduct regular audits and reporting is far too high (Policy I-23, p. 148). Waste handling and disposal should be a central concern rather than an afterthought (Policy I-26, p. 148). Geothermal waste may be synthesized into other materials with secondary use applications for a more circular zero-waste strategy that may help divert potentially hazardous materials from landfills.

- **Fire and Healthcare planning are insufficient**: Again, the LVSP states that additional fire services needed will be initially funded by Special District funding (p. 138). This funding does not exist yet, and fire services are necessary now, especially given heightened concerns around fires related to the battery supply chain where fires have happened in manufacturing, utility-scale batteries, and recycling operations. BESS and recycling fires in other jurisdictions have found

firefighting resources stretched thin in these fire events. Plans to ensure adequate fire services are available as development occurs.

- The LVSP identifies significant gaps regarding access to healthcare in the Northend, and suggests expanding telehealth and establishing mobile clinics. More permanent hospitals and clinics should be incorporated into the planning process, especially when we consider the disproportionate rate of hospital visits due to respiratory and cardiovascular illnesses due to environmental health problems in this area.

Comments on "Chapter 7: Community Health and Prosperity"

- **This chapter is extremely short by comparison and is mainly just outlined in a table.** Given the framing in the LVSP's stated Vision to "prioritize public health and local jobs" and "create lasting benefits for the community," this chapter could go into much greater detail with different sections of text that may address the considerable local public health concerns, as well as aspirations for strong community benefits.

- **Besides more participation in the planning process, local residents in Imperial Valley have expressed the need for enforceable Community Benefits Agreements (CBAs)**. There is a strong local desire for good jobs and community benefits, and Comite Civico del Valle together with Valle Unido por Beneficios Comunitarios has been publicly campaigning for legally binding commitments. Such agreements would guarantee, among other possible provisions:
  - more jobs
  - better education
  - training and apprenticeship programs
  - adequate healthcare and childcare
  - a cleaner environment
  - protection of Tribal cultural resources
  - reliable transportation
  - affordable water and electricity utilities
  - basic infrastructure like sidewalks and post offices, and
  - other social services.

- **Imperial County's proposed policy guidelines for a Good Neighbor Community Benefits Agreement (CBA) is unenforceable and inadequate**. Imperial County can go beyond its Good Neighbor program and mandate CBAs as a contingency for permitting or financing. The CEC's Opt-In Certification program, for example, requires projects receiving government loans or approval to negotiate enforceable CBAs that go beyond watered down policies, plans or guidelines. Beyond the 6 pillars described by the County, CBAs may also include a wider range of provisions, including:

- Financial:
  1. Direct payments (one time or recurring)
  2. Grants for defined community needs (e.g. infrastructure, scholarships, etc.)
  3. Trust accounts or community benefits funds held by a third party
  4. Partial ownership of operations
  5. Royalties on produced/extracted commodities (e.g. kWh of energy, tons of copper, percentage of revenue, etc.)

- Labor:
  1. First source hiring requirements (this is alluded to in one of the pillars)
  2. Wage commitments
  3. Job-related health/safety commitments (beyond standards)
  4. Commitments to contracts with local businesses
  5. Workforce training, including on-the-job training and apprenticeships

- Environmental:
  1. Bans on specific development practices
  2. Steps beyond compensatory mitigation
  3. Monitoring requirements
  4. Funding of third-party studies and capacity building for analyzing project impacts and penalties for pollution and remediation
  5. Plans for phasing out and shutting down through reclamation and decommissioning

- Enforcement:
  1. Dispute resolution process and/or arbitration clause(s)
  2. Outline of penalties or legal obligations for not adhering to CBA
  3. Identification of who is responsible for CBA enforcement
  4. Assumption of contract obligations in the event of acquisition, bankruptcy, foreclosure, etc.
  5. Ability to re-open or renegotiate contingent on environmental review

- Governance:
  1. Identification of representatives and CBA decision-making authorities
  2. CBA duration, amendment, and expiration date
  3. Outline of decision-making processes and meeting requirements
  4. Cross-referencing existing community development plans
  5. Recognition of Indigenous rights and associated obligations

- **Table 7-1 Community Health and Prosperity Goal, Policies, and Programs** (p. 151) begins to address these themes, but the policies listed would benefit from the following clarifications and revisions:

- **Policy HP-1: Best Practice for Quality Life** only mentions "employees and visitors" of Lithium Valley, but community members also deserve access to clean air, reliable clean and affordable water, affordable housing, and places to recreate.

- **Policy HP-4; Electric Vehicle Charging** rightly facilitates the deployment of EV charging infrastructure through collaboration with local organizations, but it bears mentioning that this is already well underway through the Charger Equity Initiative led by Comite Civico Del Valle. CCV has successfully installed EV fast chargers in the Cities of Calexico, Calipatria, Brawley and El Centro.

- **Policy HP-9: Renewable By Phase 2** only mandates the use of 95 percent (on average) renewable energy in the mineral recovery process by 2040. This fails to uphold the LVSP's Vision to "*lead the way toward energy independence, a domestic supply of critical minerals, and a reduction in global emissions."* How can Lithium Valley be considered clean and green if renewable energy produced on-site from geothermal and solar is not used from the beginning to power lithium extraction facilities? Reliance on the grid for lithium extraction will perpetuate the use of fossil fuels, increasing emissions and delaying energy independence. This is especially concerning because recent studies have found that DLE can lead to up to 7 times higher climate impacts than conventional technologies due to higher energy use, depending on the technology and energy source.

- **Policy HP-11: Reliable Water**: this should say reliable "and affordable" water sources for municipal water use.

- **Policy HP-18: Dust Suppression:** water used for dust suppression needs to be factored into water supply assessment before permitting.

- **HP-3: Water conservation measures, infrastructure upgrades, and sustainable water management practices to offset diminishing water supplies from the Colorado River** should be outlined in greater detail and implemented in close collaboration with the community and IID (beyond simply "encouraging" IID to do the same). Water conservation projects should be included in the cumulative impact assessment for Lithium Valley. If this chapter is meant to address community health, then more explanation is needed regarding best management practices for dust suppression from fallowed fields, as well as how this dust from fallowed fields may compound problems of increased dust pollution due to playa exposure from the receding Salton Sea. Studies have shown that agricultural water diversions are exacerbating dust pollution with serious environmental health consequences. Economic impacts due to temporary fallowing may

also have a serious impact on farmworkers who stand to lose jobs and income without fair compensation.

Comments on "Chapter 8: Implementation"

- **Undeveloped program of implementation.** Existing law, Government Code Section 65451, requires a Specific Plan to include a "program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out" particular required elements of a specific plan, including:

1. The distribution, location, and extent of the uses of land within the area covered by the plan.

2. The proposed distribution, location, extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities are proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.

3. Standards and criteria by which development will proceed, as well as standards for the conservation, development, and utilization of natural resources, where applicable.

Chapter 8 - Implementation falls short of providing actionable details on the proposed implementation of the Plan. The subsection "8.2 Available Development Incentives," beginning on page 160, and subsection 8.3 Financing and Funding Mechanisms, starting on page 161, are particularly weak, consisting of two generic lists of federal, state, and local programs and incentives. The subsections include no information regarding the type of funding offered, such as loans, grants, or assessments. It also lacks information on the kind of projects, such as a backbone sewer or a police station, or the stage of project development, such as construction or operations, that can be funded with each listed program.

Funding opportunities are a key building block in presenting a program of implementation, as required by Government Code Section 65451. The financing mechanism for the construction and long-term maintenance of public facilities is a new, undefined Infrastructure Special District that may be funded through development impact fees and/or an Enhanced Infrastructure Financing District. Other communities, such as the City of Sacramento, develop a public facilities finance plan for their specific plan areas that "addresses infrastructure costs for new development and identifies options to mitigate these financial constraints, including how infrastructure will be phased and funding sources that may be obtained." It is important to note that Senate Bill 125 Lithium Excise Tax will not be available until lithium is produced, so other options need to be identified in advance to finance infrastructure for Phase 1 of Lithium Valley.

- **By-Right Uses.** As proposed, the Specific Plan is proposing various uses to be byright without further discretionary review (p. 156 [reference to Table 3-2]) subject to administrative site plan review requiring landscape plan, signage plan, and substantial conformance review ("SCR") (pp.

157-158). However, the adequacy of this SCR (i.e., "project-level assessment) (p. 159) is going to be largely contingent on the adequacy of the forthcoming PEIR (i.e., "environmental documentation") (p. 157), which is unknown and not before the public at this time. Absent this key information, it is impossible for the public to meaningfully assess the appropriatineess of allow by-right complex industrial uses that are novel and/or only recently becoming more prevalent (e.g., DLE, Anaerobic Digestion Facilities) (pp. 56-57). This should be addressed not only in the PEIR, but also in the Specific Plan through design conditions for unique uses. Like unique locations (i.e., section 4.1.1), unique uses can present unique issues that can be mitigated through objective standards, conditions, and other requirements that could be included in the Specific Plan. This could include uses that are novel, water intensive, may cause emerging impacts, and other potential impacts that could be mitigated through impact fees, periodic reviews, monitoring, and other land use tools (discussed supra).

Concluding Comments

In closing, Comité Cívico del Valle thanks the County for the opportunity to comment on the Lithium Valley Specific Plan. While this initial comment period is appreciated and commendable, the current draft LVSP lack sufficient detail in several key areas and relies on a not yet published PEIR and other plans intended to mitigated and/or implement the Specific Plan. CCV respectfully urges the County to consider meaningful revisions to the Specific Plan that incorporates objective performance standards, enforceable mitigation measures, and incorporating of commonly used land use tools at its disposal that directly benefit and protect fencelines and EJ communities, such as utilizing development impact fees, robust mitigation measure checklist (e.g., waste, tribal, mobile emissions, etc.), performance based conditions, periodic reviews, public review by the County (e.g., common with DAs) and non-public organizations (e.g., such as newly formed CACs), and memorizing in key opportunities to maximize environmental and community public benefits via CBAs.

Regards,

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Lithium Valley Equity
Technical Advisory Group

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PLANNING & DEVELOPMENT SERVICES

May 2, 2025

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Re: Earthjustice's Comments on Draft Lithium Valley Specific Plan

Dear Ms. Robinson:

Thank you for the opportunity to provide comments on the draft Lithium Valley Specific Plan (Draft Plan). These comments supplement the scoping comments we submitted on February 20, 2024, which we hereby incorporate by reference.

Earthjustice is a 501(c)(3) nonprofit public interest environmental law organization. We use the power of law and the strength of partnership to protect people's health, preserve magnificent places and wildlife, advance clean energy, and combat climate change. In 2024, alone, our 213 lawyers—alongside policy experts, scientists, and analysts—represented 656 public-interest clients across the country in their fight for justice.

We are cautiously optimistic that direct lithium extraction (DLE) facilities in the Imperial Valley could produce badly needed transition minerals in less damaging ways than traditional approaches and in ways that support economic development in the region. At the same time, we need to safeguard local environmental justice communities through appropriate environmental, health, and cultural resource protections, along with guarantees that they will receive social and economic benefits from new industries that arrive in their backyards.

Most of the Imperial Valley communities surrounding the Salton Sea are "disproportionately burdened by multiple sources of pollution," according to the California Environmental Protection Agency's CalEnviroScreen mapping tool, with Imperial County falling within "the bottom 2 percent of healthy community conditions statewide."[1] The census tracts in these communities have high overall scores on CalEnviroScreen, including scores of up to 98 out of 100 for poverty,

[1] Lithium Valley Comm'n, *Report of the Blue Ribbon Commission on Lithium Extraction in California: Pursuant to Assembly Bill 1657 (E. Garcia, Chapter 271, Statutes of 2020)* at 16 (2022), https://efiling.energy.ca.gov/GetDocument.aspx?tn=247861&DocumentContentId=82166.

98 for asthma, 100 for impaired waters, and 98 for population characteristics.[2] The Imperial Valley population is predominantly Hispanic.

Against this backdrop, the importance of providing the best possible planning and analysis in the Specific Plan and PEIR cannot be overstated. By establishing land use policies for the next 30 to 50 years,[3] these documents will have serious long-term effects on the lives of Imperial Valley residents and environment surrounding the Salton Sea. The standards set within these documents will serve not only as guidance for future clean energy projects in Imperial Valley but also as a model for the newly emerging DLE industry nationwide. For these reasons, it is critical for the County to get the Plan and PEIR right, giving thorough consideration to potential impacts and alternatives after full community engagement.

To help guide stakeholder discussions and document preparation moving forward, we offer the following comments on seven issues of concern: (I) the importance of presenting the Draft Plan and PEIR together as two halves of a single administrative proceeding; (II) the need for additional details concerning implementation of the Specific Plan to enable meaningful public comment; (III) the gaps in the Draft Plan with regard to ensuring long-term availability of industrial water supply and clean drinking water; (IV) the need for additional measures to protect air quality and ensure the minimization and proper management of hazardous waste; (V) the importance of encouraging zero-emissions uses as opposed to promoting false solutions; (VI) the importance of environmental justice, tribal consultation, and fully considering community viewpoints; and (VII) the need for tiered CEQA review.

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[2] *See, e.g.*, Cal. Off. of Env't Health Hazard Assessment, *CalEnviroScreen 4.0*, https://experience.arcgis.com/experience/11d2f52282a54ceebcac7428e6184203/page/CalEnviroScreen-4_0/ (last visited May 1, 2025) (search Brawley; then click on Census Tract: 6025010400).

[3] Land Use Alternatives Memorandum from RICK Planning + Design to Jim Minnick, Imperial Cnty. Plan. & Dev. Servs. Dir. at 6 (Oct. 27, 2023) [hereinafter LUA Memorandum], https://lithiumvalley.imperialcounty.org/wp-content/uploads/2023/11/Lithium-Valley-Land-Use-Alternatives-Memorandum_102723.pdf.

TABLE OF CONTENTS

I. The County Should Treat the Draft Plan and PEIR as a Single Project with a Single Administrative Record, Responding to All Public Comments on Both Documents to Comply with CEQA 5

II. The County Should Clarify Vague Portions of the Draft Plan and References to Documents that Do Not yet Exist to Ensure Meaningful Public Participation. 7

A. Water Master Plan 8

B. PEIR 8

C. Environmental Justice Element 9

D. Special District 9

E. Flood Control District 11

F. Wastewater Treatment Upgrades 12

III. The Draft Plan Is Inadequate to Ensure Long-Term Availability of Industrial Water Supply and Clean Drinking Water While Meeting Its Own Goals and Maintaining Consistency with the County's General Plan. 12

A. The Draft Plan Lacks a Meaningful Proposal to Address Industrial Water Demand in Light of a Known Water Supply Shortage. 13

1. Project-Related Industrial Water Demand 13

2. Existing Water Supply 14

3. Water Master Plan 14

4. Water Storage Facilities 15

5. Water Recycling 16

B. The Draft Plan Downplays Population Growth Relevant to Drinking Water Supply Needs and Defers Upgrades to Wastewater Treatment Facilities that Are Necessary to Protect Drinking Water Quality. 16

C. The Draft Plan Is Inconsistent with the Water Element from the County's General Plan. 19

D. The Final Plan, Water Master Plan, and PEIR Should Fill-in Missing Information and Address Difficult Water Management Questions. 20

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IV. The Draft Plan Is Inadequate to Protect Air Quality and Ensure the Minimization and Proper Management of Hazardous Waste. 20

V. The Draft Plan Insufficiently Encourages Zero-Emissions Uses and Promotes False Solutions. 23

A. The Land Use Designations Remain Overbroad to Accomplish the Plan's Goals to Promote Renewable Energy and Decarbonization. 23

1. Green Industrial, Manufacturing, and Logistics 23

2. Playas Renewables 24

3. Solar 24

B. Data Centers Are an Energy Intensive Use that Do Not Belong in a Plan Focused on Renewable Energy 25

C. The Broad Uses Allowed as "Recycling Centers" and Automobile Wrecking Yards Will Likely Contribute to Pollution 26

D. The Draft Plan Confuses the Concept of Truly Renewable Green Hydrogen and False Solutions Like Anaerobic Digesters. 27

E. The Draft Plan Fails to Incorporate Zero Emissions Requirements into the Manufacturing and Logistics Land Use Categories. 29

VI. We Stand in Solidarity with Environmental Justice Groups, Tribes, and Community Members Calling for Additional Protections. 30

A. Community Benefits Agreements and Labor-Related Issues 30

B. Tribal Sovereignty 30

VII. Tiered CEQA Review Will Be Necessary on a Project-by-Project Basis. 30

CONCLUSION 32

I. The County Should Treat the Draft Plan and PEIR as a Single Project with a Single Administrative Record, Responding to All Public Comments on Both Documents to Comply with CEQA.

The County's process in releasing the Draft Plan independently of, and prior to, the draft PEIR does not facilitate informed public participation.[4] We are disappointed that the County's notice regarding the Draft Plan states that "formal responses will not be provided" to public comments and that "any correspondence received prior to the issuance of the Notice of Availability/Notice of Completion [for the PEIR] shall not be considered a comment on the DEIR."[5] The Draft Plan and Draft PEIR are interconnected, as are the administrative processes associated with these documents' promulgation, review, and approval. Comments on the Draft Plan should also be deemed comments on the Draft PEIR and vice versa.

The Legislature enacted CEQA to provide for the long-term protection of health, safety, and the environment, and CEQA cannot accomplish these goals without public involvement.[6] A "paramount consideration" in CEQA review "is the right of the public to be informed in such a way that it can intelligently weigh the environmental consequences of any contemplated action and have an appropriate voice in the formulation of any decision."[7] The public holds a "privileged position" in the CEQA process, "based on a belief that [residents] can make important contributions to environmental protection and on notions of democratic decision-making."[8]

There are three stages in the CEQA review process: (1) an agency determines whether a project is covered under the law; (2) the agency conducts an initial study to determine whether the project may have significant environmental effects; and (3) the agency prepares an EIR if there is substantial evidence that the project may have significant environmental effects.[9]

Here, the CEQA review process is well underway. The Specific Plan is the CEQA project, and the CEQA process began for the Specific Plan when the County determined that the Plan did not fall within a statutory or categorical exemption under CEQA. The process has continued with preparation of the initial study and scoping documents, and the County's determination that a PEIR is necessary. While the County is now treating the Draft Plan as a standalone document,

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[4] *See Sierra Club v. County of Fresno*, 6 Cal. 5th 502, 515 (2018) (explaining that "omit[ing] material necessary to informed decisionmaking and informed public participation" is a prejudicial error that "subverts the purposes of CEQA").

[5] Email from Valeria Grijalva, Office Supervisor II, Imperial Cnty. Plan. & Dev. Servs., to Elizabeth Fisher, Senior Attorney, Earthjustice et al. (Feb. 14, 2025, 1:01 PM PST) (on file with author).

[6] *See generally* Cal. Pub. Res. Code §§ 21000, 21001; Cal. Code Regs. tit. 14, § 15201 ("Public participation is an essential part of the CEQA process.").

[7] *Env't Plan. & Info. Council v. County of El Dorado*, 131 Cal. App. 3d 350, 354 (1982) (quotation marks omitted); *see also Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova*, 40 Cal. 4th 412, 449 (2007) (explaining that CEQA's procedures are designed to ensure that government officials who approve projects "do so with a full understanding of the environmental consequences and, equally important, that the public is assured those consequences have been taken into account").

[8] *Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agric. Ass'n*, 42 Cal. 3d 929, 936 (1986) (quotation marks omitted).

[9] *Fall River Wild Trout Found. v. County of Shasta*, 70 Cal. App. 4th 482, 485–86 (1999).

the Draft Plan should not be divorced from these interconnected CEQA proceedings and should not be finalized until the PEIR is finalized.

As the Governor's Office of Planning and Research has recognized, "The contents of a specific plan and its EIR overlap extensively. The data, analyses, and studies for one, will likely be necessary for the other. For this reason, both documents should be prepared concurrently . . . ."[10] Likewise, "[t]o the extent feasible, the process of preparing the specific plan and the environmental analysis should proceed concurrently because both documents require many of the same studies and resulting information."[11]

As discussed further below, the release of vague information in the Draft Plan without an accompanying PEIR has made meaningful public comment difficult. Meaningful public participation is a requirement of both CEQA[12] and the Government Code.[13]

Regardless of whether the Government Code requires written responses to comments on a draft specific plan, lead CEQA agencies must respond "to significant environmental points raised in the review and consultation process."[14] In particular, a final EIR must contain "comments either verbatim or in summary received in the review process, a list of persons commenting, and the response of the lead agency to the comments received."[15] Comments raising major issues at variance with the lead agency "must be addressed in detail giving reasons why specific comments and suggestions were not accepted," along with a "good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice."[16]

It is likely—and reasonable—for many people commenting on the Draft Plan to assume their comments will be carried forward as comments on the PEIR, with the expectation that comments once made will become part of a single administrative record going forward. It would be unduly burdensome to expect commenters who have taken time out of their schedules to attend public workshops and provide comments to have to re-attend workshops and resubmit comments if they want their voices heard in the PEIR process.

Indeed, treating comments on the Draft Plan as part of the administrative record associated with the PEIR is consistent with CEQA law. The "record of proceedings" in a CEQA matter is comprehensive and includes, but is not limited to:

- project application materials, reports, and related documents,

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[10] Governor's Off. of Plan. & Rsch., *The Planner's Guide to Specific Plans* at 10 (2001), https://californiareleaf.org/wp-content/uploads/2019/06/OPR-A-Planners-Guide-to-Specific-Plans.pdf.
[11] *Id.* at 23.
[12] *See Laupheimer v. State of California*, 200 Cal. App. 3d 440, 458 (1988) (stating that one of CEQA's goals is to "give[] private citizens and citizens' groups an active role, expressly recognizing citizens' 'responsibility to contribute to the preservation and enhancement of the environment'" (quoting Cal. Pub. Res. Code § 21000(e))).
[13] *See* Cal. Gov't Code §§ 65351 ("During the preparation or amendment of the general plan, the planning agency shall provide opportunities for the involvement of citizens, California Native American Indian tribes, public agencies, public utility companies, and civic, education, and other community groups, through public hearings and any other means the planning agency deems appropriate."), 65453 (explaining that specific plans must follow the same procedures as general plans).
[14] Cal. Code Regs. tit. 14, § 15132(d); *see also id.* § 15002(j).
[15] *Id.* § 15362(b).
[16] *Id.* § 15088(c).

- transcripts and minutes from proceedings where decisionmakers heard testimony on the project,
- written evidence or correspondence to the lead agency "with respect to compliance with [CEQA] or with respect to the project,"
- "*[a]ll written comments* received in response to, or *in connection with*, environmental documents prepared for the project, including responses to the notice of preparation," and
- "[a]ny other written materials relevant to . . . compliance with [CEQA] or to [the agency's] decision on the merits of the project, including the initial study. . . and copies of studies or other documents relied upon in any environmental document prepared for the project and . . . made available to the public during the public review period."[17]

Here, the Draft Plan itself qualifies as a project application material, report, or related document. The public workshops on the Draft Plan constitute "proceedings where decisionmakers heard testimony on the project," making the transcripts—including public comments—part of the CEQA record in this matter. Likewise, public comments on the Draft Plan qualify as written evidence or correspondence "with respect to the project" for CEQA purposes, "written comments . . . in connection with, environmental documents prepared for the project," and/or "other written materials" relevant to CEQA compliance and agency decisionmaking.

In fact, the administrative record in CEQA matters has been interpreted to "include pretty much everything that ever came near a proposed [project] *or* to the agency's compliance with CEQA in responding to that [project]."[18]

Accordingly, we ask that the County treat public comments received on the Draft Plan as part of the administrative record in the CEQA PEIR proceeding, responding to all significant comments.

II. The County Should Clarify Vague Portions of the Draft Plan and References to Documents that Do Not yet Exist to Ensure Meaningful Public Participation.

The lack of detail in the Draft Plan makes meaningful public participation difficult. The Government Code requires a specific plan to "specify . . . in detail:" (1) land uses, (2) "[t]he proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan, (3) "[s]tandards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources," and (4) "[a] program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out" all of the elements of the Plan.[19] The Draft Plan needs additional detail and greater specificity.

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[17] Cal. Pub. Res. Code § 21167.6(e)(1)–(11) (emphasis added).
[18] *County of Orange v. Superior Court*, 113 Cal. App. 4th 1, 8 (2003).
[19] Cal. Gov't Code § 65451(a).

In particular, the Draft Plan relies on, or defers to, three major documents that do not yet exit (the Water Master Plan,[20] Environmental Justice Element of the County's General Plan,[21] and PEIR[22]), while sketching just the vaguest outline regarding creation of an Infrastructure Special District (Special District)[23] and Flood Control District,[24] and upgrading wastewater treatment facilities.

A. Water Master Plan

Without the Water Master Plan, the Draft Plan contains only a tiny sketch of a proposal for addressing known and severe water shortages, such as a map proposing the creation of 12 water storage facilities with no details of where that water will come from,[25] as discussed further below.

B. PEIR

The Draft Plan uses language in the past tense concerning the PEIR, proceeding as if such a document exists and has already gone through a public notice and comment process.[26] As discussed above, the PEIR and Draft Plan are interconnected. Asking the public to evaluate one without the other calls for speculation and impedes meaningful review.

The Draft Plan's limited discussion of the PEIR also does not mention the creation of a Health Impact Assessment, even though SB 125 (2022) appropriated general funds for its creation [27] and its findings will be relevant to the County's analysis of environmental impacts. San Diego State University is preparing this document, which is designed to "[p]rovide an in-depth, comprehensive analysis of the potential health impacts of lithium extraction" under the Specific Plan, including to "address social determinants of health;" "explore, collect, analyze baseline data and conditions;" and "identify findings that will be used to inform decisions, influence policy development, support decision-making, as well as offer practical and evidence-based recommendations for ways to minimize risks and support opportunities to maintain and/or improve health in all Lithium-focused plans and programmatic Environmental Impact Reports."[28]

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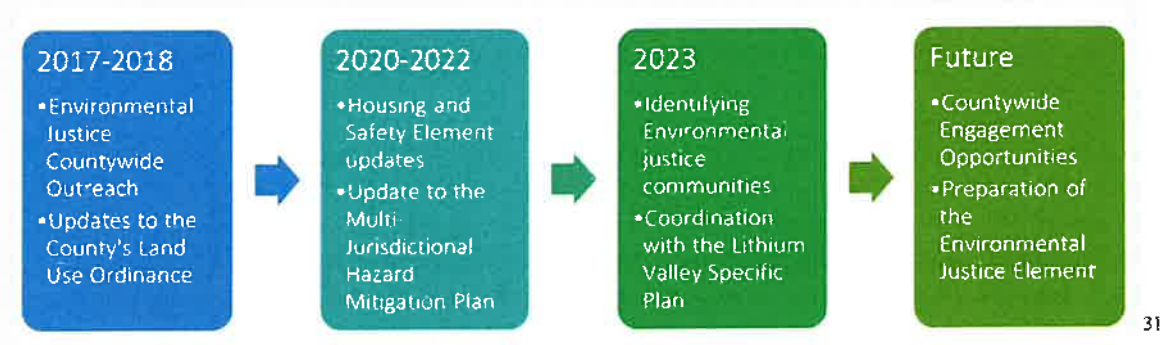
[20] RICK, *County of Imperial Lithium Valley Specific Plan* at 18, 117, 140, 143 (2025) [hereinafter Draft Plan].
[21] *Id.* at 13.
[22] *Id.* at 14–15, 21, 50, 68, 159.
[23] Draft Plan, *supra*, at 18–19, 86, 108, 111, 116–17, 133–34, 138, 140–41, 143, 147.
[24] *Id.* at 19, 123, 127, 143, 145.
[25] *Id.* at 117–18.
[26] *See id.* at 14–15 (stating "[t]he County of Imperial, as the lead agency under CEQA, *prepared* a [PEIR]," "[t]he PEIR *evaluated* the full range of environmental issues," "[t]he PEIR *was prepared*," and the final PEIR "*was completed*" (emphasis added)); *id.* at 21 ("The feedback [on the draft PEIR] received during the public review period which addressed significant environmental issues *was considered and responded to in the Final PEIR*.") (emphasis added).
[27] *See* S.B. 125, 2021–2022 Leg., Reg. Sess. § 8 (Cal. 2022) (appropriating general funds for a health impact assessment).
[28] San Diego State Univ., *Salton Sea Renewable Resource Health Impact Assessment*, https://publichealth.sdsu.edu/research/projects/salton-sea-renewable-resource-health-impact-assessment (last visited May 1, 2025).

It is our understanding that the County is in possession of, at least, a draft version of the Health Impact Assessment. Accordingly, it will be important for the County to incorporate any potentially significant environmental impacts discussed in the Health Impact Assessment—such as impacts to air and water quality—into its discussion of impacts in the PEIR, and we ask that the County release the Health Impact Assessment simultaneously with the draft PEIR.

C. Environmental Justice Element

While a specific plan must be consistent with the General Plan it flows from, the Draft Plan states that it is guided by the General Plan's Environmental Justice Element, which "is being worked on concurrently with" the Draft Plan.[29] The Draft Plan uses the past tense in stating that "collaboration efforts were held to ensure consistency between documents."[30] Even so, the County's website makes clear that the Environmental Justice Element does not yet exist, meaning that "collaboration efforts" and "consistency" have not yet occurred:



[31]

Instead, it appears that the County has only completed the "first step in preparing the County's first EJ Element," consisting of a background memorandum that will need to be reviewed as part of "[t]he next steps in the EJ Element process," and the eventual preparation of the Environmental Justice Element.[32]

D. Special District

The Draft Plan proposes the creation of an Infrastructure Special District to provide water supply to the Plan area via water purchased from Imperial Irrigation District (IID),[33] oversee waste management services,[34] maintain "roadway landscape,"[35] own or lease rail facilities,[36] fund or operate an employee shuttle or express bus route,[37] provide telecommunications and

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[29] *Id.* at 13.
[30] *Id.*
[31] Imperial Cnty. Plan. & Dev. Servs., *Environmental Justice Element*, https://www.icpds.com/planning/land-use-documents/general-plan/environmental-justice-element (last visited May 1, 2025).
[32] *Id.*
[33] Draft Plan, *supra*, at 18, 117.
[34] *Id.* at 19, 133–34.
[35] *Id.* at 86.
[36] *Id.* at 108.
[37] *Id.* at 111.

broadband,[38] and fund expanded fire services.[39] But the details are murky, especially with regard to implementation and financing.

The Draft Plan states that "[t]he Special District will be required to develop a Service Area Plan that outlines the required services, infrastructure and methods to financially support delivery and maintenance of a new infrastructure system," illustrating that no such implementation plan yet exists.[40] The Draft Plan also states that "[t]he Special District will establish a new fee structure to fund the infrastructure services provided," including initial funding that "*may* come from the Enhanced Infrastructure Financing District (EIFD) or development impact fees," signaling that there is no clear plan for funding in place.[41]

Without additional details—in plain language understandable by the average layperson—regarding the process the County intends to follow in creating the Special District, the costs associated with the Special District's creation and operation, where the initial funding will come from, how the Special District will affect the nature of the services on which community members rely, and how the operational costs of the Special District will affect the rates community members pay for those services, the public cannot meaningfully comment on this proposal.

For example, base costs associated with operating a special district include "electing directors, conducting meetings, hiring management, and maintaining insurance," meaning that "it is often considered favorable to add new services to existing special districts where possible, instead of creating new entities."[42] Additional "annual administrative requirements" include financial audits, "tax roll fees (to place taxes or assessments on the property tax roll)," and mandatory trainings for board members, along with miscellaneous overhead costs for things like rent and utilities.[43] Moreover, it is unclear if the County is proposing to create an enterprise special district ("funded primarily through fees for services" that would be "charge[d] [to] their constituents," but which may also use taxing and assessments), or a non-enterprise special district ("funded primarily through property taxes and assessments," but which may also use fees).[44]

Further, the path for creating the Special District is uncertain, as it seems like special districts may depend on passage of legislation or voter initiative, in coordination with the county's local agency formation commission (LAFCo), meaning that the County should consider an alternative proposal in the event a bill or initiative to create the Special District does not succeed.[45]

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[38] *Id.* at 134.
[39] *Id.* at 138.
[40] *Id.* at 116.
[41] *Id.* (emphasis added).
[42] Cal. Special Dists. Ass'n, *Special District Formation Guide* at 5 [hereinafter *Special District Formation Guide*], https://www.mendolafco.org/files/66afe447e/2016+Special+District+Formation+Guide+WEB.PDF.
[43] *Id.* at 6.
[44] *Id.*
[45] *See, e.g.*, Cal. Special Dists. Ass'n, *Learn About Districts*, https://www.csda.net/about-special-districts/learn-about (last visited May 1, 2025) ("In most states, districts are created by public referendum, which includes petitions, hearings and a vote of the residents within the proposed new district's service area."); Cal. Ass'n of Loc.

In any event, the California Association of Special Districts recognizes that, "[g]enerally, creating a new special district from scratch is an expensive and time-consuming process. Once formed, the administrative overhead associated with district operations can be burdensome, particularly for districts with a small customer base."[46] It will be important for the draft PEIR to fully analyze all impacts associated with creating the proposed Special District, along with alternatives to such creation.

To ensure equity, the new industries consuming resources and generating waste as part of the Draft Plan's industrial buildout must be the ones responsible for funding infrastructure upgrades, and not the existing community, which is already economically disadvantaged.

E. Flood Control District

The Draft Plan proposes "[c]onverting IID drains to stormwater channels . . . potentially under the management of a newly formed Flood Control District funded by development impact fees."[47] It also discusses the potential for converting drains and canals to storm water drainage, with IID potentially transferring ownership of the drains "to Imperial County or to a new Flood Control District" that "could be funded by an impact fee to be paid by the future developments/projects."[48] The Draft Plan lists Public Works and "Newly Formed Flood Control District" as the responsible parties for the Water Master Plan[49] and for constructing and maintaining an Alamo River/New River corridor "that is wide enough to contain and convey the 100-year peak flow from its tributary and reduce the 100-year floodplain that currently encompasses a large portion of the Specific Plan Area."[50] The Draft Plan lists the Flood Control District's purpose as "overseeing the development, operations and maintenance of the stormwater channels, Alamo River Corridor and New River Corridor, [and] utilizing Enhanced Infrastructure Financing District (EIFD) mechanisms to fund critical infrastructure upgrades, including advanced water reclamation technologies."[51]

Even so, more details are necessary to demonstrate a "program of implementation measures" to bring the Flood Control District to fruition, "including regulations, programs, public works projects, and financing measures."[52]

Agency Formation Comm'ns, *About LAFCOs*, [hereinafter CALAFCO], https://calafco.org/About_LAFCOs (last visited May 1, 2025) ("LAFCOs review proposals for the formation of new local governmental agencies and for changes in the organization of existing agencies . . . . LAFCO decisions form the basis of sustainable regional planning and strive to balance the competing needs in California for efficient services, affordable housing, economic opportunity, and conservation of natural resources.").

[46] *Special District Formation Guide*, *supra*, at 7; *see also* CALAFCO ("Agency boundaries are often unrelated to one another and sometimes overlap at random, often leading to higher service costs to the taxpayer and general confusion regarding service area boundaries.").

[47] Draft Plan, *supra*, at 19.

[48] *Id.* at 123, 127, 145.

[49] *Id.* at 143.

[50] *Id.* at 145.

[51] *Id.*

[52] Cal. Gov't Code § 65451(a)(4).

F. Wastewater Treatment Upgrades

The Draft Plan recognizes that "expansions and upgrades to the existing wastewater treatment systems" will be necessary "to ensure they can accommodate the Plan's 32 MGD demand effectively."[53] The Draft Plan proposes two new wastewater treatment plants (WWTPs) for Phase 1 "strategically located within the Green Industrial Area on both sides of the Alamo River," or upgrades to the existing Niland and Calipatria WWTPs, and states that these new or improved WWTPs "will incorporate advanced tertiary treatment to meet National Pollutant Discharge Elimination System (NPDES) requirements, enabling treated effluent to be safely returned to the Alamo River and Salton Sea."[54] Again, however, the Draft Plan is missing details concerning the implementation of such improvements.

Additionally, there are inconsistencies in the Draft Plan concerning wastewater treatment, including whether (a) improvements to Niland and Calipatria's WWTPs are being proposed, (b) the creation of one new WWTP, or (c) the creation of two new WWTPs.[55] Likewise, there are inconsistencies in the Draft Plan with the time frames—even though the Draft Plan notes that WWTP improvements are needed in Phase 1 due to lack of capacity to address demand,[56] a later part of the Draft Plan mentions initiatives to "modernize wastewater management in Imperial County" on an 8–10-year timeline.[57]

Collectively, the omissions and inconsistencies discussed herein impede meaningful comment on the Draft Plan. The County should release a *revised* Draft Plan that addresses the concerns outlined above and should do so simultaneously with its release of the draft PEIR, allowing for joint public comment on both documents.

III. The Draft Plan Is Inadequate to Ensure Long-Term Availability of Industrial Water Supply and Clean Drinking Water While Meeting Its Own Goals and Maintaining Consistency with the County's General Plan.

We are disappointed to see that the County did not take our scoping comments to heart regarding the importance of embracing difficult conversations about Colorado River water supply and providing creative and *specific* proposals to curtail existing water usage and free up additional supply. The Draft Plan remains vague on long-term water supply—setting up the potential for industrial demand to curtail the availability and quality of drinking water that communities depend on for survival and exacerbate the shrinkage of the Salton Sea, which in turn would have significant implications for other impact categories such as air quality and biodiversity. The final Plan and PEIR should address these deficiencies by proposing a true *plan* that is sufficiently *specific* to facilitate the goals of creating a clean energy hub without sacrificing the water supply needs of public users and the environment.

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[53] Draft Plan, *supra*, at 120.
[54] *Id.* at 18, 120.
[55] *Compare id.* at 120 (listing improvements to Niland and Calipatria as "one option"), *with id.* at 140 (stating one new "central" WWTP as a possibility), *and id.* at 120 (proposing two new WWTPs as an alternative to upgrading Niland/Calipatria), *and id.* at 18 ("Two new [WWTPs] are proposed for Phase 1 . . . .").
[56] *Id.* at 120 ("Niland and Calipatria's existing facilities will not suffice to handle the increased demand from Phase 1.").
[57] *Id.* at 143–44.

In particular, the Draft Plan (A) is inadequate to address industrial demand because it (1) walks back projections in the scoping documents concerning water supply needs,[58] (2) states that IID will be able to provide sufficient Phase 1 water supply[59] despite objective evidence to the contrary, (3) defers to a Water Master Plan that does not yet exist to address future water supply,[60] (4) proposes creating a dozen water storage facilities without explaining where any of the water to be stored will come from,[61] and (5) does not require water recycling and water-free cooling to the maximum extent achievable; (B) is inadequate to address drinking water quality and supply because it downplays population growth and relies on hypothetical improvements to wastewater treatment infrastructure years down the road; and (C) is inconsistent with the Water Element of the County's General Plan.

A. The Draft Plan Lacks a Meaningful Proposal to Address Industrial Water Demand in Light of a Known Water Supply Shortage.

A key goal of the Draft Plan is to "[d]evelop an innovative infrastructure system that ensures water and wastewater management . . . and ensures adequate accessibility to essential services," with Policy I-1 being "Reliable Water Supply."[62] As a logical matter, "[i]n determining whether and where to permit development, a county must necessarily consider the availability of consumptive water supplies. If additional water supplies are available, growth and development are feasible. Conversely, if that water is not available, growth is necessarily limited."[63] The Draft Plan lacks detail as to how it will ensure a reliable water supply while also achieving its primary goal of encouraging economic growth and development.[64]

1. Project-Related Industrial Water Demand

The Draft Plan walks back projected water usage with no explanation as to how the figures were calculated or why the figures changed from the scoping documents. For example, while the Land Use Alternatives (LUA) Memorandum presented to the Board of Supervisors on November 7, 2023, anticipated Phase 1 water consumption of 123,917 acre-feet per year (AFY) for Alternative 2[65] (the alternative used as the basis for the proposal in the Initial Study and carried forward as the basis for the Draft Plan[66]), the Draft Plan now claims that Phase 1 will only require 48,023 AFY, factoring in both industrial needs and water for human consumption.[67] As Phase 1 of the Draft Plan is based around a buildout of DLE facilities and related industries over a 10-year period of time, and as a single exemplary DLE facility projected a need for 6,500

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[58] *Compare* LUA Memorandum, *supra*, at 2, *with* Draft Plan, *supra*, at 116.
[59] Draft Plan, *supra*, at 18.
[60] *Id.* at 18, 117.
[61] *Id.* at 117–18.
[62] *Id.* at 140.
[63] *County of Amador v. El Dorado Cnty. Water Agency*, 76 Cal. App. 4th 931, 950 (1999).
[64] *See* Draft Plan, *supra*, at 7 (discussing the County's intent to "transform[] . . . primarily undeveloped land" into an "employment hub" through "extensive development in terms of infrastructure, roadways, and utilities").
[65] LUA Memorandum, *supra*, at 2.
[66] Draft Plan, *supra*, at 21.
[67] *Id.* at 116.

AFY,[68] the 48,023 AFY figure seems patently unrealistic (equivalent to fewer than 8 projects over a 10-year time frame).

Indeed, the Baseline Report conceded that "[g]eothermal and lithium recovery operations can have intensive water demands, compared to other energy sources (both renewable and non-renewable)," and "the data remains uncertain on what the true water demand may be for future geothermal and lithium recovery operations."[69]

Likewise, while the LUA Memorandum estimated 52,925 AFY for Phase 2 and beyond (or 176,842 AFY total), the Draft Plan estimates only 15,220 AFY for Phase 2 and 14,533 AFY for Phase 3 (or 77,776 AFY total). This is a discrepancy of roughly 100,000 AFY over the life of the Plan. The County should show its work in the draft Water Master Plan and draft PEIR, explaining the basis for the underlying projections as to water demand and why those projections changed so dramatically between the LUA Memorandum and the Draft Plan.

2. Existing Water Supply

As indicated in our scoping comments, the combined water demand from lithium and geothermal projects already on the books completely exhausts the IID's reserved water supply.[70] IID only claims to have 19,620 AFY of available Colorado River supply for new non-agricultural projects.[71] The final Plan and PEIR cannot ignore these objective facts.

3. Water Master Plan

As discussed further above, deferring to a Water Master Plan that does not yet exist cannot be deemed a proper "plan" for managing water supply and demand. The Government Code requires a specific plan to "specify . . . in detail" the "proposed distribution, location, and extent and intensity of major components of . . . water . . . and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan," along with "[s]tandards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources," and "[a] program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out" the Plan.[72]

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[68] Delfino Matus & Richard Montenegro Brown, *Hell's Kitchen Lithium Extraction Project Gets Green Light*, Calexico Chronicle, Dec. 15, 2023, https://calexicochronicle.com/2023/12/15/hells-kitchen-lithium-extraction-project-gets-green-light/.

[69] Rick Engineering Company, *Lithium Valley Specific Plan Final Baseline Report* at 108 (2024) [hereinafter Final Baseline Report].

[70] Compare, for example, BHE Renewables' Black Rock, Elmore North, and Morton Bay proposed geothermal power plants, which would use a combined 13,165 AFY, and Controlled Thermal Resource's recently approved Hell's Kitchen project, which has an estimated water demand of 6,500 AFY. BHE Renewables, *Black Rock, Elmore North and Morton Bay Geothermal Projects California Energy Commission Informational Hearing* at 6 (2023), https://efiling.energy.ca.gov/GetDocument.aspx?tn=252010&DocumentContentId=87007; Matus & Brown, *supra*.

[71] IID, *Municipal, Industrial and Commercial Customers*, https://www.iid.com/water/municipal-industrial-and-commercial-customers (last updated Jan. 27, 2025).

[72] Cal. Gov't Code § 65451(a)(2)–(4).

It is concerning that the Draft Plan suggests a 5–10-year timeframe prior to creation of the Water Master Plan, although the timeline is unclear as another part of the Draft Plan states that the Water Master Plan "will . . . address[] the first phase of development" along with being "programmed to expand based on phases 2 and 3 once they have been further defined."[73] It is also concerning that the Draft Plan lists both Public Works and a "Newly Formed Flood Control District" that does not yet exist (see above) as the parties responsible for the Water Master Plan. As the lead agency for CEQA compliance, it is the County's responsibility and duty to release the Water Master Plan no later than the release of the draft PEIR to allow for meaningful notice and comment (see discussion in Issue I, above).

We also reiterate the request in our scoping comments that the County convene a Water Supply Task Force to draft the Water Master Plan, with the task force comprised of independent subject-matter experts with no financial ties to the geothermal or lithium industries or other conflicts of interest. The Water Master Plan should include a detailed, up-to-date inventory of known Colorado River conservation projects and funding that could directly affect available water supply for the Specific Plan, along with projects that could serve as an inspiration for mitigation measures (similar to the way the Baseline Report and LUA Memorandum list examples of providers of low-carbon energy resources in Imperial Valley and other example projects that would fit each of the proposed designated uses[74]).

4. Water Storage Facilities

The Draft Plan proposes 12 water storage facilities "[t]o meet the water demand and storage requirements for Phase 1," without any explanation of where that capacity would come from.[75] The County should provide the missing details in the Water Master Plan and draft PEIR so that the public can meaningfully understand and comment on the potential environmental impacts from such a proposal. The Baseline Report acknowledged the "water management challenges for the District," including "limitations on water storage because of the flat terrain, limitations on reuse opportunities because of the salinity of Colorado River, existing deterioration of Salton Sea including exposed playa and increased salinity, and poor water quality of underlying groundwater resources,"[76] and the Initial Study expressed the concern that "changes in surface water runoff and drainage patterns can affect the local hydrology including discharges to the Salton Sea."[77]

Notably, the Draft Plan lists desalination as a potentially allowable use in the Green Industrial, Playas Renewables, and Manufacturing zones with a special use permit.[78] Desalination was not discussed as a permissible use in the Initial Study or LUA Memorandum. To the extent the County intends to create additional water supply via desalination projects, it will be important for the Water Master Plan and PEIR to fully analyze related impacts, such as impacts to ecosystems where the concentrated brine effluent (salt and chemicals) will be discarded, which might include

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[73] Draft Plan, *supra*, at 143.
[74] *See, e.g.*, Final Baseline Report, *supra*, at 85–107; LUA Memorandum, *supra*, at 15–27.
[75] Draft Plan, *supra*, at 117.
[76] Final Baseline Report, *supra*, at 308.
[77] Dudek, *Initial Study Imperial County Lithium Valley Specific Plan* at 34 (2023) [hereinafter Initial Study].
[78] Draft Plan, *supra*, at 56.

ecotoxic effects to plant and animal life due to exposure to effluent chemicals, low oxygen levels, high temperatures, and high salinity in the effluent.[79] It is also notable that desalination plants require significant energy consumption from the local energy grid and produce significant emissions.[80]

5. Water Recycling

The Draft Plan's discussion of water recycling and alternative water sources is insufficient to meet the severe water supply shortage. While the Draft Plan assumes that the Water Master Plan will include strategies such as "[e]nforc[ing] water recycling requirements for industrial users" and "[e]xplor[ing] alternative water sources for industrial cooling and processing, such as air, recycled brine, or recycled groundwater,"[81] the Water Master Plan does not yet exist and the Draft Plan does not make water recycling mandatory across the board. For example, Policy I-3 requires only 20% recycling for mineral recovery operations at the outset, with 10% increases every 5 years up to 80% after 30 years.[82] By contrast, Section 3.5.4 states that "[d]ata centers *must* adopt water-free cooling technologies or systems that minimize water consumption, such as air cooling."[83]

To the extent best available technology exists for water recycling in mineral recovery and other industrial operations, the final Plan should make water recycling mandatory from day 1 for *all* industries allowed in the Plan and should require water recycling at either 100% or the maximum recovery percentage currently achievable, to be revaluated every 5 years for further technological improvements. Likewise, the final Plan should make the use of alternative, water-free cooling technologies mandatory for all types of uses to the maximum extent achievable using best available technology.

B. The Draft Plan Downplays Population Growth Relevant to Drinking Water Supply Needs and Defers Upgrades to Wastewater Treatment Facilities that Are Necessary to Protect Drinking Water Quality.

The proposed industrial buildout in the Imperial Valley will likely have significant impacts on drinking water supply and drinking water quality that are not addressed with sufficient detail in the Draft Plan and should be fully analyzed in the final Plan and PEIR.

The only mention of drinking water in the Draft Plan is the statement that the Plan's figures regarding AFY water demands are based on both industrial use and "treated water for human consumption."[84] There is no plan for ensuring the protection of drinking water quality.

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[79] *See* Autocase Econ. Advisory, *Economic Analysis: Cost Benefit Analysis Study for Coastal Bend Water Supply Options* at 46 (2022), https://capetx.com/wp-content/uploads/2022/11/Cost-Benefit-Analysis-Study-for-Coastal-Bend-Water-Supply-Options.pdf.
[80] *Id.* at 13.
[81] Draft Plan, *supra*, at 117.
[82] *Id.* at 140.
[83] *Id.* at 61 (emphasis added).
[84] *Id.* at 116.

First, the Draft Plan does not adequately account for population growth. The scoping documents recognized the Plan's "potential to induce significant unplanned population growth in the area,"[85] including "pressure on residential development in communities surrounding the Study Area" related to the growing workforce.[86] Such growth would be on top of the 3% growth projected in the absence of the Plan over a 10-year period of time.[87] Even so, the Draft Plan contradicts this finding. The Draft Plan assumes in the Essential Services section (Section 6.7.1) that "the majority of the Specific Plan Area will not have a residential population" and counts population metrics "by the number of employees working in the various industrial, manufacturing, and logistics sectors within the area."[88]

The final Plan and PEIR should address population dynamics and explain the basis for any assumptions regarding population growth or the lack thereof. CEQA requires consideration of "reasonably foreseeable indirect physical changes in the environment which may be caused by the project,"[89] including "reasonably foreseeable population growth in a given service area."[90] Agencies should not ignore such impacts "simply because a project does not itself call for the construction of housing or other facilities that will be needed to support the growth contemplated by the project."[91] Likewise, agencies should not avoid an impacts analysis "simply because the project's effect on growth and housing will be felt outside of the project area."[92]

Here, an accurate understanding of population dynamics is essential to an accurate understanding of the impacts to water supply associated with the Plan, and whether the County's figures for anticipated water supply demand are accurate. Section 6.1.1 of the Draft Plan states that its AFY figures for anticipated water supply demand are based on "both treated water for human consumption, and non-potable water for industrial use."[93] Even so, as noted above, it uses figures of 48,023 AFY for Phase I, which is inexplicably much lower than the 123,917 AFY for Phase I projected in the LUA Memorandum.[94]

Second, as the Colorado River is both the primary source of industrial water supply and the primary source of drinking water, and as some area residents already need to obtain drinking water from outside the County, the industry-related water supply impacts discussed in the

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[85] Initial Study, *supra*, at 40.
[86] Final Baseline Report, *supra*, at 29.
[87] *Id.* at 45.
[88] Draft Plan, *supra*, at 138.
[89] Cal. Code Regs. tit. 14, § 15064(d).
[90] *Arviv Enters., Inc. v. S. Valley Area Plan. Comm'n*, 101 Cal. App. 4th 1333, 1345 (2002) (citing Cal. Code Regs. tit. 14, § 15064(d)(2)); *see also* Cal. Code Regs. tit. 14, § 15126(d) (requiring an EIR to discuss the "Growth-Inducing Impact of the Proposed Project").
[91] *Napa Citizens for Honest Gov't v. Napa Cnty. Bd. of Supervisors*, 91 Cal. App. 4th 342, 369, 380 (2001), *as modified* (Aug. 7, 2001), *as modified on denial of reh'g* (Sept. 4, 2001) (discussing inconsistency between a general plan's goal of providing adequate housing and a specific plan projected to add roughly 10,000 jobs and create a 5,457-unit housing shortage).
[92] *Id.*
[93] Draft Plan, *supra*, at 116.
[94] *See Napa Citizens for Honest Gov't*, 91 Cal. App. 4th at 368 (stating that "the EIR must discuss growth-inducing impacts even though those impacts are not themselves a part of the project under consideration, and even though the extent of the growth is difficult to calculate").

preceding section will also likely impact the ability of community members to obtain sufficient drinking water supplies at affordable rates.

In particular, IID provides drinking water from the Colorado River to "seven cities (Brawley, Calexico, El Centro, City of Imperial, Holtville, Westmorland and Calipatria), three census-designated places (Niland, Seeley and Heber), the Naval Air Station El Centro & two state prisons (Calipatria and Centinela)."[95] Most of these municipalities operate their own water treatment plants, with the exception of Heber (served by the Heber Public Utilities District) and Niland and Calipatria (which receive water via the Golden State Water Company).[96]

The Coachella Valley Water District supplies the towns of Bombay Beach and North Shore from the Coachella Valley groundwater basin.[97] Additionally, approximately 3,000 Imperial Valley households along the irrigation canals do not have access to a municipal source of drinking water but must, instead, obtain drinking water from one of four approved private providers sourcing water from outside the area due to contamination.[98] For example, one of the four approved providers is D&M Water Company, which sources water from the Carrizo-Wilcox aquifer and Nacogdoches Lake/Reservoir.[99] The scoping documents acknowledged the "potential for the Project to substantially decrease groundwater supplies or interfere with groundwater recharge."[100]

As discussed above, the Draft Plan's proposal to create a Special District to oversee needs such as water supply and wastewater treatment is vague, speculative, and has the potential to lead to increased costs for community members.

Third, in addition to the impacts to the *quantity* of drinking water available, additional industrial users discharging waste effluent upstream of these municipalities will stress the ability of their water treatment facilities to ensure a water supply of sufficient *quality* for drinking. Absent closed-loop systems, every facility requiring a regular influx of water for its operations will also discharge used process water potentially contaminated with a variety of pollutants. If the used process water is discharged back to the Colorado River system, then it becomes influent for downstream users' drinking water.

As discussed above, the Draft Plan's wastewater treatment discussion is inadequate to address increased drinking water contamination. Despite Policy I-4 in the Draft Plan "to modernize wastewater management in Imperial County"[101] and the Draft Plan's recognition that additional

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[95] Imperial Irrigation Dist., *Water Service Maps*, https://www.iid.com/water/about-iid-water/water-service-maps (last visited May 1, 2025).
[96] *Id.*
[97] Coachella Valley Water Dist., *Water Quality: Coachella Valley residents drinking high quality water* at 9, 11, https://www.cvwd.org/archive/viewfile/item/367.
[98] Letter from Steve Charlton, IID Senior Program Manager, Water Quality Programs, to Sean Sterchi, San Diego/Imperial Dist. Eng'r, State Water Res. Control Bd. at 1 (Mar. 23, 2021), https://www.iid.com/home/showpublisheddocument/19810/637774109431700000.
[99] D & M Water Supply Corp., *2022 Consumer Confidence Report for Public Water System D & M WSC* at 2 (2023), https://dmwater.org/documents/305/CCR_to_post_to_website_06062023.pdf.
[100] Initial Study, *supra*, at 35.
[101] Draft Plan, *supra*, at 143.

treatment capacity is needed in Phase 1,[102] the Draft Plan contains only a vague proposal for achieving wastewater improvement and projects an 8–10-year phased timeline for implementing needed modernization.[103]

C. The Draft Plan Is Inconsistent with the Water Element from the County's General Plan.

A specific plan must be "consistent with" the County's General Plan.[104] In particular, "[a]n action, program or project is consistent with the general plan if, considering all its aspects, it will further the goals, objectives and policies of the plan and not obstruct their attainment."[105] Here, the Draft Plan is inconsistent with the General Plan's Water Element.

The Water Element from the County's General Plan recognizes that "[a]llocating water resources, achieving improved water quality[,] and conserving water are very critical issues in the Imperial County,"[106] and that "the continued urban growth in the County is . . . dependent upon receiving adequate water resources."[107] The Water Element lists "Adequate Domestic Water Supply" as one of its goals—to "secure the provision of safe and healthful sources and supplies of domestic water adequate to assure the implementation of the County General Plan and the long-term continued availability of this essential resource."[108] Additionally, the Water Element notes the importance of protecting surface waters "for sustaining wildlife and a broad range of ecological communities," and protecting water resources from hazardous materials.[109]

The Water Element further acknowledges potential pollution problems from geothermal power: "The problems of contaminating the surface waters or nearby non-geothermal groundwaters exists if the return flows are not injected to a significant depth; if they are injected under too much pressure; if they are injected into faults or fractures that connect to the surface; or if the injection wells leak. The potential for surface spills exists from pipeline failures or well blowouts."[110]

For all of the reasons discussed herein, the vague discussion of water supply and quality in the Draft Plan—with its missing Water Master Plan—is inconsistent with the General Plan's Water Element. The Draft Plan does not ensure the long-term availability of adequate water resources

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[102] *Id.* at 120.
[103] *Id.* at 143.
[104] Cal. Gov't Code § 65454.
[105] Governor's Off. of Plan. & Rsch., *The Planning Commissioner's Book* at 10 (1998), https://burlingame.org/DocumentCenter/View/3150/Planning-Commissioners-Handbook---State-of-California-PDF?bidId=#:~:text=An%20action%2C%20program%20or%20project.must%20be%20internally%20consis%2D%20tent; *see also* Cal. Governor's Off. of Land Use & Climate Innovation, *General Plan Guidelines, Chapter 9 – Implementation* at 255 (2023), https://lci.ca.gov/docs/OPR_C9_final.pdf ("An action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and will not inhibit or obstruct their attainment.").
[106] Imperial Cnty. Plan./Building Dep't, *Imperial County General Plan: Water Element* at 5 (1997), https://www.icpds.com/assets/planning/water-element.pdf.
[107] *Id.* at 30.
[108] *Id.* at 27.
[109] *Id.* at 28.
[110] *Id.* at 12.

for the domestic and ecological needs contemplated under the General Plan and the new growth proposed under the Draft Plan. Likewise, the Draft Plan does not ensure protection of drinking water supply from industrial contamination.

D. The Final Plan, Water Master Plan, and PEIR Should Fill-in Missing Information and Address Difficult Water Management Questions.

The CEQA Guidelines discuss water supply assessments like the proposed Water Master Plan, specifying that such an analysis in an EIR must include the following:

> (1) Sufficient information regarding the project's proposed water demand and proposed water supplies to permit the [County] to evaluate the pros and cons of supplying the amount of water that the project will need.
> (2) An analysis of the reasonably foreseeable environmental impacts of supplying water throughout all phases of the project.
> (3) An analysis of circumstances affecting the likelihood of the water's availability, as well as the degree of uncertainty involved. Relevant factors may include but are not limited to, drought, salt-water intrusion, regulatory or contractual curtailments, and other reasonably foreseeable demands on the water supply.
> (4) If the [County] cannot determine that a particular water supply will be available, it shall conduct an analysis of alternative sources, including at least in general terms the environmental consequences of using those alternative sources, or alternatives to the project that could be served with available water.[111]

Consistent with these Guidelines, it will be important for the Water Master Plan and PEIR to discuss possible alternative water sources and their impacts in light of uncertainties regarding future Colorado River supply: the EIR "cannot simply label the possibility that [adequate water supply] will not materialize as 'speculative,' and decline to address it. The County should be informed if other sources exist, and be informed, in at least general terms, of the environmental consequences of tapping such resources."[112]

It is imperative that the County does the hard work of addressing water supply head-on in the revised Plan, draft PEIR, and contemporaneous Water Master Plan.

IV. The Draft Plan Is Inadequate to Protect Air Quality and Ensure the Minimization and Proper Management of Hazardous Waste.

Of major concern is the impact the development of Lithium Valley will have on the health of the residents living in the surrounding communities. The Draft Plan contains very little discussion on the proper management of hazardous waste that will inevitably be produced by an increase in industry in the area and even less on the air quality impacts.

Regarding air quality, the Draft Plan acknowledges there are "[e]nvironmental health concerns linked to the Salton Sea" and "[p]oor air quality exacerbates respiratory illness in the region, making it essential for IVHD and other health authorities to install air quality monitoring stations

[111] Cal. Code Regs. tit. 14, § 15155(f)(1)–(4).
[112] *Napa Citizens for Honest Government v. Napa County Bd. of Supervisors*, 91 Cal. App. 4th 342, 373 (2001).

and create asthma treatment centers."[113] And the Draft Plan has a goal to deploy air quality monitors within the Specific Plan Area in collaboration with local organizations so the best locations are chosen.[114] We are very supportive of robust air quality monitoring and want to underscore the importance of working with community organizations in developing a monitoring system that is accurate and reliable.

The Imperial County Community Air Monitoring Project highlights the importance of state and local agencies working with community organizations and academic institutions to provide effective air quality monitoring. Prior to this program, which began in 2015, Imperial County only had five air quality monitors for the 4,000-square-mile county.[115] The Project "revealed that the . . . state's air monitors were capped at a lower level and thus could only register pollution up to a level that was well below the actual levels."[116] It also "showed that the state's monitors had likely been missing many pollution events for years.[117] The County should learn from these past mistakes and ensure that a large enough number of air monitors are installed and in locations that will accurately reflect the day-to-day and long-term air quality of the area. Including local community groups in the process will help to prevent the grave oversight of the past that led to woefully inadequate air monitoring in Imperial Valley.[118]

Beyond air monitoring, the Draft Plan contains very little information on the air quality impacts increased industrial activities will have on residents and the environment. Of major concern is the potential increase in dust from the construction and operation of these new industries. Niland, Calipatria, Brawley, and other nearby communities already suffer from poor baseline air quality, in part due to the mobilization of dust as the Salton Sea continues to shrink—dust that is contaminated with arsenic, selenium, and pesticide runoff.[119] Imperial County has "more than double the state's general rate of asthma-related emergency room visits and hospitalizations for children."[120] The asthma rate at Grace Smith Elementary school in Niland is "nearly double the

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[113] Draft Plan, *supra*, at 139.
[114] *Id.* at 153.
[115] *See* Nat'l Inst. of Env't Health Scis., *Imperial County Community Air Monitoring Project*, https://www.niehs.nih.gov/research/supported/translational/community/imperial (last reviewed Apr. 12, 2021); Public Health Inst., *Working with Imperial County Communities to Monitor Air Quality* (2019), https://www.phi.org/about/impacts/working-with-imperial-county-communities-to-monitor-air-quality/.
[116] Public Health Inst., *supra*.
[117] *Id.*
[118] *Id.*
[119] Emma Newburger, *Ghost towns and toxic fumes: How an idyllic California lake became a disaster*, CNBC, Nov. 6, 2021, https://www.cnbc.com/2021/11/06/californias-salton-sea-spewing-toxic-fumes-creating-ghost-towns-.html#:~:text=Investing%20Club-.Ghost%20towns%20and%20toxic%20fumes%3A%20How%20an.California%20lake%20became%20a%20disaster&text=The%20Salton%20Sea's%20increasing%20salinity.has%20been%20shrinking%20for%20decades; Cal. Dep't of Pesticide Regul., *Counties Ranked by Pounds of Chemicals: 2021 and 2022 Comparison* at 1, https://www.cdpr.ca.gov/wp-content/uploads/2024/12/2022_counties_ranked_by_pounds_applied_2021_and_2022_comparison.pdf (last visited Apr. 30, 2025) (indicating that Imperial County applied roughly 5 million pounds of pesticides in 2021 and 4.4 million pounds of pesticides in 2022); *cf.* U.S. EPA, *Current Nonattainment Counties for All Criteria Pollutants*, https://www3.epa.gov/airquality/greenbook/ancl.html (last updated Apr. 30, 2025).
[120] CalEPA Env't Just. Task Force, *Imperial County Initiative Report* at 3 (2019), https://calepa.ca.gov/wp-content/uploads/2019/10/Imperial_County_EJ_Initiative.a.sw_.hp_.pdf; *see also* Sam Ribakoff, *Drying Salton Sea*

national average."[121] Additionally, the existing geothermal power industry has likely contributed to poor air quality, via emissions of noncondensable gases such as hydrogen sulfide.[122]

While the Draft Plan does require any development within 100 feet of the Salton Sea shoreline to "prepare a Dust Control Plan that describes the fugitive dust control measures that will be used and monitored during construction and operation, consistent with the PEIR Dust Control Plan language,"[123] the PEIR has not yet been released, and thus, it is impossible to know what the Dust Control Plan language is and whether it is adequate to prevent further particulate pollution in an area that is already overburdened with air quality issues.[124]

Industrial waste and soil contamination are also concerns in Imperial Valley, as some of the area's geothermal power plants have a history of spills of arsenic- and lead-containing waste associated with pipe corrosion from superheated, caustic brine and periodic cleanout of scale buildup.[125] In particular, a 2007 consent agreement involving several facilities resulted in a $910,000 penalty[126] and the ultimate disposal of 11,000 cubic yards of contaminated soil as non-hazardous and 340 cubic yards as hazardous waste.[127]

There is very little detail on waste management in the Draft Plan and much of the onus is on the Special District to handle it all. The Draft Plan recommends the "Special District oversee the provision of waste disposal services and provide funding through a structured budget allocation . . . [which] should cover the costs associated with waste collection, transportation, recycling, and disposal services."[128] Further, "[t]he Special District will prioritize minimizing waste generation, maximizing recycling efforts, and ensuring proper storage and disposal of wastes. This will include strict procedures for hazardous waste management, regular collection and disposal schedules, and environmental safeguards to protect air, water, and soil quality."[129] Of concern is that the Special District will fund all waste disposal, which potentially means that residents in the surrounding communities will bear the costs of these services. The only entities that should pay for the disposal of waste produced by Lithium Valley are the industries themselves that are producing the waste.

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has caused dangerous pollution, health problems for nearby communities, study finds, Courthouse News Science, May 29, 2024, https://www.courthousenews.com/drying-salton-sea-has-caused-dangerous-pollution-health-problems-for-nearby-communities-study-finds/ (noting "that 20% of children in Imperial County were estimated to have asthma, compared to just 8.3% for the U.S. population overall").

[121] CalEPA Env't Just. Task Force, *supra*, at 7.

[122] *See* Aras Karapekmez & Ibrahim Dincer, *Modelling of hydrogen production from hydrogen sulfide in geothermal power plants*, 43 Int'l J. Hydrogen Energy 10569, 10569 (2018), https://www.researchgate.net/publication/323691024_Modelling_of_hydrogen_production_from_hydrogen_sulfide_in_geothermal_power_plants.

[123] Draft Plan, *supra*, at 68.

[124] CalEPA Env't Just. Task Force, *supra*, at 2–3.

[125] Iris Env't, *Removal Action Workplan (RAW) Implementation Report: CalEnergy Geothermal Facilities, Calipatria, California* at 1–2 (2011).

[126] *DTSC Reaches Settlement with Geothermal Company*, 20 No. 22 Cal. Env't Insider 13 (2007); *CalEnergy Operating Corp.*, SRPD GIC851471 (Dep't of Toxic Substances Control Mar. 7, 2007) (corrective action consent agreement).

[127] *See* Iris Env't, *supra*, at 52–53 tbls.9 &10 (detailing the quantities of contaminated soil removed from specific sites).

[128] Draft Plan, *supra*, at 134.

[129] *Id.*

We strongly encourage the Specific Plan and the PEIR to fully analyze the impacts development of Lithium Valley will have on the health of the surrounding communities and the environment as it relates to air quality and waste disposal, especially hazardous waste. The Draft Plan contains very little detail on these issues, making it difficult for the public to meaningfully comment on these important issues.

V. The Draft Plan Insufficiently Encourages Zero-Emissions Uses and Promotes False Solutions.

We were disappointed to hear during the public workshop held on February 26, 2025,[130] that the County's vision for the Specific Plan has shifted from a focus on renewable energy to a broader industrial buildout with an emphasis on data centers and quick construction of infrastructure.

We reiterate our scoping comments regarding the importance of meeting the demand for transition minerals in the most sustainable way possible while avoiding false solutions.

A. The Land Use Designations Remain Overbroad to Accomplish the Plan's Goals to Promote Renewable Energy and Decarbonization.

We stated in our scoping comments that it would be necessary to clarify the proposed land use designations to ensure that they meet the County's decarbonization goals, are not co-opted by outside interests promoting false solutions, and adequately protect communities from the risk of overdevelopment within the large Project Planning Area (51,786 acres total, including 10,000 acres in the near-term).[131]

We previously cautioned that careful tailoring was needed regarding the Initial Study's discussion of commercial and industrial uses "associated" with renewable energy development and lithium extraction,[132] due to the breadth of potential industrial uses that could fall within that proposal. Even so, the Draft Plan's formulation of the Green Industrial and Manufacturing, Playas Renewables, and Solar categories would allow broad industrial expansion and does not adequately tie development to the use of best available technological standards for water conservation and zero emissions.

1. Green Industrial, Manufacturing, and Logistics

The Green Industrial category in the Draft Plan expands the Initial Study's goals from decarbonizing the energy industry to "also allow[] for additional industrial uses that . . . can demonstrate an ability to utilize renewable energy and contribute to climate change solutions," to be interpreted inclusively to allow "the greatest degree of flexibility with regard to allowed uses."[133] This vague definition of Green Industrial is especially concerning given that the Draft Plan would allow harmful uses including data centers and anaerobic digesting facilities in this

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[130] *See* Imperial Cnty., *Lithium Valley Workshop #3*, YouTube, https://www.youtube.com/watch?v=Z6UsakmsX1k&t=145s (last visited Apr. 3, 2025).
[131] Initial Study, *supra*, at 2, 8.
[132] *Id.* at 2, 5, 8.
[133] Draft Plan, *supra*, at 37.

land use category, as discussed further below. Similarly, while the Manufacturing category in the Draft Plan states an intention "to support downstream assembly of clean energy products," the Draft Plan lists data centers and anaerobic digesting facilities as authorized uses.[134] Moreover, the Logistics category is not tied to logistics necessary for renewable energy activities otherwise allowed under the Draft Plan, but also would allow data centers and anaerobic digesting facilities.[135]

It is also notable that the Green Industrial category would allow "environmentally responsible mineral recovery operations," which some operators might argue applies to traditional mines when the only minerals recovery allowed should be aimed at nontraditional methods anticipated to have lower impacts, such as DLE.[136]

2. Playas Renewables

With the Playas Renewables category, the Initial Study recognized that "the unique relationship to the Salton Sea and the possibly restrictive geologic conditions, including the clays and seismic activity," should mean that "geologic testing *will be needed* with any proposed structures within the Playas Renewables designation to determine the viability of development on the proposed site"[137] The Initial Study also specified that "[t]his designation will require a certain percentage of the site be dedicated for dust suppression via natural vegetation and restoration techniques, beyond what is required to mitigated onsite surface impacts."[138]

Even so, the Draft Plan states only that "geologic testing *may* be required," and notes the necessity of dust suppression but does not repeat the Initial Study's statements regarding setting aside a certain percentage of a site for dust suppression.[139] The Draft Plan also lists a Transmission Substation as an example of an allowed use for Playas Renewables, with no explanation as to how such use fits the Playas Renewables category.[140]

3. Solar

Despite the purpose of the Plan ostensibly around renewable energy, it is noteworthy that the Solar category in the Draft Plan is actually designed to phase out large solar projects. The Draft Plan states that the Solar category "is designed to accommodate large-scale solar farms in locations with existing or planned solar farm developments . . . until the end of the lifespans of these operations," at which time "the land use designations of the pertinent parcels will convert to the surrounding Specific Plan land use designations present on the Land Use Map (as amended) (i.e., Logistics or Manufacturing)."[141] By contrast, the Initial Study included "solar

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[134] *Id.* at 38.
[135] *Id.* at 16, 39, 56.
[136] *Id.* at 16.
[137] Initial Study, *supra*, at 75 fig.3 (emphasis added).
[138] *Id.*
[139] Draft Plan, *supra*, at 40.
[140] *Id.*
[141] *Id.* at 45.

photovoltaics structures or floating structures (floatovoltaics)" within the Playas Renewables category.[142]

B. Data Centers Are an Energy Intensive Use that Do Not Belong in a Plan Focused on Renewable Energy.

Of major concern is the inclusion of data centers in the Draft Plan.[143] We urge that the County exclude data centers from the Specific Plan because they require a significant amount of energy; can increase electricity costs in communities that host them; and need cooling technologies/systems, which could exacerbate the water issues in the region.[144]

Energy demand from data centers is expected to drastically increase in the next 5 years, "consum[ing] as much as 12 percent of all U.S. electricity and could be largely responsible for *quintupling* the annual growth in electricity demand."[145] This increase in demand means utilities will need to build out transmission infrastructure, which needs to be paid for somehow.[146] Without proper oversight from the public utilities commission, utility companies can pass these costs on to consumers.[147] Residents of the communities in and surrounding Imperial County should not have to pay for the increase in energy demand caused by data centers.

Additionally, data centers typically need large amounts of water for their cooling systems.[148] While there is very little data publicly available on individual data center water use, a legal battle involving records on Google's data centers in The Dalles, Oregon, revealed that the company's data centers consumed over 355 million gallons of water in 2021.[149] This amount of water "represent[ed] more than one-quarter of the town's annual water consumption."[150] Additionally, a study from 2018 found that data centers are in the top 10 water consuming industrial or commercial industries in the U.S.[151] Given the uncertainty around water availability for new industrial sources in Imperial County, allowing data centers in the Specific Plan would further exacerbate these issues.

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[142] Initial Study, *supra*, at 75 fig.3.
[143] Draft Plan, *supra*, at 52, 56.
[144] *See* Mandy Deroche, *Managing the Growing Energy Demands of Datacenters and Crypto Mining*, Earthjustice (Dec. 20, 2024), https://earthjustice.org/experts/mandy-deroche/managing-the-growing-energy-demands-of-datacenters-and-crypto-mining; Mandy Deroche & Jacob Elkin, *New Report Examines Electricity Contracts for Data Centers and other Mega-load or Large-load Facilities*, Earthjustice (Feb. 4, 2025), https://earthjustice.org/experts/mandy-deroche/new-report-examines-electricity-contracts-for-data-centers-and-other-mega-load-or-large-load-facilities.
[145] Eliza Martin & Ari Peskoe, *Extracting Profits from the Public: How Utility Ratepayers Are Paying for Big Tech's Power* at 4 (2025), https://eelp.law.harvard.edu/wp-content/uploads/2025/03/Harvard-ELI-Extracting-Profits-from-the-Public.pdf.
[146] *See id.*
[147] *Id.* at 10–11.
[148] *See* Md Abu Bakar Siddik et al., *The environmental footprint of data centers in the United States*, Env't Rsch. Letters 16 064017, at 1 (2021), https://iopscience.iop.org/article/10.1088/1748-9326/abfba1/pdf.
[149] Rasheed Ahmad, *Engineers often need a lot of water to keep data centers cool*, Am. Soc'y of Civ. Eng'rs (Mar. 4, 2024), https://www.asce.org/publications-and-news/civil-engineering-source/civil-engineering-magazine/issues/magazine-issue/article/2024/03/engineers-often-need-a-lot-of-water-to-keep-data-centers-cool.
[150] *Id.*
[151] *See* Siddik et al., *supra*, at 6.

Furthermore, under the Draft Plan, data centers would be "[a] use allowed by-right and ministerial, meaning there is no additional discretionary action required," within the Green Industrial, Manufacturing, and Logistics land use designations.[152] Data centers do not fit under any of the definitions of these land uses and should not be permitted within the Specific Plan Area. Green Industrial is "focused on decarbonizing the energy and mineral recovery industries" and "also allows for additional industrial uses that support the goal of decarbonizing the energy industry or can demonstrate an ability to utilize renewable energy and contribute to climate change solutions."[153] Under the Draft Plan, data centers need only be powered by 30% energy from renewable sources until 2045.[154] Based on this standard, data centers would neither decarbonize the energy and mineral recovery industries nor support the goal of decarbonization or climate change solutions. In fact, they would do the opposite, presuming the other 70% of energy powering data centers, at least before 2045, comes from fossil fuels.

The Manufacturing category is intended "to support downstream assembly of clean energy products" and to "provide suitable industrial, office, and warehouse space for manufacturers of goods."[155] Logistics is intended "to facilitate the efficient movement of goods across regional, national, and international markets, while supporting the downstream supply chain of manufactured products created within the Specific Plan Area" and "is specifically designed to accommodate warehousing, management, and distribution for a variety of suppliers and services."[156] Data centers are "primarily for storing, managing, and processing digital data, typically housing servers, telecommunications equipment, and IT infrastructure."[157] Nothing in this description suggests data centers would help to support the manufacturing of any goods or any part of the downstream supply chain of manufactured goods. Thus, we urge that data centers be excluded altogether from the Specific Plan.

C. The Broad Uses Allowed as "Recycling Centers" and Automobile Wrecking Yards Will Likely Contribute to Pollution.

The Draft Plan allows for Recycling Centers by right within the Green Industrial land use category, and by special use permit in the Manufacturing and Logistics zones.[158] We are concerned that the Draft Plan's broad definition of Recycling Centers could allow for pollutive uses that could endanger community members. In particular, the Draft Plan includes "battery recycling," "metal recycling," and "metal recovery," without elaborating on the contours of these categories.[159] These types of facilities can pose health risks to nearby communities. For example, the Central Metal facility in the Huntington Park area of Los Angeles was an industrial scrap metal recycling facility investigated by the U.S. Environmental Protection Agency due to hazardous levels of lead and arsenic at soil piles left onsite,[160] with neighbors complaining of

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[152] Draft Plan, *supra*, at 52, 55–56.
[153] *Id.* at 37.
[154] *Id.* at 61.
[155] *Id.* at 38.
[156] *Id.* at 39.
[157] *Id.* at 52.
[158] Draft Plan, *supra*, at 57.
[159] *Id.* at 54.
[160] U.S. EPA, *Central Metal Site Investigation*, https://www.epa.gov/ca/central-metal-site-investigation (last visited Apr. 29, 2025).

"[b]ad odors, metallic taste in mouth, loud noises, severe vibrations, [and] bad truck traffic."[161] It will be important for an updated version of the Plan to provide additional details about the types of uses that will or will not be allowed as Recycling Centers, and for the draft PEIR to fully analyze the potential impacts of each sub-category.

Similarly, while the Draft Plan would allow automobile wrecking and recycling yards by right under the Green Industrial, Manufacturing, and Logistics land use categories,[162] such facilities do not fit under any of these land use definitions nor do they further the goal of the Specific Plan to create a clean energy hub and "lasting benefits for the community."[163] These facilities produce many pollutants, including heavy metals and ethylene glycol, which are hazardous to human health.[164] Not only can these pollutants aerosolize and cause air pollution problems, but they can also infiltrate water resources and cause water quality issues in an area that is already water-stressed.[165]

D. The Draft Plan Confuses the Concept of Truly Renewable Green Hydrogen and False Solutions Like Anaerobic Digesters.

We appreciate the Draft Plan's attempt to define Green Hydrogen to ensure that the Plan does not allow facilities that produce hydrogen from polluting sources like fossil fuels or gas from factory farms,[166] but we are concerned that the Draft Plan's allowance of anaerobic digesting facilities in the Green Industrial, Manufacturing, Playas Renewables, and Logistics zones is an end run around the concerns we raised in our scoping comments regarding biomass and biofuel.[167]

The Draft Plan defines Green Hydrogen as follows: "A facility dedicated to the production of green hydrogen, comprised of electrolyzers, powered by renewable energy sources like solar or geothermal, along with hydrogen storage units, fuel cells, and distribution infrastructure. A green hydrogen facility shall also include control and monitoring systems to ensure efficient and safe operations."[168]

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[161] Cmtys. for a Better Env't, *Come to the Scoping Meeting to determine the scope of the upcoming EIR (Environmental Impact Report) on Central Metal's proposed expansion* (May 21, 2013), https://www.cbecal.org/wp-content/uploads/2013/06/Central-Metals-fact-sheet-5-21-13.pdf.

[162] Draft Plan, *supra*, at 56.

[163] *Id.* at 28.

[164] *See* U.S. EPA, Off. of Water, *Industrial Stormwater Fact Sheet Series Sector M: Automobile Salvage Yards*, EPA-833-F-06-028 at 2 (2021), https://www.epa.gov/sites/default/files/2015-10/documents/sector_m_autosalvage.pdf; Aruba Iqbal et al., *Ethylene Glycol Toxicity* (2022), https://www.ncbi.nlm.nih.gov/books/NBK537009/; Mahdi Balali-Mood et al., *Toxic Mechanisms of Five Heavy Metals: Mercury, Lead, Chromium, Cadmium, and Arsenic*, Frontiers in Pharmacology (2021), https://pmc.ncbi.nlm.nih.gov/articles/PMC8078867/pdf/fphar-12-643972.pdf.

[165] Balali-Mood et al., *supra*.

[166] Draft Plan, *supra*, at 53.

[167] *See generally* Earthjustice, *Reclaiming Hydrogen for a Renewable Future: Distinguishing Oil & Gas Industry Spin from Zero-Emission Solutions* (Aug. 31, 2021), https://earthjustice.org/feature/green-hydrogen-renewable-zero-emission; Sasan Saadat & Sara Gersen, Earthjustice, *Reclaiming Hydrogen for a Renewable Future: Distinguishing Oil & Gas Industry Spin from Zero-Emission Solutions* at 3 (2021), https://s3.documentcloud.org/documents/21063573/reclaiming-hydrogen-for-a-renewable-future.pdf.

[168] Draft Plan, *supra*, at 53.

Even so, the Draft Plan also would allow hydrogen fueling stations for passenger and heavy duty vehicles and would only require dispensed hydrogen to be generated "by at least 30% eligible renewable resources" until 2045, when the standard would increase to 100% renewables.[169] Additionally, the fueling station portion of the Draft Plan defines hydrogen generated by "eligible renewable resources" as including "biomass, digester gas, municipal solid waste gas, fuel cells using renewable fuels, geothermal, photovoltaic, and wind."[170]

The Draft Plan also allows anaerobic digesting facilities, which it defines as facilities "intended for the processing of organic waste materials such as food waste, agricultural byproducts, and biosolids, through anaerobic digestion."[171] The Draft Plan notes that digesters "convert[] waste into biogas" and claims that biogas "can be used as renewable energy, and produces nutrient-rich digestate for soil enhancement," in support of "sustainable waste management by reducing landfill waste, lowering greenhouse gas emissions, and generating renewable energy resources."[172] Digesting facilities would be allowed by right in the Green Industrial, Manufacturing, Playas Renewables, and Logistics zones.[173]

As stated in our scoping comments, the economic reality is that waste streams alone do not provide cost-effective and logistically manageable biomass feedstocks without energy crops grown specifically for biofuel production.[174] We reiterate our request for the County, at a minimum, to acknowledge and adhere to widely-recognized principles for adoption and use of clean hydrogen technology,[175] while ensuring adequate mitigation of negative impacts in the PEIR.

We also repeat our concern that building out biofuels production could lead to harm by diverting the productive capacity of land from other uses. Production of biofuels (especially via corn and soy) often leads to the conversion of uncultivated lands to farmlands, thereby releasing previously stored carbon, destroying native habitat, impacting biodiversity, diverting additional water supply, and contributing to fertilizer and pesticide runoff.[176] All of these things would

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[169] *Id.* at 62.
[170] *Id.*
[171] *Id.* at 52.
[172] *Id.*
[173] *Id.* at 55.
[174] Saadat & Gersen, *supra*, at 14.
[175] *See, e.g.*, Rachel Fakhry, *New Analysis: The 3 Pillars Will Support Large Hydrogen Deployment*, NRDC (June 20, 2023), https://www.nrdc.org/bio/rachel-fakhry/new-analysis-3-pillars-will-support-large-hydrogen-deployment (discussing the Three Pillars of clean hydrogen—"1) new clean supply, 2) hourly matching and 3) deliverability" (emphasis omitted)) (citing Ben Haley & Jeremy Hargreaves, *45V Hydrogen Production Tax Credits: Three-Pillars Accounting Impact Analysis*, Evolved Energy Rsch. (2023), https://www.evolved.energy/post/45v-three-pillars-impact-analysis); *see also* Letter from Black Labor Week Project Inc. et al., to Dr. Dorothy Davidson, Chief Executive Officer/President, Midwest Alliance for Clean Hydrogen (MachH2) (Feb. 6, 2024), https://energynews.us/wp-content/uploads/2024/02/Midwest-Advocates-Letter-to-MachH2-February-2024.pdf.
[176] Carrier Apfel & Matt Ellis-Ramirez, *Biofuels: Why Growing Food for Fuel is a Foolish Choice*, Earthjustice, (Apr. 15, 2022), https://earthjustice.org/experts/carrie-apfel/biofuels-why-growing-food-for-fuel-is-a-foolish-choice; Peter Fairley, *The New Era of Biofuels Raises Environmental Concerns*, Scientific American (Dec. 13, 2022), https://www.scientificamerican.com/article/the-new-era-of-biofuels-raises-environmental-concerns/; *see also* Letter from Alison Cullen, Chair, Sci. Advisory Bd., to Michael Regan, Adm'r, U.S. Env't Prot. Agency (Sept. 29, 2023),

exacerbate existing problems in and around the Salton Sea, illustrating that including biofuels would, at a minimum, require significant mitigation in the PEIR, as well as future project-specific environmental analysis.

In light of the potential challenges with green hydrogen and anaerobic digesters, we encourage the County to exclude both categories entirely. The LUA Memorandum notes that the County received comments in favor of "eliminating uses such as Biofuels and Green Hydrogen" at a preliminary workshop but concluded that doing so "would limit the vision of the overall planning effort and branding of the area as a center for renewable energy."[177] A decision by the County to rule out any alternatives is premature at this early juncture, and we trust the County will fully study this option as part of the CEQA process before committing to a path forward.

E. The Draft Plan Fails to Incorporate Zero Emissions Requirements into the Manufacturing and Logistics Land Use Categories.

We were disappointed to see the Draft Plan disregard our scoping comments regarding the importance of incorporating clean technologies, zero emissions, and decarbonized fleets when discussing Manufacturing and Logistics.[178] These uses would create "industrial transportation hubs," with a main transportation corridor running through Niland, Calipatria, and Brawley.[179] Diesel fuel used in large trucks, such as trucks needed for warehousing and distribution, can be a huge source of air pollution (including particulate matter 2.5 and nitrogen oxides),[180] which is already an issue in these disadvantaged communities. Mitigation measures such as battery-electric Class 7 and 8 semi-trucks to efficiently carry cargo would significantly reduce the amount of GHG emissions associated with these uses.[181] At a minimum, the PEIR should incorporate the California Attorney General's best practices and mitigation measures.[182]

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https://sab.epa.gov/ords/sab/f?p=114:0:13825674004064:APPLICATION_PROCESS=REPORT_DOC:::REPORT_ID:1120 (explaining that the transition to biofuels produced from food crops has not been a successful method of decarbonizing the transportation sector).

[177] LUA Memorandum, *supra*, at 14.

[178] Draft Plan, *supra*, at 38–39.

[179] Initial Study, *supra*, at 73, 75 figs.2 & 3.

[180] *See* Am. Cancer Soc'y, *Diesel Exhaust and Cancer Risk*, https://www.cancer.org/cancer/risk-prevention/chemicals/diesel-exhaust-and-cancer.html#:~:text=The%20EPA%20classifies%20diesel%20exhaust,a%20%E2%80%9Cpotential%20occupational%20carcinogen.%E2%80%9D (last revised July 27, 2015); Cal. Off. of Env't Health Hazard Assessment, *Health Effects of Diesel Exhaust* (May 21, 2001), https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf.

[181] *See generally* Union of Concerned Scientists, *Ready for Work: Now is the Time for Heavy Duty Electric Vehicles* (2019), https://www.ucsusa.org/sites/default/files/2019-12/ReadyforWorkFullReport.pdf; Amol Phadke et al., *Why Regional and Long-Haul Trucks are Primed for Electrification Now*, Lawrence Berkeley Nat'l Lab, Int'l Energy Analysis Dep't (2021), https://eta-publications.lbl.gov/sites/default/files/updated_5_final_ehdv_report_033121.pdf; Goldman School of Pub. Pol'y, *2035 The Report Appendices- Transportation: Plummeting Costs and Dramatic Improvements in Batteries can Accelerate Our Clean Transportation Future*, U.C. Berkeley (2021), http://www.2035report.com/transportation/wp-content/uploads/2020/05/GridLab_2035-Transportation-Appendix.pdf?hsCtaTracking=c4d392a4-96ff-474c-86c3-bfa335c67aa2%7Ce2107ae8-40d7-44ff-8b5b-72016d87fc98.

[182] *See generally* State of Cal., Dep't of Justice, *Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act*, https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf (2022) (discussing various considerations including siting and design, air quality and greenhouse gases, noise impacts, and traffic impacts).

VI. We Stand in Solidarity with Environmental Justice Groups, Tribes, and Community Members Calling for Additional Protections.

A. Community Benefits Agreements and Labor-Related Issues

We support the calls from various member organizations in the Imperial County-based coalition Valle Unido por Beneficios Comunitarios for enforceable, legally binding agreements from project developers that benefit communities and the local workforce. We also support the need for enforceable commitments from project developers to hire and train workers that live in the nearby communities for future projects.

B. Tribal Sovereignty

We support the Draft Plan's delineation of "Cultural Resource Preservation" as a use allowed by right in a majority of the different land use designations in the Specific Plan Area. Moreover, we encourage that any future development protects tribal cultural resources and that developers meaningfully consult with all local tribes during the planning and construction processes in full compliance with all applicable laws and policies, including but not limited to SB 18,[183] AB 52,[184] and Executive Order B-10-11.[185]

VII. Tiered CEQA Review Will Be Necessary on a Project-by-Project Basis.

While the Draft Plan lists one of its fundamental purposes and objectives as "[c]reat[ing] a streamlined permitting and approval process which allows for the expeditious development of renewable energy, mineral recovery and other supporting uses/infrastructure,"[186] we reiterate our scoping comments that individual Lithium Valley projects will likely require tiered CEQA review on top of the PEIR. The Draft Plan is incredibly broad in scope, meaning that it will be difficult for the PEIR to fully identify and analyze all potential impacts over the project's 30-to-50-year lifetime and beyond.[187] While this is true for all impacts, it is especially true here for impacts related to water supply.

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[183] *See* S.B. 18, 2003–2004 Leg., Reg. Sess. § 1(b)(1)–(2), (5) (Cal. 2004) ("[r]ecogniz[ing] that California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places are essential elements in tribal cultural traditions, heritages, and identities," and emphasizing the importance of "meaningful consultations" and a managerial and caretaking role for tribes in preserving such places).

[184] *See* Assemb. B. 52, 2013–2014 Leg., Reg. Sess. § 1(a)(3), (b)(6) (Cal. 2003) (acknowledging tribes' "existing rights . . . to participate in, and contribute their knowledge to, the environmental review process," while admitting that the past failure to incorporate tribes' "knowledge and concerns" "has resulted in significant environmental impacts to tribal cultural resources and sacred places . . . to the detriment of California Native American tribes and California's environment").

[185] *See* Governor's Exec. Order No. B-10-11 (Sept. 19, 2011), https://calsta.ca.gov/-/media/calsta-media/documents/docs-pdfs-2013-executive-order-b-10-11-a11y.pdf (recognizing and reaffirming "the inherent right of [Native American] tribes to exercise sovereign authority over their members and territory"; ordering the State to "meet regularly" with tribes "to discuss state policies that may affect tribal communities"; and mandating that agencies "shall permit" tribes to "provide meaningful input" on such policies).

[186] Draft Plan, *supra*, at 31.

[187] LUA Memorandum, *supra*, at 6.

CEQA allows the use of a "program" EIR "on a series of actions that can be characterized as one large project."[188] Even so, "[l]ater activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared," and, in many cases, the agency will have to perform additional site-specific environmental review.[189] In such a case, the agency will need to develop a "tiered" EIR for specific projects which post-date the PEIR.[190] "Tiering" refers to the "coverage of general matters in broader EIRs . . . with subsequent narrower EIRs or ultimately site-specific EIRs incorporating by reference the general discussions and concentrating solely on the issues specific to the EIR subsequently prepared."[191]

Water supply issues are particularly difficult to address at a broad, programmatic level. For example, the Supreme Court recognized the difficulty of "foresee[ing] with certainty specific sources of water and their impacts" over a 30-year implementation period, given potentially changing conditions over time, "such as changes in population projections, demographics, new or revised environmental restrictions, pollution of sources, or water supply effects from prolonged droughts."[192] The Court upheld the identification of water sources and analysis of associated impacts in "general terms" in a Bay-Delta restoration program PEIR—but only "with the understanding that additional detail will be forthcoming when specific second-tier projects are under consideration."[193] Here, in light of the proposed Specific Plan's 30-to-50-year timeline and the possibility of impacts that extend even beyond that timeframe, a multitude of unknowns will affect not just the water supply analysis but the analyses for every other potentially significant impact, including air quality, biodiversity, and waste management, among others. Aside from the conditions that would make tiering appropriate regardless, the uncertainties associated with the extended timeframe and novel industrial processes suggest even more strongly that future project-specific environmental impact analysis will be necessary.

We appreciate that the Draft Plan recognizes that future project-level environmental review may be necessary, stating: "Subsequent development applications within the Plan Area must be evaluated to determine if additional CEQA documentation needs to be prepared. If a later activity would have environmental effects that were not examined in the PEIR, a new initial study would need to be prepared leading to either a Supplemental EIR or a negative declaration. That analysis may tier from the PEIR as provided in CEQA Guidelines Section 15126."[194]

Specificity in the PEIR regarding tiering, to acknowledge the need for future project-specific environmental review, will be necessary. Even if the PEIR comprehensively analyzes all of the

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[188] Cal. Code Regs. tit. 14, § 15168(a).
[189] *Id.* § 15168(c); *see Ctr. for Sierra Nevada Conservation v. County of El Dorado*, 202 Cal. App. 4th 1156, 1171 (2012) ("[A] program EIR does not always suffice for a later project. Sometimes a 'tiered' EIR is required." (citation omitted)); *Friends of Mammoth v. Town of Mammoth Lakes Redevelopment Agency*, 82 Cal. App. 4th 511, 533 (2000) ("Designating an EIR as a program EIR also does not by itself decrease the level of analysis otherwise required in the EIR.").
[190] Cal. Pub. Res. Code, § 21094(a).
[191] Cal. Code Regs. tit. 14, § 15385.
[192] *In re Bay-Delta Programmatic Env't Impact Rep. Coordinated Proc.*, 43 Cal. 4th 1143, 1172 (2008).
[193] *Id.* at 1172–73; *see also Rio Vista Farm Bureau Ctr. v. County of Solano*, 5 Cal. App. 4th 351, 371 (1992) (upholding a PEIR's failure to identify particular project locations on the basis of tiering, as the lead agency planned to analyze such locations in "subsequent 'project EIR's'").
[194] Draft Plan, *supra*, at 159.

known environmental and public health impacts of the Specific Plan at the program level, project-specific CEQA analysis will be necessary to analyze and properly mitigate project-specific impacts that cannot properly be analyzed and mitigated in advance and with the appropriate level of specificity and detail. Such analysis should include all direct, indirect, and cumulative impacts, as well as development and analysis of mitigation measures and alternatives that reduce those impacts at both the programmatic and site-specific levels. As our water supply comments illustrate above, the level of detail required under CEQA will be impossible to achieve in a PEIR that does not contemplate tiering.

CONCLUSION

We appreciate your consideration of the above comments, and we would be happy to meet with you to discuss ways to address our concerns and ensure the project proceeds in a manner that will be fully protective of human health and the environment. We look forward to seeing a revised Draft Plan released and re-noticed for public comment contemporaneously with the draft PEIR to facilitate meaningful public participation.

We expect the County to receive additional comments worthy of serious consideration from local environmental justice groups, tribes, and other community members, and we stand in solidarity with their voices as persons on the frontlines of change who will be directly affected by the proposals under consideration.

The climate crisis has disproportionately harmed, and continues to harm, those who have contributed to it the least, including the residents of Imperial Valley. The United States must end our reliance on fossil fuels and transform our economy quickly and equitably to run on 100% pollution-free, clean energy, as a necessary step to stopping the climate crisis. While mineral production and processing will be a part of that transition, we must ensure that the shift away from fossil fuels avoids perpetuating environmental injustices by creating new sacrifice zones.

Sincerely,

Elizabeth A. Fisher
Senior Attorney

Tyler Szeto
Associate Attorney

Cc: Jim Minnick, Director
Imperial County Planning & Development Services Department
Via email: jimminnick@co.imperial.ca.us

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Monday, May 5, 2025 5:31:30 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Fabiola Moreno Ruelas
Email Address:: fmoreno@ibew569.org
City of Residence:: El Centro
State of Residence:: CA
Comment:: To ensure that the development accelerated by the Lithium Valley Specific Plan truly benefits Imperial Valley residents, the Draft must include clear, enforceable language that holds developers accountable to local hire and workforce standards.
The State Building and Construction Trades Council of California has proposed language to support this goal, including provisions to:
All contractors and subcontractors performing construction and contracted-out maintenance work for the project shall pay at least the prevailing wages determined pursuant to Labor Code sections 1773 and 1773.9,
All contractors and subcontractors performing construction and contracted-out maintenance work on the project shall request the dispatch of apprentices from state-approved programs consistent with the requirements of Labor Code section 1777.5,
All contractors and subcontractors performing construction and contracted out maintenance work on the project shall ensure that all construction work that falls within an apprenticeable occupation in the building and construction trades shall be performed by a skilled and trained workforce in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.
Despite these recommendations, the current Draft of the Lithium Valley Specific Plan references a “skilled and trained workforce” only once, under:
Goal 5: Community Health and Prosperity (HP)
Policy HP-16: Skilled and Trained Workforce — The County will encourage the construction of projects within the Specific Plan area by a skilled and trained workforce.
The use of the word “encourage” is insufficient. It does not guarantee that developers will hire a skilled and trained workforce or prioritize local residents for these jobs.
IBEW 569 operates the only apprenticeship program in the County that enables Imperial Valley residents to “earn while they learn” and become state-certified general electricians. For over 20 years, IBEW 569 members have contributed to the region’s renewable energy growth, including solar panel installations, commercial battery energy storage systems, and EV charger deployment.
To fully realize the economic and workforce development potential of Lithium Valley, the County of Imperial must strengthen the Specific Plan by requiring—not just encouraging—that developers commit to local hire, prevailing wage, and skilled and trained workforce standards. The community of Imperial County deserves better.

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Monday, May 5, 2025 2:36:15 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Timothy Kelley
Email Address:: tim@ivedc.com
City of Residence:: Brawley
State of Residence:: California
Comment:: The Imperial Valley Economic Development Corporation (IVEDC) strongly supports the Imperial Valley Lithium Specific Plan as a transformative step toward diversifying our economy and creating long-term, high-wage jobs. With the Salton Sea's vast geothermal and mineral resources, Lithium Valley represents one of the most promising economic opportunities in Imperial County's history.

As we transition from a traditionally agriculture- and government-based economy, this plan positions the region for clean energy growth aligned with state and national goals. IVEDC has helped bridge industry and education, partnering with Imperial Valley College to launch the Lithium Industry Force Training (LIFT) Program and supporting the SDSU STEM facility in Brawley—both essential for building a strong local talent pipeline.

In addition, IVEDC is actively supporting major industrial and clean technology projects that will rely on the renewable energy and critical minerals produced in Lithium Valley. These developments represent the next wave of job creation and economic advancement for the region.

We view the Lithium Valley Specific Plan not just as a land use strategy, but as a cornerstone of Imperial Valley's clean energy future and long-term prosperity.

May 5, 2025

Diana Robinson
Planning Division Manager
Imperial County Planning and Development Services Department
801 Main Street,
El Centro, CA 92243

Via email: DianaRobinson@co.imperial.ca.us, JimMinnick@co.imperial.ca.us, baribean@co.imperial.ca.us, LithiumValley@co.imperial.ca.us

Re: IVEJ Public Comment on Imperial County Draft Lithium Valley Specific Plan
VIA ELECTRONIC MAIL

Summary

- The County of Imperial must release the Environmental Justice (EJ) Element so that it may truly inform the County's Draft Lithium Valley Specific Plan. The County needs to adhere to California State law established by Senate Bill 1000 (2016), which established EJ Element requirements for general plans under Government Code Section 65302(h).
- The DLVSP has no clear plan for water or electricity in a time of heightened water scarcity and rising utility costs for Imperial County households. The county must work with the Imperial Irrigation District to create a Master Water Plan before the Draft Programmatic Environmental Impact Report moves forward. The full extent of the environmental impacts related to water cannot be known unless a Water Master Plan is created.
- Remove all mention and inclusion of industries unrelated to lithium extraction, processing, manufacturing.
- The known and well-documented environmental impacts of industries unrelated to lithium, like Data Centers and Anaerobic Digesting Facilities are neither addressed nor mitigated.
- A just permitting process must center participation, transparency, and sustainability. We urge the County to restore discretionary oversight for industrial, extractive, and high impact uses, and to prioritize participatory and democratic economic development.
- The County of Imperial must commit itself to proper community engagement principles that ensure workshops are well attended by Spanish speaking community members, and to the creation of Spanish language planning documents.
- The DLVSP should not allow new governance structures to be created without first guaranteeing public input, transparent decision making, and community oversight.

- The LSVP should endorse the creation of strong Community Benefits Agreements (CBAs) that commit developers to specific targets for local family sustaining jobs and enforceable environmental safeguards. We cannot rest our community's future on vague and non-binding promises.
- The County of Imperial must fully recognize the SELCAVCD as a tribal Cultural Resources and call for this designation to meaningfully shape land use decisions within the Lithium Valley Specific Plan, the Programmatic Environmental Impact Report, and any other reports that happen on Indigenous lands.

Introduction

On behalf of Imperial Valley Equity & Justice ("IVEJ"), I am submitting this letter as public comment on the Draft Lithium Valley Specific Plan (DLVSP). We understand that the DLVSP was created with partial funding from SB 125, chaptered into law in 2022, that appropriated at least $5,000,000 from the State's General Fund for allocation to the County of Imperial for specified purposes related to geothermal energy development and lithium extraction.[1] IVEJ is in full support of California's goal that aims for 100% clean energy by 2045 that would require that all electricity sold to customers be from renewable and zero-carbon emission. IVEJ is an advocate for non-extractive forms of development and investments that generate community benefits for our essential contributions to the nation. Yet after a careful review of the February 2025 draft, we believe the DLVSP in its current state includes significant gaps in addressing issues of land use, water, and fails to codify concrete commitments to the County of Imperial's stated vision for a Lithium Valley that "prioritizes public health and local jobs". The plan must do more to codify commitments to environmental justice, job creation, community engagement, respect for indigenous lands, and in environmental stewardship and responsible growth.

Imperial Valley Equity and Justice was formed in 2020 to challenge long-standing injustices that fueled a disparate COVID19 impact in Imperial County, California's most non-white county which has the state's highest COVID-19 mortality rate.[2] In a county with the second highest unemployment rate in the nation at 17.8%, compared to the 4.1% nationally, we are committed to building local leadership, expanding capacity and reach, and leading initiatives that reduce inequities among historically excluded communities like farmworkers and Spanish speaking communities.[3] Our coalition has maintained lithium developments in Imperial Valley as a key priority in our work and community engagement. Together, with other local residents and

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[1] LegiScan. *California Senate Bill 125 (2021–2022 Regular Session)*. Chaptered by Secretary of State, June 30, 2022. Accessed May 1, 2025. https://legiscan.com/CA/text/SB125/id/2600096.
[2] Calexico Chronicle. "Young Calexicans Start I.V. Equity, Justice Coalition." July 16, 2020. https://calexicochronicle.com/2020/07/16/young-calexicans-start-iv-equity-justice-coalition/.
[3] California Employment Development Department. *Unemployment Rate and Labor Force Data for California Counties – December 2024*. Last modified January 2025. https://edd.ca.gov/en/about_edd/news_releases_and_announcements/unemployment-december-2024/.
U.S. Bureau of Labor Statistics. *Number of Unemployed at 6.9 Million in December 2024*. Last modified January 2025. https://www.bls.gov/opub/ted/2025/number-of-unemployed-at-6-9-million-in-december-2024.htm.

partners, we have been a consistent voice elevating community concerns and areas of inquiry/interest as it relates to lithium development at key stakeholder engagements with local, state and federal agency representatives. Since May 2022 to date, IVEJ has engaged with and provided education to thousands of residents and stakeholders in the cities of Calipatria, Westmorland, Bombay Beach, Niland, Holtville, Ocotillo, Imperial, El Centro, Calexico, Salton City, and the Quechan Nation. In this period, we hosted nearly 50 resource tables and/or community meetings to inform residents about lithium developments. Our comments are informed by our experiences engaging with communities that will be directly impacted by these projects in Imperial County and the greater Salton Sea region.

Environmental Justice

Bordered by the Salton Sea at our north, the Colorado River east, and Mexico to our south, the Imperial Valley is a vibrant bi-national community with the rich culture and resilience that characterize immigrant communities. Indeed, across a range of domains of disadvantage–economic hardship, public disinvestment, low health access, environmental pollution, and heat risk—Imperial tops state lists, illustrating the intersection between economic and social injustice.[4] A century of extractive labor, in farmwork and mining, have impoverished our families, sickened our bodies, and polluted our air and water.[5] Longstanding environmental injustices contribute to chronic public health inequities in Imperial. To our south, the New River is among the most polluted waterways in North America, contributing to above average cancer rates in its surrounding neighborhoods.[6] At our north, the rapid evaporation of the Salton Sea and resulting airborne particulate matter contribute to the state's highest childhood asthma rates and chronic respiratory illness that resulted in the state's highest COVID-19 mortality rate.[7] Meanwhile, recent research found that high use of fertilizers in Imperial County's farming contributes "ten times more smog-forming pollution than California air regulators currently estimate." Our medical infrastructure is highly unequipped to mitigate consequent health disparities. Imperial County boasts only one primary-care physician for every 4,410 residents, compared to one for every 1,270 residents statewide, and lack of affordable transit options within the valley and to specialist care in San Diego contributes to public health inequity. Meanwhile, our desert community increasingly finds itself at the front lines of the climate crisis with a dramatic increase in extreme heat. In 2023, Imperial County experienced 102 days of extreme heat, over 100 degrees.[8] This measure alone places Imperial as an outlier among California's counties, with number two Riverside County at 39 days of extreme heat in the year.

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[4] Public Health Alliance of Southern California. 2025. *Healthy Places Index*. Accessed April 15, 2025. https://www.healthyplacesindex.org/

[5] Carey McWilliams. 1939. *Factories in the Field*. UC Press. Seth Holmes. 2023. *Fresh Fruit, Broken Bodies*. UC Press.

[6] Ian James. 2018. "This River is Too Toxic To Touch, and People Live Right Next To It." *Desert Sun,* Dec. 10.

[7] Lisa Friedman. 2020. "New Research Links Air Pollution to Higher Coronavirus Death Rates." *New York Times*, April 17. Rick Jervis et al. 2020. "Worked to Death: Latino Farmworkers Have Long Been Denied Basic Rights. COVID-19 Showed How Deadly Racism Could Be." *USA Today*, Oct. 21.

[8] "Dangerous Days: These Will Be the Hottest California Counties in 2053," *The Hill*, last modified July 20, 2023, https://thehill.com/homenews/3608743-dangerous-days-these-will-be-the-hottest-california-counties-in-2053-study-finds/.

In our underinvested community with limited public shade and water infrastructure, the human toll of these numbers can be measured by the rise of extreme heat-related illnesses and deaths. With one-third of residents lacking air conditioning, and underinvestment in climate infrastructure and public transportation, addressing the threat of extreme heat in our community is among the most important public health priorities.[9]

Imperial County's own initial study for the Imperial County Lithium Valley Specific Plan published December 2023 acknowledges that the Lithium Valley Specific Plan "surrounding region also includes environmentally sensitive areas designated by public agencies and entities, such as critical habitat, national wildlife refuges, notable geologic features, Tribal cultural resources, and areas of critical environmental concern."[10] The County's initial study also acknowledges that this development stands to have a "potentially significant impact" and to "conflict with or obstruct implementation of applicable air quality plan, result in cumulatively considerable net increase in any criteria pollutant for which the project region…, expose sensitive receptors to substantial pollutant concentrations, and result in other emissions adversely affecting substantial number of people."

Because of the vulnerability of the population and environmental ecosystem in Imperial Valley as evidenced in the above studies, it is of the utmost importance that the County of Imperial takes every step necessary to protect its people and the environment. Unfortunately, Imperial County's vision and guiding principles got worse and not better after a year of community engagement with the County of Imperial's Environmental Justice working group for the DLVSP development process. The County's current DLVSP vision eliminated environmental justice and environmental stewardship from explicit commitment to it as was included in the County's Draft Specific Plan Outline from February 22, 2024. They also removed their commitment to "lead the way in the transition to a net-zero emission economy" in their February 2024 draft Specific Plan Outline.

Moreover, the County of Imperial failed to include the feedback that was provided in the County of Imperial's Environmental Justice working group meetings. IVEJ, which has demonstrated leadership and expertise in environmental and racial justice recognized by state and federal agencies, foundations, academics, and community partners, participated in the County's Environmental Justice workgroup yet IVEJ failed to incorporate our expertise feedback. What was the purpose of creating an EJ workgroup if critical feedback would not be included?

On May 24, 2023 from 3-4 pm, as captured in official notes, IVEJ and other environmental justice leaders attended the second EJ working group meeting hosted by the County and provided expert input with accurate definitions of environmental justice and the principles that

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[9] "Lack of Air Conditioning Poses Health Risks in Imperial County," *Imperial Valley Press*, last modified August 15, 2023. https://www.ivpressonline.com/news/lack-of-air-conditioning-poses-health-risks-in-imperial-county/.

[10] Imperial County Planning & Development Services. Lithium Valley Final Baseline Report. 22 Feb. 2024, https://lithiumvalley.imperialcounty.org/wp-content/uploads/2024/02/Lithium-Valley-Final-Baseline-Report.pdf. Accessed 28 April 2025.

define EJ such as the Jemez Principles for Democratic Organizing by the Southwest Network of Environmental and Economic Justice.[11] As captured in the County's notes, environmental justice included: "no tokenism, emphasis on grass-roots mobilization, let people speak for themselves, work together in solidarity, building just relationships amongst ourselves, commitment to self-transformation" as well as definitions that are used by other California State agencies like the California Air Resources Board. There is no evidence that the feedback generated at these working groups informed the County's Draft Lithium Valley Specific Plan.

Just as concerning is the fact that the County of Imperial has been working on their draft Environmental Justice Element draft since 2020 with no deliverable to show for it. Initially pointing blame at the 2020 COVID-19 pandemic, five years later, the County's Planning Director Jim Minnick stated at an April 17 LVSP workshop in Niland that the draft EJ element is still not ready and couldn't give an estimated date for its release. When pressed further, the director said "sometime in 2025." Why not release a draft of the EJ element now when these critical environmental review and planning processes, that should adhere to the County's EJ element, are happening?

Without an EJ element to reference, the community has no clarity about the County's EJ commitments. More specifically, the DLVSP states that "[e]nvironmental considerations are guided by Imperial County's Environmental Justice Element" but the people of Imperial County have yet to see a draft of it. Without an EJ element that is available to the public, the County inappropriately defines their environmental justice principle as "leverage opportunities within Lithium Valley to prioritize the needs, interests, and health of the nearby affected communities, using thoughtful engagement and monitoring tools that provide resources, opportunities, and improvements for these community members near the Plan Area." Such a definition omits the most central components of standard definitions of EJ and can be clearly seen when comparing the County's LVSP definition for EJ to that of the U.S. Environmental Protection Agency:

United States Environmental Protection Agency's definition of Environmental Justice	**Draft LVSP's Environmental Justice Guiding Principle[12]**
"The fair treatment and meaningful involvement of all people regardless of race, color, culture, national origin, income, and educational levels with respect to the development, implementation, and enforcement of protective environmental laws, regulations, and policies."	"Leverage opportunities within Lithium Valley to prioritize the needs, interests, and health of the nearby affected communities, using thoughtful engagement and monitoring tools that provide resources, opportunities, and improvements for these community members near the Plan Area."

[11] Lithium Valley Environmental Justice Working Group. *Meeting Notes: Lithium Valley Environmental Justice Working Group Meeting #2*. May 24, 2023.
[12] U.S. Environmental Protection Agency. *EJ 2020 Glossary*. Last modified January 19, 2021. https://19january2021snapshot.epa.gov/environmentaljustice/ej-2020-glossary_.html.

The County of Imperial must release the Environmental Justice Element so that it may truly inform the County's Final LVSP. The County needs to adhere to California State law established by Senate Bill 1000 (2016), which established EJ requirements for general plans under Government Code Section 65302(h).[13]

No clear plan for water or electricity.

The long-awaited DLVSP draft lacks clarity and specificity over the crucial issues of water and electrical use. The DLVSP has no clear plan for water or electricity in a time of heightened water scarcity and rising utility costs for Imperial County households. The DLVSP contains vague statements like "water will be purchased from the IID by the Special District" and "It is anticipated that a water master plan will be prepared in collaboration with the IID," which do not offer sufficient details about the long-term sourcing and sustainability of high water and energy demands. Even though the lithium extraction companies are planning to begin construction as early as this year, the DLVSP states that "conversations with the California Regional Water Quality Control Board and other relevant agencies have not yet been initiated".[14] The DLVSP states the intention to "develop new IID policy to meet water demands for non-agricultural beneficial uses" and that "water may be provided by surface water, groundwater, and reclaimed water," without elaborating on the critical issues of the receding shoreline at the Salton Sea, recent reductions in water allocations from the Colorado River, and rising utility costs for consumers. Without a detailed and comprehensive water master plan at this time, the County of Imperial fails to include a critical consideration that can contribute to the worsening of public health and environment of the region, in addition to exacerbating utility costs amid energy demands from extreme heat. The State Water Resources Control Board's annual report from March 2024 states that "receding water levels create public health risks for nearby residents due to air pollution from dust particles released from the previously submerged lakebed. With no natural outlet, decades of agricultural and wastewater accumulation are embedded in the Sea's now-exposed soils. As the Sea continues to shrink, more of this particulate matter that contains dangerous pollutants will be released into the air."[15] They also state that "Environmental conditions are changing rapidly within the Salton Sea watershed, in part due to water transfers under the 2003 Quantification Settlement Agreement and water management planning within Coachella, Imperial, and Mexicali Valleys. While inflows into the Sea have remained relatively stable over the last few years, they remain lower than the evaporative loss from the Sea's surface. There will therefore be a reduction of inflows to the Salton Sea as time progresses, which without restoration actions will result in declining surface water elevations and increased salinity at the Salton Sea. Additionally, ongoing drought conditions on the Colorado River will influence the conditions at the Salton Sea, as the Colorado River is the sole source of water for the Imperial Valley, and the main source of inflow into the Salton Sea. Near-term reductions in

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[13] California Department of Justice. *Environmental Justice in Local Land Use Planning*. Last modified September 15, 2023. https://oag.ca.gov/environment/sb1000.

[14] Brennan, Deborah. "Massive Salton Sea Lithium Project Gets Judge's Go-Ahead, Ending Advocates' Lawsuit." *CalMatters*, January 29, 2025. https://calmatters.org/environment/2025/01/salton-sea-lithium-mining/.

[15] California State Water Resources Control Board. *Staff Report: Annual Public Workshop on the Status of Phase 1 of the Salton Sea Management Program*. March 2024. https://www.waterboards.ca.gov/waterrights/water_issues/programs/salton_sea/index.html.

water use and increases in water conservation can reduce inflows to the Sea and result in additional acres of exposed lakebed. Any IID policies that further limit the water that flows in the Salton Sea stands to harm the health of communities and of the natural ecosystem in the area."[16]

These realities of intensifying demands for water and energy resources are neither addressed nor is a plan outlined for how to mitigate the environmental, public health, and consumer welfare impacts of unplanned resource use.

Unrelated industries

Since its inception, the Lithium Valley narrative that government officials have shared with Imperial Valley residents has been one where existing geothermal energy plants will be used to perform direct lithium extraction (DLE), where battery manufacturing and storage will take place, and sustainable practices will be put into practice. A major concern of IVEJ is that since the publication of the LVSP draft in 2025, industries unrelated to lithium extraction are being fast-tracked by the County and Imperial Valley residents have not been properly informed of the environmental risks and threats to their resources posed by these industries.

If the goal of the LVSP is to "attract significant investment in renewable energy sectors, stimulate local job creation, and foster economic growth while emphasizing sustainable practices to mitigate environmental impacts and ensure public health protection,"[17] why are industries like anaerobic digesting facilities, water-intensive data centers, and green hydrogen being considered if they do not meet this criteria?

Data Centers

Data centers are known for causing water scarcity[18] and stressing power grids[19] in the regions they do business in. Data centers, which use massive amounts of water and electricity, could drive up water and power utility costs for residents already struggling to make ends meet. In a county of approximately 180,000 residents, nearly a quarter (21%) live below the poverty line[20]. If resources are strained, they will drive up water and electricity costs–which many residents cannot afford.

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[16] California State Water Resources Control Board. *Staff Report: Annual Public Workshop on the Status of Phase 1 of the Salton Sea Management Program*. March 2024. https://www.waterboards.ca.gov/waterrights/water_issues/programs/salton_sea/index.html.
[17] *County of Imperial Lithium Valley Specific Plan: February 2025 Draft*. Pg. 13
[18] Barratt, Luke, and Constanza Gambarini. "Revealed: Big Tech's New Datacentres Will Take Water from the World's Driest Areas." *The Guardian*, 9 Apr. 2025, www.theguardian.com/environment/2025/apr/09/big-tech-datacentres-water
[19] St. John, Jeff. "Data centers are overwhelming the grid. Could they help it instead?" Canary Media, Feb. 2025, https://www.canarymedia.com/articles/utilities/data-centers-are-overwhelming-the-grid-could-they-help-it-instead
[20] U.S. Census Bureau. *QuickFacts: Imperial County, California*. Accessed April 24, 2025. https://www.census.gov/quickfacts/fact/table/imperialcountycalifornia/INC910223.

One of the most common questions residents had during IVEJ's town halls from 2023 - 2025 have been related to water and the lack of clarity around how much water will be required for direct lithium extraction (DLE) and how that water would be made available. Residents have not had many opportunities to ask questions about water resources going towards data centers or other water-intensive industries until recently because the narrative Imperial County has been sharing has only been about the lithium industry. Residents deserve more transparency about the industries coming to Lithium Valley with ample time to be able to provide their feedback.

Claims that data centers offer job creation that justify such intensive resource use have not been demonstrated,[21] with most jobs created being highly specialized and not guaranteed to go to Imperial Valley residents. *Data centers average thirty jobs per location*.[22] With the rise of AI across a variety of industries, particularly the tech sector, these jobs could eventually be further reduced. At a County workshop on April 17, the county's own consultant admitted that data centers would not bring many jobs but that the County wants to include them just so that they start building something.

Green Hydrogen

Green hydrogen is another water-intensive industry that has no place in a drought-stricken region.[23] While green hydrogen is a step towards a climate-friendly future, geographically, Imperial Valley is not fit to be a home for this industry. As it is, Imperial County is currently in an extreme drought and is in its 28th consecutive driest year[24].

Green Hydrogen: Fire Emergencies

Chapter 6 of the DLVSP fails to adequately address the serious fire and public safety risks associated with large-scale lithium extraction, processing, manufacturing, and green hydrogen production. These emerging industries bring with them well-documented hazards such as lithium battery fires, hydrogen explosions, and thermal runaway events that require highly specialized emergency planning, training, and equipment. Despite this, the DLVSP's current language offers only vague, generic references to emergency response, and no clear or enforceable measures for mitigating these unique risks or without clear commitments to how the

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[21] DeNisco Rayome, Alison. "Why data centers fail to bring new jobs to small towns." *TechRepublic*, 19 Sep. 2025. https://www.techrepublic.com/article/why-data-centers-fail-to-bring-new-jobs-to-small-towns/
[22] Konkel, Frank. "Why Data Centers Fail to Bring New Jobs to Small Towns." *TechRepublic*, May 27, 2014. https://www.techrepublic.com/article/why-data-centers-fail-to-bring-new-jobs-to-small-towns/.
[23] Makhijani, Arjun, and Thom Hersbach. *Hydrogen: What Good Is It? A Technical Exploration of the Potential of Hydrogen to Contribute to a Decarbonized Energy System*. Takoma Park, MD: Institute for Energy and Environmental Research, January 2024. https://ieer.org/resource/climate-change/an-evaluation-of-the-potential-of-hydrogen-to-contribute-to-a-decarbonized-energy-system-prepared-for-just-solutions/ Ramanan, Abbe. "Are Blue and Green Hydrogen Too Water Intensive to Be Sustainable?" *Clean Energy Group*, September 10, 2024. https://www.cleanegroup.org/blue-green-hydrogen-water-intensive/.
[24] "Imperial County Conditions." *Drought.gov*. 29 Apr. 2025. https://www.drought.gov/states/california/county/imperial

County plans to enhance the emergency responses in the small communities around the lithium developments.

Hydrogen is highly flammable and explosive, and lithium fires can burn at extremely high temperatures, release toxic gases, and reignite after appearing to be extinguished. The U.S. Department of Energy has recognized the need for specialized response protocols for hydrogen infrastructure.[25] Similarly, Cal Fire/NFPA reports that lithium-ion battery fires pose complex challenges that go far beyond the capacity of standard firefighting techniques. Yet the LVSP contains no specific fire response protocols, no requirements for hazard disclosure to the public, and no plan to ensure Imperial County first responders are trained, equipped, and resourced to deal with these threats.

This lack of preparedness is deeply concerning in a region like Imperial County, where emergency response departments are already understaffed and underfunded. Locating hazardous energy infrastructure in communities with limited firefighting capacity, without any guaranteed support or investment, puts both workers and residents at unacceptable risk.

We urge the County to revise Chapter 6 to include detailed, industry-specific fire and emergency response planning. This includes requiring companies to provide site-specific hazard assessments, publicly disclose emergency protocols, and invest in equipment, staffing, and specialized training for local fire departments. These provisions should be included either as mandatory project conditions or legally binding components of Community Benefits Agreements (CBAs), to ensure companies are held accountable for the real public safety risks they introduce.

Imperial County residents should not be asked to bear the burden of industrial fire hazards without serious, enforceable protections. Emergency preparedness must be a priority—not an afterthought.

Anaerobic Digesting Facilities

These facilities emit biogases that are harmful to the surrounding communities and they also have the potential to repel businesses that are interested in coming to the Lithium Valley region with the strong odors they emit. Sources state that methane is often “flared off” and not burned for energy just so that digesters do not become too pressurized[26]. There are currently no incentives to monitor those flare-offs, which would pose a problem for nearby residents. How will surrounding communities know about additional toxic substances in the environment?

Residents living near the Salton Sea are already burdened by pollution from the surrounding drying lakebed. Imperial County officials have a responsibility to prevent this region from being further impacted by additional threats.

[25] U.S. Department of Energy. "Safe Use of Hydrogen." *Office of Energy Efficiency & Renewable Energy*. Accessed May 2, 2025. https://www.energy.gov/eere/fuelcells/safe-use-hydrogen
[26] McKenzie, Jessica. “The Misbegotten Promise of Anaerobic Digesters.” *The Counter*, 3 Dec. 2019.

Land Use Designations permit

A just permitting process must center participation, transparency, and sustainability. We urge the county to restore discretionary oversight for industrial, extractive, and high impact uses, and to prioritize participatory and democratic economic development. Of notable concern, Chapter 3 of the plan establishes and explains the new suggested approvals for the land use designations - permitted, special use permit, and ancillary use. The DLVSP changes many industrial and extractive uses from discretionary to ministerial approvals - meaning that if categorized as ministerial there is no additional discretionary action required. By making these uses “by-right” the plan removes crucial safeguards that protect frontline communities and the environment, including public input, tribal consultation, and comprehensive environmental review under the California Environmental Quality Act (CEQA). This approach is especially troubling in Imperial County because of the existing environmental and health issues that have been noted.

A ministerial process prioritizes rapid development over the health, safety, and sovereignty of communities who live here. Without discretionary review, there is no formal opportunity to evaluate cumulative impacts, ensure transparency, or include meaningful public participation. Tribal governments will also be cut out of consultation processes that are critical for protecting cultural resources and sacred sites.

Communities like ours - rural, low-income, and predominantly made up of people of color - should not bear the environmental burdens of fast-tracked industrial growth without having a seat at the table.

Imperial County’s community engagement on the DLVSP was not equitable and it lacked transparency. The County of Imperial must commit itself to proper community engagement principles that ensure workshops are well attended by Spanish speaking community members**.**The County failed to ensure broad language accessibility when it decided not to use the millions of dollars that they received from the State of California to conduct a proper DLVSP to provide a copy of the DLVSP in Spanish. The County also failed to conduct robust community outreach to ensure that the County’s workshops held in Spanish were attended by the public. Since 2023, the County has refused to include translated copies of key planning documents like the draft LVSP that has the potential to impact communities where at least 76.1% of Imperial County residents speak a language other than English at home and 97.97% of those residents speak Spanish.[27] At the Niland workshop on April 17, our executive director was the only resident present instead, reflecting a lack of robust outreach to Spanish speakers in the north end. It is an injustice and in violation of principles of community engagement and environmental justice that residents that live 8 miles away from the lithium extraction zone and stand to be significantly impacted by these developments will not have the opportunity to help shape this major development simply because it is not in a language that they understand.

[27] U.S. Census Bureau. *QuickFacts: Imperial County, California*. Accessed May 5, 2025. https://www.census.gov/quickfacts/fact/table/imperialcountycalifornia.

Another major oversight in the Draft Plan is the complete absence of any reference to the Health Impact Assessment, even though funding for this assessment was also set aside as part of SB 125. This assessment, which is currently being developed by San Diego State University, is a key tool meant to examine how development might affect community health, through the lens of existing social and environmental conditions. It aims to establish baseline health data, highlight potential harms, and recommend strategies for protecting public well-being. By leaving the Health Impact Assessment out of the draft plan, the County is failing to provide communities with critical information that should inform the future decisions and safeguards. The omission of the Health Impact Assessment undermines transparency and deprives the community of vital information that should be used to evaluate and mitigate health risks. Given the environmental and health burdens already faced by frontline communities in Imperial County, excluding the Health Impact Assessment from the draft plan raises serious equity problems. Imperial County must, when the assessment is ready, present, address, and distribute findings through meaningful outreach efforts, with full language accessibility across all communities in Imperial County.

Special Districts and Community Services District

The DLVSP proposes the formation of Special Districts and Community Services District to manage infrastructure, public utilities, essential services like water and waste management, and long-term maintenance of project related facilities. However, the plan provides vague and insufficient details about the governance, membership, and accountability of these entities. There is no clear indication of who will serve on these boards, how much community members will be represented, or how these districts will remain accountable to the public, especially to those most impacted by development.

Special Districts and Community Services District can play important roles delivering services, but they also have a long history in California of operating with limited oversight, particularly in rural and low-income communities. Without built in community representation, these districts risk becoming undemocratic, developer-controlled mechanisms that prioritize private interests over the public's interest and wellbeing. According to the Little Hoover Commission's 2017 report, many special districts in California have struggled with limited transparency, minimal public engagement, and inconsistent oversight.[28] These are challenges that can be exacerbated in low income and underserved communities where residents have fewer resources to monitor governance. The DLVSP must not allow new governance structures to be created without first guaranteeing public input, transparent decision making, and community oversight.

Speculative jobs language, local hiring and community benefits agreements (CBA's)

The County of Imperial must use their LVSP to endorse the creation of strong Community Benefits Agreements (CBA's) that commit developers to specific targets for local family sustaining jobs and enforceable environmental safeguards. We cannot rest our community's future on vague and non-binding promises. As a grassroots organization, IVEJ has witnessed

[28] Little Hoover Commission. *Special Districts: Improving Oversight & Transparency*. Report No. 239. Sacramento, CA: Little Hoover Commission, August 2017. https://lhc.ca.gov/report/special-districts-improving-oversight-transparency/

the exhaustion and resilience of a community that has been overlooked for too long. We see people doing their best to survive in environments that should be helping them thrive. Imperial county residents face generational disinvestment, high unemployment, poor air quality, and systemic neglect - yet they continue to show up and advocate for a better future. Much of the DLVSP offers only speculative and aspirational promises when it comes to jobs, local hiring, and the economic benefits for residents. Without enforceable language or meaningful guarantees, the plan risks repeating the same patterns of exploitation that have historically harmed our region.

The DLVSP uses non-binding language such as “encourage” and “should” when referring to workforce development, training, and local hiring. For example, on page 151, it states: “The Specific Plan encourages the hiring of local workers and support for education and workforce training programs.” These words have no legal power. They do not commit developers to hiring local people, investing in training, or paying living wages. Instead, they reflect a broader issue within the plan—economic development is framed as a possibility, not a promise.

Imperial County cannot afford vague commitments. The community needs real investments in good-paying, long-term jobs that support families and reflect the labor dignity of the region’s residents. The LVSP must require project applicants to submit enforceable local hiring plans, workforce pipelines in partnership with local educational institutions, and clear job creation metrics tied to project approvals. These plans must prioritize people from frontline and disadvantaged communities who live with the environmental and social consequences of extractive industries.

Our recommendation for Imperial County to commit to enforceable and accountable community benefit agreements stems from a longtime precedent of enforceable and accountable CBAs that have transformed communities where there is development taking place. For instance, a CBA was secured using best practices and enforceable metrics in Anniston, Alabama in a plant of 600 workers for the company New Flyer of America. Before this plant had CBA’s, an employee said “I’m tired of being paid less than somebody who lives six hours from me.” Before the CBA, workers were paid almost $16,000 less than similar workers in Michigan in 2019. The workers in this plant chose to unionize and this together with a CBA led to higher wages with a 36% increase over a couple of years. An employee of this plant stated “The wage package alone is life-changing for me…Now I’ll be able to save up some [vacation] time and spend more time with family for those pivotal moments.”

Respect for Indigenous Communities

Imperial Valley Equity and Justice honors its presence on the ancestral lands of the Kumeyaay people, whose deep-rooted history and vibrant culture have shaped this region for over ten thousand years. The lands now known as Imperial and San Diego counties are the traditional homelands of the Quechan, Cahuilla, Cocopah, Pai Pai, and Kumeyaay peoples.[29] As lithium

[29] Native Land Digital. "Native-Land.ca." Accessed April 28, 2025. https://native-land.ca/.

development moves forward, it is critical that this deep connection to land and culture be recognized not only in words but in action.

We express strong support for the designation of the Southeast Lake Cahuilla Active Volcanic Cultural District (SELCAVCD) as a Tribal Cultural Resource, as advocated by Carmen Lucas of the Kwaaymii Laguna Band.[30] This designation reflects more than a historical connection - it acknowledges a living culture and spiritual relationship to the land. The SELCAVCD is a sacred and geologically active landscape, shaped by volcanic, seismic, and geothermal forces that are integral to the Kumeyaay. These features are not merely physical elements of the environment but spiritual presences and ancestral beings, connected to the identity and responsibilities of the Kumeyaay and other affiliated peoples. As Carmen Lucas has emphasized Indigenous communities have an enduring obligation to protect such places - not only as heritage, but as a duty to future generations. The application of Western land-use frameworks, which compartmentalize and commodify land, fails to honor the holistic understanding held by Indigenous peoples, where land, life and spirit are interconnected. Disregarding this perspective risks repeating the historical erasure of Indigenous knowledge and causing irreversible harm to both cultural and ecological systems. The County of Imperial must fully recognize the SELCAVCD as a tribal Cultural Resources and call for this designation to meaningfully shape land use decisions within the Lithium Valley Specific Plan, the Programmatic Environmental Impact Report, and any other reports that happen on Indigenous lands.

The County of Imperial must fully respect Free, Prior and Informed Consent (FPIC), including the right to meaningful consultation, to say “yes,” “no,” or “yes with conditions,” and to revoke consent at any time. Projects must avoid, minimize, and mitigate impacts to Tribal Cultural resources, including sacred sites like the SELCAVCD. These are not just historical lands, they are living homelands of thriving Indigenous communities. Respect, protection, and inclusion are non-negotiable.

We urge the County of Imperial to incorporate these recommendations and address the extensive list of gaps in the next iteration of the LVSP. Please contact Daniela Flores at dflores@ivequityjustice.org for any questions.

[30] Whitethorne, Davina. *Kwaaymii Laguna Response to CEC Joint Order, CEC Staff Responses, and Other Responses*. Docket No. 23-AFC-01. California Energy Commission, January 21, 2025. https://efiling.energy.ca.gov/GetDocument.aspx?DocumentContentId=89667&tn=261190.

5th May 2025

To,
Jim Minnick, Director
Diana Robinson, Planning Division Manager

Imperial County Planning & Development Services
801 Main Street
El Centro, California 92243

Via E-Mail: LithiumValley@co.imperial.ca.us; jimminnick@co.imperial.ca.us; DianaRobinson@co.imperial.ca.us

CC: tfigurasin@jobstomoveamerica.org; pmore@msh.law

Re: Comments from Jobs to Move America on Imperial County's draft Lithium Valley Specific Plan.

Dear Ms. Robinson, Mr. Minnick:

Thank you for the opportunity to provide comments on the draft Lithium Valley Specific Plan (LVSP) released by Imperial County in February 2025. The LVSP presents a compelling vision for the future of Imperial County. In its own words, the LVSP "aims to attract significant investment in renewable energy sectors, stimulate local job creation, and foster economic growth while emphasizing sustainable practices to mitigate environmental impacts and ensure public health protection."[1] The development facilitated by the LVSP has tremendous potential for improving the lives of Imperial County residents. If implemented responsibly, Lithium Valley will serve as a model for renewable energy development in California and across the country.

At Jobs to Move America ("JMA"), we seek to advance a fair and prosperous economy with good jobs and healthier communities for all. As members of the Imperial County-based coalition Valle Unido por Beneficios Comunitarios, we work hard to ensure that the families and workers of the Imperial Valley get their fair share and are protected from the environmental impacts of development. Both JMA and Valle Unido's overall vision of the region's future is aligned with that of the LVSP. In service of our shared vision, we offer the following comments

[1] *County of Imperial Lithium Valley Specific Plan: February 2025 Draft*. Pg. 13

on the draft LVSP. Our goal is to raise questions, concerns, and recommendations about the draft LVSP that, if adequately addressed and implemented in the draft PEIR, the final LVSP, and associated policies, will align the LVSP with the County's General Plan and ensure that Lithium Valley truly benefits the economic, social, and ecological well being of Imperial County, now and long into the future.

The people of Imperial County have both a right and a responsibility to weigh in on the future of development in the Valley—decisions made now will affect the lives and livelihoods of present and future generations of Imperial County residents. In order for the communities affected by Lithium Valley's development to meaningfully participate in decision making about the proposed development, the draft LVSP must include clear, detailed plans for this development and must be consistent with the County's General Plan. Unfortunately, the draft LVSP falls short in providing the level of detail and consistency with the General Plan required by Article 8 (§ 65450-65457) of the California Government Code. We detail each of our main concerns with the draft LVSP below, and look forward to a revised and updated LVSP that addresses our concerns.

Further, we look forward to engaging with a thorough and robust draft PEIR assessing the environmental impact of development proposed in the draft LVSP. Imperial County residents must be provided with the information they need to meaningfully shape the future of their community, not only in the draft PEIR (expected in late spring of 2025) but also in subsequent or supplemental EIRs for individual projects that fall within the LVSP, when required under CEQA.[2] But at this stage, much remains inherently unpredictable about the environmental impacts of Lithium Valley, including the impact of DLE. To this end, we support:

1. A tiered CEQA process, whereby specific projects with environmental impacts that cannot yet be predicted and are not accounted for in the PEIR associated with the LVSP are subject to subsequent project-specific environmental impact review with the opportunity for public comment.
2. Community Benefits Agreements, whereby community coalitions are provided with an additional legally binding mechanism by which to negotiate necessary environmental, public health, and associated mitigations from companies profiting from Lithium Valley, as development unfolds.

[2] California Public Resources Code § 21166; CEQA Guidelines § 15162, 15163. While JMA supports the County's general goal of streamlining industrial development in Lithium Valley, JMA believes that only robust environmental review of individual development projects under the LVSP will ensure that the LVSP's vision of "foster[ing] economic growth while emphasizing sustainable practices to mitigate environmental impacts and ensure public health protection" can be realized.

The LVSP and the associated environmental review must proactively plan for water and electricity demand, eliminate resource-intensive and polluting industries unrelated to lithium from streamlined permitting, and consider the preservation of Tribal Cultural Resources.

Though methods for direct lithium extraction (DLE) from geothermal brine remain in development, and the magnitude of DLE's environmental impacts remain uncertain, it *is* certain that any industrial scale DLE technology will consume large volumes of freshwater.[3] It is thus imperative that the LVSP offer both precise estimates of water demand as well as a realistic, sustainable plan for ensuring water availability necessary for industry, agriculture, and human consumption.

However, the draft LVSP's engagement on the issue of water use and availability remains inadequate. It offers no details of how water demand estimates were calculated, no ranges or confidence intervals associated with these estimates, no clarity on the breakdown of demand across various industries and other use types included in the LVSP, no indication of the potential impact of development on the availability of a safe, affordable water supply for human consumption by residents of Imperial County (whose numbers are only expected to grow as Lithium Valley development continues, though the draft LVSP appears inconsistent across Chapters and Sections in whether and how this growth is accounted for), and no predictions of how industrial water demand might accelerate the decline of Salton Sea water levels, increasing playa exposure and the production of toxic dust responsible for the high prevalence of asthma in the region.

Notwithstanding this lack of detail, the LVSP's water demand estimates are described as "conservative."[4] However, in Phase 1 of Lithium Valley development alone, estimated water usage is more than twice what is currently available from the Imperial Irrigation District (IID) for new non-agricultural projects.[5] Moreover, the estimates in the draft LVSP are far lower than any estimates of water usage provided in the Land Use Alternatives memorandum, including the alternative upon which the LVSP is based.[6] No explanation is offered for this difference.

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[3] Vera et al., 2023. *Environmental impact of direct lithium extraction from brines*. Nature Reviews: Earth & Environment; EarthWorks & Comite Civico del Valle, November 2023. *Environmental Justice in California's Lithium Valley: Understanding the potential impacts of direct lithium extraction from geothermal brine. A document for community education*.
[4] *County of Imperial Lithium Valley Specific Plan: February 2025 Draft*. Pg. 116
[5] Municipal, Industrial and Commercial Customers | Imperial Irrigation District
[6] *County of Imperial Lithium Valley Specific Plan: February 2025 Draft*. Pg. 21; *Land Use Alternatives Memorandum October 2023.* Pg. 2. Total estimated water consumption in LVSP vs. LUA2: 77,776 AFY vs. 176,842 AFY.

California Government Code § 65451 governing the creation of Specific Plans states that "(a) A specific plan shall include a text and a diagram or diagrams which specify all of the following in detail: …

(2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.

(3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable."[7]

The draft LVSP proposes creating a Special District to tackle many outstanding questions regarding utilities and infrastructure, including the purchase of water from the IID.[8] It also proposes an as-yet-nonexistent Flood Control District that will be responsible for the creation of a Water Master Plan in collaboration with the IID at some point in the future.[9] By relegating this detailed planning to a future document, and the responsibility for said planning as well as water procurement to entities that do not yet exist, the draft LVSP falls short in providing the level of detail required by the California Government Code § 65451 quoted above. Crucially, the LVSP offers no indication of whether the water necessary for industry, agriculture, and human consumption will in fact be available.This lack of detail is especially concerning given that the County's own Infrastructure Assessment stated that "IID's Present Perfected Right to use Colorado River agreement presents challenges to sufficiently support future demand. Alternative sources to access freshwater are limited due to the water distribution supply delivered by IID."[10] See *Stanislaus Nat. Heritage Project v. Cnty. of Stanislaus*, 48 Cal. App. 4th 182, 200 (1996) ("To defer any analysis whatsoever of the impacts of supplying water to this project until after the adoption of the specific plan calling for the project to be built would appear to be putting the cart before the horse.").

Moreover, § 65454 of the California Government Code states that "no specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan." Acknowledging that the County is hoping to concurrently amend the General Plan to achieve consistency with the LVSP,[11] we specifically note the inconsistency of the draft LVSP with two of the six basic concepts outlined in the Land Use Element of the General Plan:

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[7] Section 65451. - 2024 California Code. Emphasis added.
[8] *County of Imperial Lithium Valley Specific Plan: February 2025 Draft*. Pg. 117
[9] *County of Imperial Lithium Valley Specific Plan: February 2025 Draft*. Pg. 143
[10] *Lithium Valley Specific Plan Final Baseline Report (February 2024), Appendix A: Infrastructure Assessment* pg. 10
[11] *County of Imperial Lithium Valley Specific Plan: February 2025 Draft*. Pg. 7

"efficient use of natural, human, and financial resources" and the "clean air, water, and land."[12] The absence of a transparent and detailed plan for water consumption by industries in the LVSP does not allow for an efficient use of natural, human, and financial resources. The Land Use Element also states that "Safeguards must be included in any proposed or approved water transfer to assure that significant environmental and socioeconomic impacts do not occur and continued local water availability is assured."[13] It is impossible to assess whether sufficient safeguards are proposed in the draft LVSP when no plan for assuring water availability has been put forth.

We look forward to a detailed Water Supply Assessment as part of the PEIR, which, as promised by the Baseline Report released by the County in 2024, "shall include a discussion with regard to whether the total projected water supplies, determined to be available by the County for the project during normal, single dry, and multiple dry water years during a 20 year projection, will meet the projected water demand associated with the proposed project, in addition to the public water system's existing and planned future uses, including agricultural and industrial uses."[14] But the LVSP itself must be revised to more adequately describe the County's plan for supplying freshwater to Lithium Valley. Additionally, revisions to the LVSP should make clear the circumstances under which, as required by SB 610, project-specific Water Supply Assessments will be prepared and assessed.

Similar inadequacies plague the estimates of energy demand in the draft LVSP; this lack of detail again displays its inconsistency with California Government Code § 65451 and with the County General Plan's Land Use Element. The draft LVSP estimates an energy deficit of over 2000MWh across the three phases of development—an amount that is approximately four times larger than the geothermal energy currently produced in Imperial County.[15] Though clear and transparent calculations are not included in the draft LVSP, it seems that this deficit remains *after* accounting for the energy that will be produced by expanded geothermal and solar energy production in the Specific Plan area. No indication is given of where this excess energy will be procured from, whether renewable energy production in Imperial County or beyond will be sufficient to meet this demand, whether this plan is consistent with California's climate goals set by AB 1279 in 2022 of achieving carbon neutrality no later than 2045, or what impact this deficit will have on Imperial County residents' access to affordable energy to power their homes, schools, and workplaces. Given recent increases in electricity costs,[16] the availability of affordable electricity is a pressing concern for Imperial County residents.[17]

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[12] *Imperial County General Plan Land Use Element*, pg. 2.
[13] *Imperial County General Plan Land Use Element*, pg. 24.
[14] *Lithium Valley Specific Plan Final Baseline Report (February 2024)* pg. 80.
[15] BHER: 345MW; Ormat: ~130MW; Cyrq Energy: ~50MW.
[16] Rate Update | Imperial Irrigation District
[17] *Rate Hike Has IID Playing Defense, Answering Critics* - Calexico Chronicle

The absence of transparent water and energy use calculations in the draft LVSP prevents community members from assessing the tradeoffs involved in including vs. excluding streamlined permitting for particular industries. For example, data centers are notorious consumers of both power and water, and are documented to burden utility grids at the expense of local residents and other industries,[18] while producing few jobs.[19] Even before the revision and adoption of the LVSP, data centers are already being touted as "the first major development in Imperial County's…Lithium Valley,"[20] potentially signalling a sharp divergence between the vision of Lithium Valley as a cornerstone of the just transition to a green economy and what could end up being its reality as a sacrifice zone privileging profits above people and the environment. The inclusion of other industries unrelated to lithium extraction, such as anaerobic digestors, green hydrogen, and automobile wrecking yards, raise similar concerns.[21]

For Imperial County residents to decide whether or not they want to support streamlined permitting for data centers and other industries unrelated to lithium, they must be informed of the extent to which such industries will contribute to the overall water and energy consumption (as well as high-road job creation; see below) in the county's proposed plan for Lithium Valley. The absence of clear industry-specific estimates (i.e. lithium vs. all unrelated industries) also makes it impossible to assess if the draft LVSP is consistent with the General Plan's Land Use Element, which requires "that extractive uses are designed and operated to avoid air and water quality degradation, including groundwater depletion."[22] We look forward to revisions in the LVSP that address this lack of specificity and allow for meaningful public participation on future development in Imperial County. We also look forward to engaging with a rigorous and thorough draft PEIR that analyzes the environmental impact of alternative visions for Lithium Valley development that exclude resource-intensive and polluting industries unrelated to geothermal energy or lithium extraction.

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[18] *How A.I. Is Changing the Way the World Builds Computers* - The New York Times. While we note that the draft LVSP requires that "Data centers must adopt water-free cooling technologies or systems that minimize water consumption, such as air cooling," we remain concerned about the feasibility and resource requirements of methods such as air cooling in hot climates such as that of Imperial County.
[19] See: *How a Washington Tax Break for Data Centers Snowballed Into One of the State's Biggest Corporate Giveaways*. Indeed, Brian Mooney, senior planner and managing principal with RICK Engineering, the firm responsible for drafting the LVSP, has stated that "data centers don't have a lot of employment opportunities." As quoted in: *Data farm proposed near Salton Sea could be first major development in Lithium Valley*.
[20] *Data farm proposed near Salton Sea could be first major development in Lithium Valley*; *CalEthos expands data center plans for Lithium Valley, California, with 315-acre land purchase - DCD*.
[21] *New research reveals factory farm manure biogas production harms environmental justice, fails to achieve methane reduction targets, and worsens consolidation*; *Hydrogen Reality Check: Distilling Green Hydrogen's Water Consumption - RMI*
[22] *Imperial County General Plan Land Use Element*, pg. 40.

Furthermore, we take this opportunity to reiterate our support for the designation of the Southeast Lake Cahuilla Active Volcanic Cultural District as a Tribal Cultural Resource,[23] as advocated for by Carmen Lucas of the Kwaaymii Laguna Band of Indians and recommended by staff of the California Energy Commission.[24] We urge that the draft PEIR analyze the environmental impact of an alternative land use map that is consistent with said designation of the SELCAVCD as a Tribal Cultural Resource, thereby precisely verifying the extent to which such a designation will affect lithium extraction, if at all.[25]

The LVSP and associated policies must guarantee high road careers to Imperial County residents.

At Jobs to Move America, we advocate for policies that create good jobs and lift labor standards for workers across the country. The LVSP represents a tremendous opportunity to set in place policies that bring not just jobs but **high road careers**—with competitive, family-sustaining wages and benefits, as well as opportunities for workers to advance in their careers and the power to shape their workplaces—to Imperial County residents. A report prepared by the University of California San Diego Labor Center, and funded by the California Workforce Development Board, cautioned that "unless there is a concerted effort to develop the high road, most new jobs in Imperial county are likely to be in low-wage occupations…without high-road development of Lithium Valley, future employment is unlikely to take the high road."[26]

In its current version, the draft LVSP encourages many components of what, in total, would comprise a high road career (see, for example, Policies HP-3, 5, 6, and 16, and Programs HP-10 and 11). But by failing to *require* that industries in Lithium Valley commit to providing workers with competitive salaries, comprehensive benefits including transportation and childcare, free or affordable training programs, and more, the LVSP is foregoing an opportunity to *guarantee* that investment in Lithium Valley will create high road careers. Moreover, by merely encouraging rather than requiring a commitment to local hire (Policy HP-6), the LVSP fails to ensure that the most direct positive outcomes of Lithium Valley will benefit Imperial County Residents. It is worth noting that a previous draft of the LVSP, which the County briefly made available on its website, included stronger measures requiring some commitments from industries towards its workers.[27] Though these previously considered measures were only applied

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[23] *Valle Unido Coalition Letter in Support of the Southeast Lake Cahuilla Active Volcanic Cultural District* (available at Valle Undio Coalition Letter in Support of the Southeast Lake Cahuilla Active Volcanic Cultural District)
[24] *Kwaaymii Laguna Response to CEC Joint Order, CEC Staff Responses, and Other Responses* (available at https://efiling.energy.ca.gov/GetDocument.aspx?tn=261190&DocumentContentId=97552)
[25] *County of Imperial - Response to CEC Staff re Tribal Cultural Resources* (available at: County of Imperial - Response to CEC Staff re Tribal Cultural Resources)
[26] *High Road Training for Lithium Valley: Opportunities and Challenges*. pg. 23
[27] *Lithium Valley Specific Plan Public Review Draft January 2025* pgs. 149-156.

to the largest workplaces and were thus insufficient for ensuring that *all* Lithium Valley jobs are high-road jobs, we were disappointed to see that these requirements had been removed from the draft LVSP currently circulating for comment. The Good Neighbor CBA plan similarly falls short by failing to legally enforce good jobs requirements, and failing to meaningfully incentivize companies to commit to ensuring high road careers for Imperial County residents.[28] And though the LVSP states in Chapter 7: Community Health and Prosperity that Chapter 8: Implementation "offers an implementing mechanism to show compliance with the Good Neighbor CBA Program,"[29] Chapter 8 includes few details on how such compliance will be determined, enforced, or incentivized.

A Better Lithium Valley is Possible

Rather than attempting to streamline a dizzying array of industrial uses under the guise of Lithium Valley, the LVSP gives Imperial County a chance to make a genuine commitment to the lithium extraction industry, to California's renewable energy goals, and to the economic and social health of Imperial County workers and residents. By focusing development on geothermal and lithium, encouraging the co-location of all parts of the lithium battery supply chain as recommended by the Report of the Blue Ribbon Commission on Lithium Extraction in California[30] while preventing and mitigating its environmental impacts, eliminating unrelated industries from streamlined permitting, carefully and proactively balancing the demand and supply of limited resources like water and energy, committing to building essential infrastructure for industry and residents alike, and requiring legally binding commitments from industries to creating high road jobs, the LVSP (as well as its associated policies and environmental impact review) have a truly unique opportunity to turn Imperial County into "a dynamic and prosperous region that prioritizes public health and local jobs in innovative clean energy industries."[31]

Sincerely,

Ambika Kamath,
Strategic Research Manager

Theodric Figurasin
Assistant Director of Campaigns

[28] Good Neighbor CBA - Lithium Valley
[29] *County of Imperial Lithium Valley Specific Plan: February 2025 Draft*. Pg. 149.
[30] *Report of the Blue Ribbon Commission on Lithium Extraction in California*, pgs. 13, 22, and 77.
[31] LVSP pg. 15.

May 5, 2025

Exhibits included in this letter are accessible here:

VIA E-Mail and Overnight Mail

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Re: **Safe Fuel and Energy Resources California's Comments on Imperial County Draft Lithium Valley Specific Plan**

Dear Mr. Minnick, Ms. Medina, and Lithium Valley Project Team:

We write on behalf of Safe Fuel and Energy Resources California ("SAFER California") to comment on the Draft Lithium Valley Specific Plan ("Draft LVSP") proposed by Imperial County ("County").[1] The Draft LVSP represents an unprecedented departure from established land use planning principles by creating a rapid and opaque entitlement process for development across 52,000 acres, allowing high-impact industrial and other diverse development projects to proceed as a matter of right. It provides little, if any, articulation of the policies, programs, and implementation measures necessary to maximize community and workforce benefits or minimize public health and environmental harms.

[1] County of Imperial, Lithium Valley LVSP: February 2025 Draft (Feb. 2025) (hereinafter "Draft LVSP"), *available at* https://imperialcounty.org/wp-content/uploads/2025/02/February25DraftLVSP_combined.pdf.

The Draft LVSP fails to establish clear goals, policies, and programs that maximize economic opportunity, employment, job training, protection of public health and safety, and other community benefits. The Draft LVSP must be revised to create opportunities for local, high-road, career pathway construction jobs by hiring and utilizing qualified and trained construction workers, advancing skills of the local workforce through state certified apprenticeship programs, promoting job training and construction career paths for local residents, and using skilled and trained workers to protect public health and safety.

While SAFER California supports industrial projects – including renewable energy – and other development as a key component of the County's economic and environmental future, such development must proceed responsibly and sustainably. The Draft LVSP proposes by right or ministerial approval of development that can impose significant public health and environmental burdens, which must be evaluated through a project-specific, transparent review process at the time the proposals are made. Yet the Draft LVSP allows most industrial and other development within 75% of the plan area to proceed without such review. This approach severely undermines the County's ability to regulate these uses in a manner that protects communities already facing disproportionate socioeconomic and environmental burdens.

In addition to its structural flaws, the Draft LVSP contains several critical substantive deficiencies. It fails to establish detailed, objective standards which are necessary to adequately disclose, analyze, and mitigate public health and environmental impacts in the forthcoming Programmatic Environmental Impact Report ("PEIR") required by the California Environmental Quality Act ("CEQA"). Unless the Draft LVSP is revised to require discretionary approval, instead of by-right or ministerial approval, the PEIR must function as the sole project-level environmental review for all such developments. In that case, the Draft LVSP must be revised to include – for each type of use – key regulatory parameters, such as, for example, maximum allowable square footage, megawatts, capacity limits, operational limits, hazardous chemicals, annual production volume caps for extractive uses, acreage limits and construction and operational trip caps – parameters currently missing from the Draft LVSP.

The Draft LVSP lacks a coherent infrastructure plan capable of supporting the proposed development. It does not include a viable plan for the Special District, a water master plan for the full buildout, or an adequate explanation for the provision of essential fire and police services. The LVSP implementation framework suffers from fundamental shortcomings and major inconsistencies that undermine

its clarity, effectiveness and accountability. These deficiencies are compounded by the County's failure to identify specific General Plan amendments and failure to comply with the General Plan's own criteria for approving specific plans.

In sum, the Draft LVSP lacks the detail and rigor necessary to move forward in its current form and must be substantially revised and recirculated for public review. It fails to strike an appropriate balance between promoting industrial and other development and safeguarding environmental quality, public health, and community input – while also ensuring equity and shared prosperity for all County constituents. By prioritizing speed and industrial expansion over transparency, accountability, environmental protection, and construction workforce and community well-being, the Draft LVSP jeopardizes the long-term sustainability, viability, and equity of the County's land use planning framework. A meaningful revision must require future discretionary project-level review, enforceable standards, robust infrastructure planning, and inclusive public participation. Only then can future development advance the region's economic goals while protecting environmental and public health and genuinely serving the needs of the impacted communities, including the construction workforce.

I. STATEMENT OF INTEREST

SAFER California advocates for safe processes at California's industrial and related commercial facilities to protect the health, safety, standard of life and economic interests of its members. For this reason, SAFER California has a strong interest in enforcing planning and environmental laws which require the disclosure of plans, standards, impacts and mitigation, and ensure safe operations and processes, for such facilities. Failure to adequately address the planning and public health, environmental and other community impacts of such projects poses a substantial threat to the environment, worker health, surrounding communities and the local economy.

The members represented by the participants in SAFER California live, work, recreate and raise their families in Imperial County and the surrounding valley. Accordingly, these people would be directly affected by the County's poor planning and the adverse public health, environmental, economic and community impacts that would result. The members of SAFER California's participating labor organizations may also work on development in the specific plan area itself. They will, therefore, be first in line to be exposed to any hazardous materials, air contaminants, and other health and safety hazards, that exist in the specific plan and surrounding impacted areas.

SAFER California seeks to ensure a sustainable construction industry over the long-term by supporting planning and projects that offer genuine economic and employment benefits while minimizing adverse environmental and other impacts on local communities, in other words, sustainable development. SAFER California and its members are concerned about planning processes like this one that risk serious environmental harm without providing countervailing economic benefits. The specific plan and environmental review provide a balancing process whereby economic benefits are weighed against significant impacts on the environment. It is in this spirit that SAFER California submits these comments.

II. THE DRAFT LVSP LACKS GOALS, POLICIES AND PROGRAMS TO MAXIMIZE ECONOMIC, EMPLOYMENT, JOB TRAINING AND OTHER COMMUNITY BENEFITS

The Draft LVSP fails to include meaningful standards for high quality job creation, economic security, and worker protection. SAFER California provided workforce standards to the County in February 2023, August 2024, and January 2025, yet meaningful workforce standards are entirely absent from the Draft LVSP.

The Community Health and Prosperity chapter of the Draft LVSP – which should outline clear goals, policies, and programs that maximize economic opportunity, employment, job training, protection of public health and safety, and other community benefits – is glaringly inadequate.[2] At just six pages, it lacks any serious discussion of how the LVSP will maximize such benefits. Nor does it contain minimum enforceable standards to create opportunities for local, high-road, career pathway construction jobs. Community health and prosperity are treated as afterthoughts, rather than as central priorities in the planning process.

The Draft LVSP's reliance on the County's Good Neighbor Community Benefit Agreement Program to foster community health and prosperity in the LVSP area is not meaningful.[3] First, participation in the program is entirely optional. Developers can choose whether to enter into these agreements, and there is no clear mechanism to ensure compliance or to penalize bad actors who fail to meet their commitments. A voluntary program is not a meaningful standard – it's a suggestion. Community benefits should not be left to chance or the goodwill of developers. Without requirements or enforcement, the voluntary program is merely a public relations strategy rather than a mechanism for ensuring benefits to the community, including the local workforce.

[2] *See id*. at pp. 149-55.
[3] *Id*. at p. 149.

Second, the voluntary program outlines broad "pillars" of community benefits that provide little clarity on what qualifies as meaningful fulfillment of these goals. There are no minimum standards for family-supporting wages, no provisions for health care, no required percentages or goals for local hiring, and no specificity on what constitutes adequate training for public health and safety. Without enforceable standards, there is no way to measure success or hold anyone accountable for failure. The voluntary program allows low-road, temporary construction jobs in the County, which has the second highest unemployment rate in California.[4] True community benefits must start with quality jobs for local residents, that pay the prevailing wage in the region, support training from state-approved apprenticeship programs, and ensure workers are skilled and trained for both new construction and construction maintenance on facilities in the specific plan area.

Third, the County developed the program without meaningful consultation with labor representatives, particularly those who represent workers in industries impacted by development. Excluding these voices not only dismisses the role of labor in building and sustaining communities, but it also resulted in a weak program that fails to ensure community health and prosperity in the LVSP area.

The County perpetuates the problems with the voluntary program by claiming to incorporate policies that reflect its six "pillars" into the Draft LVSP.[5] Like the voluntary plan, none of the Draft LVSP's workforce policies are meaningful or mandatory. The omission of meaningful workforce standards is a glaring oversight and further underscores that the Draft LVSP is designed to permit as many projects as quickly as possible, with little regard for long-term community benefits.

Creating opportunities for local, high-road, career pathway construction jobs is essential to ensuring that development in the LVSP benefits the community rather than merely enriching the few. This includes hiring qualified and trained construction workers, advancing skills of the local workforce through state certified apprenticeship programs, promoting job training and construction career pathways for local residents, and utilizing skilled and trained construction workers to protect public health and safety.

[4] Employment Development Department, Labor Market Information Division, Immediate Release: El Centro Metropolitan Statistical Area (MSA) (Imperial County) (Apr. 18, 2025), *available at* https://labormarketinfo.edd.ca.gov/file/lfmonth/ecen$pds.pdf.
[5] Draft LVSP at p. 149.

The lack of substantive commitments to creating high-road jobs is regrettable, but not surprising given the County's failure to meaningfully engage construction labor organizations throughout the LVSP's development. The Draft LVSP's list of community engagement tracking attached as Appendix A confirms that construction labor organizations – key stakeholders in ensuring quality job creation – are entirely absent.[6] This exclusion demonstrates that the County prioritized private developer interests over construction workforce interests and economic and community sustainability.

The County must revise the LVSP to ensure it maximizes economic opportunity, job creation, workforce development, the protection of public health and safety, and other community benefits for the County, the surrounding valley and its residents. The revised LVSP must include clear policies, programs, and implementation and enforcement measures to ensure that future development is safe, equitable. and supports the creation of high-road local jobs that support individuals and families in the region.

III. ALLOWING BY-RIGHT AND MINISTERIAL REVIEW ELIMINATES TIMELY PROJECT-SPECIFIC ENVIRONMENTAL REVIEW, AGENCY CONTROL, AND COMMUNITY INPUT

The Draft LVSP eliminates the County's discretion to determine whether, and under what conditions, most projects may proceed, by designating such development as permitted by right or subject only to ministerial approval. To lawfully implement this unprecedented planning scheme covering over 52,000 acres, the County must revise the Draft LVSP to clearly define the limits of what type of development will be allowed, the applicable standards for each use and location, and the infrastructure plans for the plan area.

Furthermore, because ministerial projects are exempt from subsequent discretionary review, CEQA requires the LVSP's forthcoming environmental review to fully describe the future ministerial projects and disclose, analyze, and mitigate all potentially significant environmental and public health impacts associated with these future developments. This analysis must be conducted at a project-specific level, as the PEIR will serve as the sole opportunity for environmental review of by right or ministerial projects over the lifetime of the plan.

[6] *Id.*, appen. A. at pp. A-1 to A-31.

A. Background: The Draft LVSP

The Draft LVSP creates 10 unique land use designations: Green Industrial, Manufacturing, Logistics, Playas Renewables, Community Opportunity Areas, Interim Agriculture, Solar, Playas Restoration, River Corridor, and Conservation.[7] Green Industrial, Manufacturing, Logistics, and Playa Renewables account for 38,779 acres within the plan area, which equates to 75% of the total acreage.[8] These four designations dominate Phase 1, comprising more than half of the LVSP's total acreage.[9]

The Draft LVSP classifies most allowed renewable and other industrial uses within the Green Industrial, Manufacturing, and Logistics land use designations as by-right and ministerial, meaning there is no future discretionary approval required.[10] These uses include:[11]

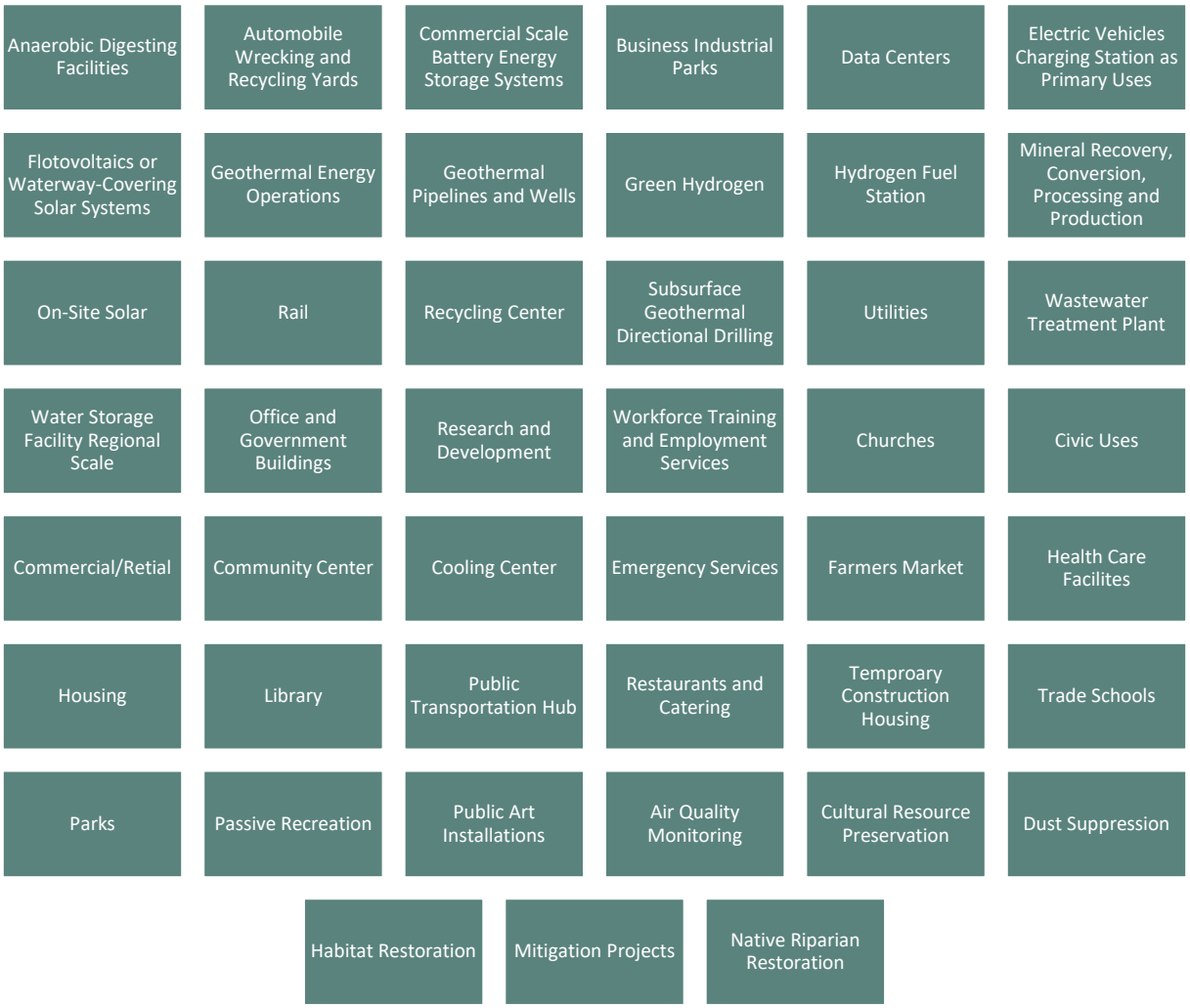
Renewable and Other Industrial Uses Allowed By-Right and Ministerial in Green Industrial, Manufacturing, and Logistics Zones

Anaerobic Digesting Facilities	Automobile Wrecking and Recycling Yards	Commercial Scale Battery Energy Storage Systems	Business Industrial Parks	Data Centers
Electric Vehicles Charging Station as Primary Uses	Flotovoltaics or Waterway-Covering Solar Systems	Geothermal Energy Operations	Geothermal Pipelines and Wells	Green Hydrogen
Hydrogen Fuel Station	Mineral Recovery, Conversion, Processing and Production	On-Site Solar	Rail	Subsurface Geothermal Directional Drilling
	Utilities	Wastewater Treatment Plant	Water Storage Facility Regional Scale	

[7] *Id*. at pp. 36-48.
[8] *Id*. at p. 34 (6,657 [Playas Renewable] +18,950 [Green Industrial] + 5,817 [Manufacturing] + 7,355 [Logistics] = 38,779 / 51,622 [Total Acres] = 0.75).
[9] *Ibid*. (2,313 [Playas Renewable] +7,290 [Green Industrial] + 1,834 [Manufacturing] + 2,319 [Logistics] = 13,756 / 25,251 [Total Acres] = 0.54).
[10] *Id*. at p. 55-57.
[11] *Ibid*.

Direct Lithium Extraction, conversion, processing and production is included in the Mineral Recovery, Conversion, Processing, and Production category as a by right or ministerial use.[12] Several of these uses are also classified as by-right and ministerial in the Playa Renewables, Playas Restoration, Interim Agriculture, Community Opportunity Areas, and Solar land use designations.[13] In fact, the vast majority of uses in the LVSP are classified as by-right and ministerial in one or more land use designations.

Uses Allowed By-Right and Ministerial Under the LVSP



[12] *Id*. at p. 53.
[13] *Id*. at p. 56-57 (anerobic digesting facilities, geothermal energy operations, geothermal pipelines and wells, lithium operations, on-site solar, subsurface geothermal directional drilling, and utilities are permitted uses in the Play Renewables land use designation).

Many of these industrial and commercial uses are inherently high impact, posing significant environmental and public health risks. Many involve substantial new construction, resource extraction, energy production, and industrial processing – activities known to adversely affect air and water quality, local ecosystems, and human health. By classifying such development projects as ministerial, the Draft LVSP effectively shifts oversight to now – during the creation of the LVSP – thereby eliminating critical project-level review once the LVSP is approved. The Draft LVSP's approach authorizes broad industrial development without discretionary review, significantly weakening environmental and public health safeguards, eroding local control, and curtailing public participation and transparency.

B. High-Impact Projects Must Be Subject to Project-Specific Discretionary Review at the Time the Project is Proposed

The Draft LVSP's proposal to classify industrial and other development projects as ministerial across more than 52,000 acres represents an unprecedented departure from established land use planning and environmental review practices in California. Whether a project approval is discretionary or ministerial depends on the scope of the agency's legal authority in regulating that approval.[14] An activity is considered ministerial when the agency has no discretion in deciding whether or how it will proceed. A ministerial decision involves little or no personal judgment and instead requires the agency or official to use fixed, objective standards, rather than engage in subjective or policy-based decisionmaking.[15] Accordingly, to classify future project approvals as ministerial, the agency must first establish clear, pre-defined standards that govern the approval process.

Under CEQA, ministerial approvals are statutorily exempt from environmental review – even if the project may result in significant environmental impacts.[16] In contrast, when an agency retains discretionary authority, CEQA ensures that both decisionmakers and the public are fully informed of a project's potential environmental consequences before approval is granted.[17] CEQA also empowers agencies to require feasible mitigation measures or adopt alternatives to reduce or avoid environmental and public health harms.[18] The law promotes

[14] 14 Cal. Code Regs. ("CEQA Guidelines") § 15002(i)(2).
[15] *Id*. § 15369.
[16] See *Protecting Our Water & Envt'l Resources v. County of Stanislaus* (2020) 10 Cal.5th 479, 489, 494; *Leach v. City of San Diego* (1990) 220 Cal.App.3d 389, 394; *Friends of Westwood, Inc. v. City of Los Angeles* (1987) 191 Cal.App.3d 259, 272.
[17] Pub. Res. Code § 21080(a); Pub. Res. Code § 21001; *California Bldg. Indus. Ass'n v Bay Area Air Quality Mgmt. Dist.* (2015) 62 Cal.4th 369, 382.
[18] Pub. Res. Code § 21002.

transparency by mandating public notice and participation, thereby ensuring that communities have a meaningful role in the decision making process.[19] Importantly, CEQA prohibits approval of a project with significant public health and environmental impacts unless the agency finds that such impacts are outweighed by the project's specific economic, legal, social, technological or other benefits.[20]

However, when a project is approved as a matter of right, or through a ministerial process, none of the Government Code or CEQA's procedural safeguards apply. Such projects are not subject to CEQA's requirements for public notice, public hearings, environmental disclosure and analysis, mitigation of significant impacts, or findings that the project's benefits outweigh any unmitigated environmental harm. In other words, once the standards for by-right approval are evaluated in the environmental review, all future projects that meet those standards are statutorily exempt from further environmental review under CEQA.[21]

The ministerial approval of similar industrial, commercial, rail, hospital and other projects across more than 52,000 acres is unprecedented in California. High impact uses typically require discretionary review precisely because they often result in substantial environmental and public health impacts that warrant disclosure, analysis, and mitigation. While ministerial review may be appropriate in limited circumstances – such as infill affordable housing or small-scale retail projects with minimal environmental footprint – large-scale industrial and similar projects can present far greater risks. These projects can generate pollution, greenhouse gases emissions, noise, traffic, hazardous chemicals necessitating rigorous, site-specific evaluation to assess their effects on air and water quality, transportation infrastructure, public health, biological resources, land use compatibility, and other critical environmental and community assets.[22]

[19] *Id*. §§ 21082.1, 21092.
[20] *Id*. § 21081; CEQA Guidelines § 15043.
[21] *Id*. § 21080(b)(1).
[22] See e.g., Vera et al., Environmental Impact of Direct Lithium Extraction from Brines, 4 Nature Reviews Earth & Environment pp. 149-65 (Mar. 2023), *available at* https://cdn-ceo-ca.s3.amazonaws.com/1ii35br-s43017-022-00387-5.pdf; California Energy Commission, Report of the Blue Ribbon Commission on Lithium Extraction in California (Dec. 2022) pp.59-71, *available at* https://efiling.energy.ca.gov/GetDocument.aspx?tn=247861; Gianluca Guidi et al., Environmental Burden of United States Data Centers in the Artificial Intelligence Era, Arxiv (Nov. 2024), *available at* https://arxiv.org/pdf/2411.09786; California Department of Justice, Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act (Sept. 2022), *available at* https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf.

In practice, most California jurisdictions – including the County in its General Plan – recognize the necessity of discretionary review for industrial uses such as manufacturing plants, data centers, logistics hubs, lithium facilities, and power plants.[23] These facilities often pose complex challenges related to air emissions, hazardous materials, infrastructure capacity, and land use compatibility. Accordingly, such projects are typically subject to a conditional use permit or comparable discretionary entitlement process, which allows for site-specific evaluation, imposition of mitigation measures, and public participation.

The same framework applies to large-scale renewable energy projects. Developments such as solar farms, wind turbines, geothermal facilities, and battery energy storage systems can significantly affect ecological resources, scenic and cultural landscapes, and wildfire risks.[24] For these reasons, the County requires that all renewable energy projects obtain a conditional use permit.[25] The consistent application of discretionary review for both industrial and renewable energy projects by the County and jurisdictions statewide demonstrates that such uses are fundamentally incompatible with a purely ministerial approval process.

Ministerial approvals are expressly limited to projects that require no exercise of agency discretion. In fact, CEQA presumes that issuing building permits and business licenses, approving final subdivision maps, or connecting utility services are types of activities that are ministerial. These routine approvals are categorically different from complex, high-impact developments that require environmental assessment and thoughtful consideration of alternatives and mitigation. Reclassifying industrial and renewable energy projects as ministerial over such a large area contradicts both the letter and spirit of planning and land use law and CEQA and undermines the County's ability to protect environmental and community interests.

[23] Imperial County, Land Use Element of the Imperial County General Plan (Oct. 6, 2015), *available at* https://www.icpds.com/assets/planning/land-use-element/land-use-element-2015.pdf.
[24] See e.g., Peter Bayer, Review on Lifecycle Environmental Effects of Geothermal Power Generation (May 2013), *available at* https://www.researchgate.net/profile/Ladislaus-Rybach/publication/257099959_Review_on_life_cycle_environmental_effects_of_geothermal_power_generation/links/5c45f12c458515a4c736674a/Review-on-life-cycle-environmental-effects-of-geothermal-power-generation.pdf.
[25] Imperial County Zoning Code, Division 17, Geothermal Projects (2025), *available at* https://library.municode.com/ca/imperial_county/codes/code_of_ordinances?nodeId=TIT9LAUSCO_DIV17GEPR (renewable energy projects include geothermal, solar, wind, deep solar ponds, biofuel, biomass, algae production, concentrated solar-thermal power, and concentrated photovoltaics).

The County should not allow industrial and other uses to be approved by-right or ministerially. These developments carry significant environmental and public health risks that necessitate case-by-case analysis, public engagement, and regulatory oversight. The Draft LVSP's proposed classification disregards established planning principles and weakens environmental protections. To ensure responsible, sustainable development and uphold the core objectives of planning law and CEQA, industrial and other uses in the LVSP area must remain subject to discretionary review. Therefore, the Draft LVSP should require all development, including high-impact industrial, commercial, and other uses, to obtain a discretionary Special Use Permit. Subjecting these developments to discretionary review introduces a critical layer of oversight, ensuring that benefits of such projects are appropriately weighed against potential land use conflicts, environmental impacts, and community concerns.

C. Ministerial Review Eliminates Public Input and the County's Ability to Regulate Development in a Manner that Best Serves Its Communities, Which Already Suffer from Disproportionate Environmental and Socioeconomic Burdens

Local governments play a critical role in shaping land use decisions to ensure that development aligns with community needs, environmental conditions, and long-term planning objectives. Allowing projects to proceed through ministerial review undermines this role by stripping the County of its discretionary authority to impose site-specific conditions or require additional mitigation measures to address project-specific impacts.

Discretionary review is a critical tool for sound government decisionmaking. It promotes public participation, transparency, and accountability by requiring notice, public hearings, and opportunities for community input. Through this process, residents and community stakeholders can engage meaningfully with elected officials and County staff in shaping the character and direction of their communities. In contrast, ministerial approval eliminates these procedural protections, allowing projects to proceed as of right without public notice or input. This reduction in transparency deprives affected communities of a voice in decisions with significant implications for environmental quality, public health, and overall quality of life.

Eliminating the County's authority to impose mitigation measures, curtailing transparency, and excluding communities from meaningful engagement is especially troubling in disadvantaged and underserved areas, which already

experience a disproportionate share of industrial pollution and land use conflicts. These communities are often least equipped to advocate for themselves in the absence of procedural protection and are most vulnerable to the cumulative impacts of unchecked development.

According to CalEnviroScreen, the census tract covering the majority of the LVSP area ranks in the 82nd percentile for environmental health burdens in California.[26] Nearly 79% of the population in this area is Hispanic, and the community faces significant health disparities, ranking in the 88th percentile for asthma and the 83rd percentile for cardiovascular disease.[27] In addition to these serious health concerns, the community suffers from severe environmental degradation. The census tract ranks in the 74th percentile for cleanup sites, 78th percentile for groundwater threats, 93rd percentile for hazardous waste, 100th percentile for impaired waters, and 87th percentile for solid waste – indicating significant pollution burdens.[28] Beyond environmental risks, the community also faces severe economic hardships, ranking in the 99th percentile for unemployment and 95th percentile for poverty.[29]

These statistics underscore the urgent need for stronger safeguards, rather than weakened oversight. Instead of bypassing environmental review and public input, projects in overburdened communities must be subject to the highest levels of scrutiny to ensure development improves – rather than worsens – public health, the environment, and quality of life. Therefore, the County should revise the LVSP to require discretionary review for all future development in the LVSP area.

D. CEQA's Streamlining Provisions Already Reduce Regulatory Burdens While Maintaining Transparency and the County's Ability to Mitigate Project-Specific Impacts

The County does not need a by right or ministerial review process to achieve its goals of reducing regulatory burdens and streamlining environmental review. CEQA already provides several mechanisms that allow public agencies to simplify

[26] Office of Environmental Health Hazard Assessment, CalEnviroScreen 4.0, https://experience.arcgis.com/experience/11d2f52282a54ceebcac7428e6184203/page/CalEnviroScreen-4_0 (last visited May 5, 2025) (hereinafter "CalEnviroScreen 4.0"); *see also* Earthworks, Environmental Justice in California's Lithium Valley: Understanding the Potential Impacts of Direct Lithium Extraction from Geothermal Brine (Nov. 2023) p. 12, *available at* https://earthworks.org/wp-content/uploads/2023/10/California-Lithium-Valley-Report.pdf.
[27] CalEnviroScreen 4.0.
[28] *Ibid.*
[29] *Ibid.*

environmental review while avoiding unnecessary duplication.[30] These streamlining provisions are consistent with the state's policy that CEQA should be completed efficiently and expeditiously so that resources can be directed toward environmental mitigation.[31]

One such mechanism is tiering, which allows a lead agency to prepare EIRs sequentially, so that later EIRs incorporate and build upon prior analysis.[32] Tiering is typically used to address broad policy matters, such as those covering policies plans, programs, or ordinances,[33] while reserving more detailed analysis for subsequent project-specific environmental review.[34] Once broad environmental issues have been addressed in a first-tier EIR, later environmental reviews focus on project-specific impacts that were not previously known, analyzed or mitigated.[35]

The legislative purpose of tiering is to facilitate development projects by streamlining regulatory procedures, eliminating redundancy in EIRs, and ensuring that project-level environmental review focuses on new or site-specific impacts.[36] This approach prevents agencies from having to reevaluate issues, while still maintaining environmental oversight.

As outlined in CEQA Guidelines Appendix J, various types of EIRs – including Program EIRs – can be used in tiering. Program EIRs provide several advantages: they allow for a program-wide analysis of environmental impacts and alternatives, ensure that cumulative impacts are fully considered, prevent unnecessary reconsideration of established policy decisions, enable early evaluation of program-wide mitigation measures, and ultimately reduce paperwork and procedural delays.[37] A well-prepared Program EIR can address broad environmental impacts, mitigation measures, and alternatives in a way that simplifies later subsequent environmental review for individual projects within the program.[38]

[30] *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) Cal.App.4th 214, 233; *Californians for Alternatives to Toxics v. Department of Food & Agric.* (2005) 136 Cal.App.4th 1, 22 n. 10.
[31] Pub. Res. Code §21003(f).
[32] *Id.* §§ 21068.5, 21093; CEQA Guidelines § 15152.
[33] *Id.* § 21094(a); CEQA Guidelines § 15152(d).
[34] *Id.* § 21068.5; CEQA Guidelines §§ 15152(a), 15385.
[35] CEQA Guidelines §§ 15152(a)
[36] Pub. Res. Code § 21093(a).
[37] CEQA Guidelines § 15168(b).
[38] *Id.* § 15168(d).

The County should prepare a Program EIR for the LVSP which identifies, analyzes, and mitigates all reasonably foreseeable environmental impacts at a programmatic level, and facilitates tiered, project-level environmental review for future discretionary development. However, if the LVSP is not revised to require discretionary review for future development in the plan area, the County must revise the LVSP comprehensively and with greater specificity – as outlined in this letter – to support the level of detailed, project-specific environmental analysis that CEQA mandates.

IV. THE DRAFT LVSP LACKS OBJECTIVE DEVELOPMENT STANDARDS FOR INDUSTRIAL PROJECTS TO ENABLE PROJECT-SPECIFIC ENVIRONMENTAL REVIEW AT THIS TIME AS REQUIRED BY CEQA

Project-specific environmental review is a foundational requirement under CEQA, and it is particularly critical for high-impact development proposals in disadvantaged and underserved communities. CEQA's core purpose is to ensure that decisionmakers and the public are fully informed about the environmental consequences before decisions are made.[39] This purpose cannot be fulfilled without a detailed, site-specific analysis that accounts for the unique characteristics, context, and potential impacts of each individual project.

In this case, project-level environmental analysis cannot proceed until the Draft LVSP establishes a regulatory framework that *enables* such review. To facilitate project-specific CEQA analysis for by-right or ministerial development, the Draft LVSP must be revised to incorporate clear, objective, and enforceable standards. As currently written, the Draft LVSP fails to provide such standards for most development, including high-impact industrial uses, leaving significant regulatory gaps concerning land use compatibility and environmental protection. Without measurable criteria, the Draft LVSP does not constitute an adequately defined "project" under CEQA, and therefore, cannot support the project-level review that CEQA requires.

Industrial development often produces significant environmental impacts – including air emissions, traffic congestion, noise, light pollution, and water resource depletion – that can harm nearby communities and sensitive environmental resources. A legally adequate planning framework that allows future by-right or ministerial approval must include clear, objective standards specifically designed to avoid conflicts between uses and sensitive receptors such as residences, schools, and

[39] Pub. Res. Code §§ 21000-21002.

ecological habitats. The Draft LVSP, however, fails to include key regulatory parameters, such as maximum allowable square footage, megawatt thresholds, operational limitations, truck trip caps, or restrictions on hazardous chemical processes, among other parameters. Without these essential standards, the Draft LVSP lacks the specificity required to support project-level environmental review of future development that may result in elevated levels of air pollution, noise, hazard emissions and other significant impacts.

Moreover, the Draft LVSP fails to include any objective standards necessary to evaluate and manage cumulative impacts – such as thresholds on the overall scale or intensity of development. Relevant examples include cumulative megawatt caps for geothermal projects, megawatt-hour capacity limits for battery energy storage systems, maximum square footage limits for data centers, annual production volume caps for extractive uses, acreage limits for solar installation, and trip caps for logistics and distribution centers.

This omission is especially concerning given the projected scale and intensity of by-right and ministerial development authorized under the LVSP. The clustering of multiple large-scale facilities in close proximity is likely to result in compounded adverse effects, including severe traffic congestion, deteriorating air quality at both local and regional levels, depletion of limited water resources, and irreversible loss of open space. These cumulative impacts may extend well beyond the boundaries of the plan area, highlighting the need for enforceable limits and thresholds as part of any legally adequate planning framework.

Equally concerning is the absence of adequate objective environmental performance standards for most industrial uses. Air quality protections are notably absent, with no enforceable emission limits, pollution control requirements, or monitoring obligations to safeguard public health and regional air quality. These standards are required to be known and disclosed to effectively conduct environmental review pursuant to CEQA. A description of what water resources would be used is similarly inadequate. Although the Draft LVSP requires data centers to use water-free cooling technologies or systems that minimize water consumption,[40] it fails to describe comparable requirements for other industrial uses, many of which have equally or more substantial water demands.

Noise and vibration sources are also insufficiently described. Industrial facilities are well-documented sources of continuous and episodic noise, which can significantly degrade the quality of life for nearby residents and disturb wildlife.

[40] Draft LVSP at p. 61.

Although the Draft LVSP requires the use of noise attenuation walls near noise-sensitive receptors when a project-generated truck noise or similar excessive sound levels are detected,[41] it lacks enforceable standards upon which to evaluate whether the wall and the standard would adequately eliminate or mitigate resulting impacts to a less than significant level. Specifically, it fails to establish clear decibel limits, minimum setback requirements, or other objective measures necessary to evaluate human and environmental receptors from excessive disturbance. Furthermore, the Draft LVSP does not mandate an environmental noise impact analysis as required by the General Plan, nor does it include provisions addressing property line noise standards, construction noise standards, or enforcement mechanisms necessary to ensure compliance.[42]

Simply put, the Draft LVSP's failure to clearly define what would be permitted by right – including the objective, measurable, and enforceable development standards applicable to such development – creates serious risks of environmental degradation and land use conflict. As currently written, the Draft LVSP lacks the specificity to support project-level environmental review. In the absence of clear criteria, the draft LVSP does not offer the necessary safeguards for responsible, sustainable development, or legally adequate planning.

To address these deficiencies, the Draft LVSP must be revised to describe – with specificity at the project level – what would be allowed, the standards governing pollution, noise, and other impact-generating components, and the enforceable measures designed to protect environmental quality and public health. Only with this level of specificity can the County conduct meaningful environmental review – and only then can the public understand and assess the LVSP's likely environmental and public health consequences. Without these foundational details, the forthcoming PEIR will lack a legally adequate project description, thereby preventing full disclosure, analysis, and mitigation of the LVSP's significant environmental impacts from by right and ministerial development.

V. THE INFRASTRUCTURE CHAPTER IS VAGUE AND INADEQUATE

The Draft LVSP's Infrastructure chapter is deficient in both detail and enforceability, failing to establish a coherent and reliable framework to ensure the provision of adequate public services and utilities. These shortcomings are evident in three primary respects. First, the Draft LVSP fails to adequately describe the

[41] *Id*. at p. 87.
[42] *See* Imperial County, Noise Element (Oct. 6, 2015) p. 14, *available at* https://www.icpds.com/assets/planning/noise-element-2015.pdf.

proposed Special District, including its governance, funding mechanisms, and implementation timeline. It also does not guarantee that no development will proceed in the absence of a functioning Special District or equivalent infrastructure plan – an omission that undermines orderly planning. Second, the Draft LVSP's discussion of water infrastructure is incomplete. Third, the Draft LVSP's provisions for essential safety services, such as fire and police, are poorly defined and unsupported.

A. The Creation of a Special District Is Not Adequately Addressed

The Draft LVSP relies on an anticipated formation of a Special District to fund and manage infrastructure within the plan area,[43] but it fails to acknowledge or analyze the myriad of potential and foreseeable challenges associated with establishing such a district. Nor does the Draft LVSP address how the County will assume this role if the Special District is delayed, fails to materialize, or proves infeasible. In the absence of a functioning Special District – or clearly defined alternative mechanism – the County cannot allow development to occur within the LVSP area. Without enforceable assurances of infrastructure funding and delivery, the County leaves a significant gap in both infrastructure planning and financial feasibility. These deficiencies undermine the Draft LVSP's credibility and legal adequacy and must be addressed through targeted revisions that provide a clear, enforceable path for infrastructure implementation.

B. Water Infrastructure Deficiencies

The Draft LVSP's approach to water infrastructure is incomplete and insufficiently described. While it identifies potential water infrastructure for Phase 1,[44] it does not provide a water master plan that accounts for full buildout. Instead, the Draft LVSP assumes that a plan will be developed in the future and supported by hydrological analysis and subsequent environmental review. Without a comprehensive water planning document, it is impossible to evaluate whether the anticipated water infrastructure is adequate or feasible.

C. Essential Services Are Poorly Defined and Unsupported

The Draft LVSP states that a new joint fire and police substation would be constructed,[45] but fails to provide critical details necessary for evaluating its

[43] *Id*. at pp. 116, 140.
[44] *Id*. at p. 117.
[45] *Id*. at pp. 137-38.

effectiveness. It estimates the number for fire and personnel based on a calculation of two firefighters per 1,000 employees,[46] but it does not explain why this metric is appropriate or whether it aligns with industry standards, local service requirements or the extent of future uses that the County currently has no history or experience serving.

Additionally, the Draft LVSP does not specify the total number of employees expected under the proposed land use designations, making it impossible to verify whether the emergency services staffing levels are sufficient. The location of the facility is not identified, which could have significant implications for emergency response times and overall service adequacy. Furthermore, it does not establish any specific programs or funding mechanism to ensure that these essential services will be implemented, leaving their feasibility in question. These deficiencies must be corrected in a revised Draft LVSP.

VI. THE DRAFT LVSP IMPLEMENTATION PROCESS IS FUNDAMENTALLY FLAWED

The implementation process outlined in the Draft LVSP contains fundamental flaws that undermine its effectiveness and transparency. Key issues include inconsistencies in the pre-application process, contradictions in the review procedures, and an inadequate appeals process.

First, the pre-application process extends beyond addressing issues that arise before an application is filed.[47] It also outlines the steps that Planning and Development Services ("PDS") will take after an application is deemed complete, as well as the procedures for handling applications that are deemed incomplete or inconsistent with the LVSP.[48] This broad scope creates confusion about the purpose of the pre-application process and blurs the distinction between pre-submittal guidance and post-submittal review. To ensure clarity and procedural consistency, the plan should separate pre-application guidance from post-submittal review steps and clearly define the distinct roles of each phase in the approval process.

Second, while the Site Plan Review process references conditions being imposed ("as conditioned"),[49] this is inconsistent with the ministerial nature of site plan review, which does not permit the imposition of discretionary conditions. Any

[46] *Id*. at p. 138.
[47] *Id*. at p. 156.
[48] *Id*. at p. 156-57.
[49] *Id*. at p. 157.

conditions must be identified now and disclosed in a revised Draft LVSP. Without inclusion in the LVSP and implementing regulations, the County forecloses itself from adding conditions to project approvals. The conditions must also be described in the LVSP to enable legally adequate environmental review.

Third, the Substantial Conformance Review ("SCR") process is internally contradictory. The Draft LVSP states that SCR is conducted after a project application is deemed complete, yet if the SCR is approved, the applicant may then submit a formal application and structurally engineered plans.[50] This sequencing creates uncertainty in the process and raises questions about the true function of SCR. If an application is considered complete before the SCR determination, it is unclear why additional formal submissions are required afterward. This suggests that SCR serves as a preliminary entitlement review rather than a true conformance check, potentially undermining the transparency and consistency of the review process.

In addition, the SCR appeals process is deficient. While decisions may be appealed to the Planning Commission,[51] the Draft LVSP does not specify public notice, the procedural steps for filing an appeal, who has standing to appeal, the timeframe for appeal submission, or the standard of review. Additionally, the process does not provide for an appeal to the Board of Supervisors, eliminating opportunities for review and accountability by elected officials. The Draft LVSP must be revised to clarify the SCR process.

Finally, the Draft LVSP contradicts itself regarding flexibility. It claims that SCR allows flexibility to accommodate changes and improvements while ensuring alignment with the LVSP's vision and environmental goals.[52] However, the Draft LVSP requires that most industrial projects be approved as a matter of right, which eliminates flexibility. Ministerial approvals do not allow for discretionary modifications or conditions, undermining the stated purpose of the SCR process.

To address these issues, the implementation framework must be revised to clarify the pre-application process, ensure that SCR occurs at the appropriate stage, establish clear criteria for substantial conformance, define a transparent appeals process to the elected officials, and reconcile the contradiction between ministerial approvals and the stated need for flexibility. Without these critical revisions, the

[50] *Ibid.*
[51] *Ibid.*
[52] *Ibid.*

plan risks creating confusion, reducing public accountability, and failing to achieve its intended goals.

VII. THE COUNTY HAS NOT IDENTIFIED ANY NECESSARY GENERAL PLAN AMENDMENTS OR ANALYZED COMPLIANCE WITH THE GENERAL PLAN'S CRITERIA FOR APPROVING SPECIFIC PLANS

The Draft LVSP acknowledges that amendments to the General Plan are necessary to ensure consistency between the General Plan and the proposed LVSP.[53] However, the County has not made any proposed General Plan amendments publicly available.

CEQA requires a project description to include a clear statement of objectives, a general description of the project's characteristics, and a discussion of the project's location and environmental setting.[54] The General Plan serves as the overarching land us policy document for the jurisdiction, and amendments to it would significantly alter land use designations, intensities, and development policies. Without specifying the General Plan amendments, the forthcoming PEIR will lack the detail necessary for informed public participation and a legally adequate environmental analysis.

General Plan amendments are often wide-reaching and can independently trigger significant environmental impacts. For example, revisions to existing land use designations may result in impacts beyond the LVSP area, which could increase development intensity and associated impacts on traffic, air quality, greenhouse gas emissions, and public services. General Plan amendments can also modify resource protection policies, potentially altering the regulatory framework for sensitive habitats, water resources, or agricultural lands. Additionally, adjustments to housing and economic policies may influence the availability of affordable housing, job creation, and fiscal impacts on the local economy. Without disclosing and analyzing these amendments, the PEIR will fail to adequately assess the LVSP's full range of direct, indirect, and cumulative environmental effects, in violation of CEQA.

Further, the Draft LVSP does not describe how it satisfies the General Plan's required standards and criteria for approval.[55] These criteria are critical in

[53] *Id*. at p. 7.
[54] CEQA Guidelines § 15124.
[55] County of Imperial, Land Use Element of Imperial County General Plan (Oct. 6, 2015) p. 10 *available at* https://www.icpds.com/assets/planning/land-use-element/land-use-element-2015.pdf.

determining whether the LVSP is in the long-term best interests of the community. Specifically, the Draft LVSP must address whether it will have a positive fiscal and long-term economic impact, whether it will create new and permanent jobs, and whether it will minimize or mitigate adverse environmental impacts while remaining compatible with surrounding cities and communities.[56] Additionally, it must describe whether it will provide diverse or unique opportunities for the County and its citizens and whether it will contribute to achieving or making progress toward an unmet General Plan goal.[57] The County's analysis must be supported by substantial evidence, which is currently lacking in the Draft LVSP.

Failure to address these standards suggests that the County is moving forward with the LVSP without demonstrating consistency with its own General Plan policies. If the County does not disclose the General Plan amendments in advance of the Program EIR's release, stakeholders will not have an opportunity to evaluate whether the LVSP aligns with the County's broader land use and policy goals.

By failing to make the required General Plan amendments publicly available, the agency has not yet disclosed a complete, legally adequate description of the project which will be the subject of a PEIR. The omission of critical information regarding General Plan amendments prevents a comprehensive analysis of environmental impacts and frustrates meaningful public participation.

VIII. CONCLUSION

SAFER California urges the County to revise the Draft LVSP to establish meaningful standards for local, high-road, career pathway construction jobs, require discretionary permitting for all development in the plan area, include a well-defined infrastructure plan for future development, and remedy the other deficiencies set forth in these comments.

Sincerely,

Andrew J. Graf

AJG:acp

[56] *Ibid.*
[57] *Ibid.*

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SIERRA CLUB
SAN DIEGO CHAPTER

Serving the Environment in San Diego and Imperial Counties

RECEIVED
APR 25 2025
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

April 18, 2025

To: Imperial County Board of Supervisors
Subject: Draft Lithium Valley Specific Plan Comments and Recommendations

Sierra Club San Diego Chapter, representing more than 20,000 members and supporters in Imperial and San Diego counties, submits the following comments on the Draft Imperial County Lithium Valley Specific Plan.

The Lithium Valley Specific Plan raises potential harmful environmental impacts that must be thoroughly evaluated and made available for public review. These impacts include, but are not limited to: water supply, air quality, greenhouse gas emissions, tribal cultural resource landscape, endangered and threatened species, fragile wetlands, and the Salton Sea at large.

The Specific Plan includes industrial uses other than lithium extraction including waste-to-energy facilities, data centers, desalination and wastewater treatment plants, and pharmaceutical manufacturing, each of which presents environmental impacts that must be individually analyzed.

A Climate Action Plan meeting, at minimum State standards for greenhouse gas emissions from the total fossil fuel demand produced by the proposed energy infrastructure, also needs to be included in any development plan related to the Salton Sea area.

Of particular concern to the Sierra Club are impacts outlined above to under-served communities and to tribal cultural resources where there are existing, well-documented needs for protection. Mining requirements for large-scale processing, extraction, and water treatment, among other such infrastructure, presents potential threats to the tribal cultural district and surrounding communities. These also demand detailed environmental analyses and thoughtful design guidelines.

Sierra Club is already on record opposing projects that expose the fence-line communities in the southeast near the playas to intolerable levels of air pollution.

Finally, Sierra Club is committed to protecting the Sonny Bono Salton Sea National Wildlife Refuge from negative effects of proposed Plan elements and projects adjacent to and on the Refuge. Restoration of this fragile area should take precedence over industrial uses and the Specific Plan should not be approved until detailed plans for protection and restoration are in place, with implementation to precede or proceed concurrently with any industrial projects.

We are looking forward to reviewing and commenting on a revised Plan and future environmental impact reports for this area. Please place our office on the list to receive future notices.

Sincerely,

Dr. Ronald Askeland
Conservation Chair
Sierra Club San Diego County

Lisa Ross
Chapter Chair
Sierra Club San Diego Chapter

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May 1, 2025

Exhibits included in this letter are available here

Via E-Mail and U.S. Mail

Jim Minnick, Director
Imperial County Planning & Development Services Department
801 Main Street
El Centro, CA 92243
lvsp@co.imperial.ca.us

Re: UAW's Comments on Draft Lithium Valley Specific Plan

Dear Mr. Minnick:

I write on behalf of United Automobile, Aerospace, and Agricultural Implement Workers of America ("UAW") regarding Imperial County's recently issued Draft of the proposed Lithium Valley Specific Plan ("Specific Plan"). At the outset, UAW notes its general support for the Specific Plan but herein identifies inadequacies and proposes recommendations for how to improve the Specific Plan while ensuring it complies with applicable laws and regulations. In undertaking the environmental review process for the Specific Plan and in preparing the final Specific Plan, the County should consider the following key issues.

I. Statement of Interest

UAW is one of the largest and most diverse unions in North America, with members in virtually every sector of the economy. UAW-represented workplaces range from multinational corporations, small manufacturers, and state and local governments to colleges and universities, hospitals, and private non-profit organizations. UAW has more than 400,000 active members and more than 580,000 retired members in the United States, Canada, and Puerto Rico. As relevant here, UAW Region 6 is comprised of local union affiliates with over 100,000 active and retired members in Alaska, Arizona, California, Hawai'i, Idaho, Nevada, Oregon, Utah, and Washington whose members' environmental and economic interests would be affected by the Specific Plan. UAW members live in communities impacted by the Specific Plan and will accordingly experience detrimental impacts if the Specific Plan is inadequate. Moreover, UAW members stand to benefit from or be harmed by the requirements mandated by the Specific Plan.

The Specific Plan also affects UAW's members' longer term economic and environmental interests. UAW is committed to ensuring that the transition to a green economy is environmentally and socially sustainable. UAW is committed to a just transition from fossil fuels that leverages climate change and the necessity of immediate action to develop renewable energy resources to

help rework the American economy to provide good job opportunities and the attendant upward mobility to people and communities in Imperial County. The Specific Plan, and the projects to be catalyzed by it, presents an ideal opportunity to see this vision through and ensure that our transition away from fossil energy production does not exacerbate already-existing significant environmental and economic crises.

II. Introduction

The Specific Plan will have far-reaching impacts in Imperial County and on lithium extraction in and around the Salton Sea. As a result, this comment is divided into subsections, each addressing a particular subset of issues the County should consider when evaluating the Specific Plan and when preparing the programmatic Environmental Impact Report ("programmatic EIR" or "PEIR") associated therewith.

Moreover, the lithium extraction and renewable energy development hub to be created because of the Specific Plan has the potential to shape the national discourse regarding clean energy development. This is a huge opportunity to ensure that clean energy development uplifts the communities that have been most harmed by the fossil fuel economy to date and to guarantee not only a swift transition from fossil fuels, but also a just one. Accordingly, a key theme throughout this comment letter is how the County can, should, and often must improve the Specific Plan to make sure that the development elicited by the Specific Plan supports local communities, workers, unions, and tribes and complies with relevant laws. Imperial County and California should set the example for responsible clean energy development across the country and around the world.

The Specific Plan acknowledges the importance of ensuring that new industrial development is consistent with the environmental and economic concerns of County residents. (Draft Lithium Valley Specific Plan ["DLVSP"] at 15-16.) However, the Plan does not impose binding requirements on project developers to ensure community needs are met. Instead, it deflects accountability to processes outside of the Specific Plan itself. The Specific Plan states that "the importance of community health and prosperity spans beyond the authority of this document." (*Id*. at 20.) While the Specific Plan cannot address every conceivable topic, this notion is misguided. The protection and promotion of community health and prosperity is a central component of the County's General Plan, and the Specific Plan must be consistent with the community health and prosperity policies stated in the General Plan. (Cal. Gov't Code § 65454 ["No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan."]; *City of Morgan Hill v. Bushey* (2018) 5 Cal.5th 1068, 1071 ["While a given general plan is in effect, neither local governments nor electors can enact a zoning ordinance inconsistent with it."]; *City of Poway v. City of San Diego* (1991) 229 Cal.App.3d 847, 861 [same]; *Kawoaka v. City of Arroyo Grande*, 17 F.3d 1227, 1230 (9th Cir. 1994) [same]; *DEBottari v. City Council* (1985) 171 Cal.App.3d 1204, 1213 [referendum election could not be held on zoning ordinance because, if enacted, the ordinance would have been inconsistent with the city's general plan and therefore invalid].)

Moreover, if community health and prosperity are not addressed effectively in the Specific Plan, the County will be powerless to address them in another forum. The proposed industrial development covered by the Specific Plan will have a profound impact on these issues. If the County grants streamlined permits and financial incentives to companies pursuing projects covered by the Specific Plan without enforceable conditions consistent with the General Plan, then it has no mechanism to require those companies to take the steps necessary to ensure that their projects will promote community health and prosperity.

A. The Specific Plan Must Ensure Opportunities for Local Workers in Order to be a Tool Towards a Just Transition Away from Fossil Fuels.

As noted, the proposed Specific Plan promises to dramatically increase the economic output of the Lithium Valley area. As a result, it offers tremendous opportunities for the County and the companies that will propose projects pursuant to the Specific Plan to work with unions, including UAW, to ensure the development promoted by the Specific Plan provides as many good, safe, and high-paying jobs as possible. This is particularly significant because Imperial County is one of the poorest parts of California (and the County) and suffers from one of the highest rates of unemployment anywhere in the nation. (Martin, I. et al., *High road training for Lithium Valley: Opportunities and challenges*, July 2024, at i [attached hereto as **Exhibit 1**].) As the Governor's Blue Ribbon Commission on Lithium Extraction found: "it is imperative that new geothermal lithium recovery and related projects prioritize development and hiring of a local workforce, provide resources to support development of necessary training and educational opportunities, and commit to requirements for strong workforce and labor standards that produce high-quality jobs and careers." (Report of the Blue Ribbon Commission on Lithium Extraction, Dec. 1, 2022, at 70 [available at https://www.energy.ca.gov/news/2022-12/blue-ribbon-commission-lithium-extraction-california-submits-final-report-state] [attached hereto as **Exhibit 2**].) Yet, as discussed below, the Specific Plan lacks adequate assurances to guarantee that streamlined projects to be catalyzed by the Specific Plan will support a just transition from fossil fuels while ensuring community needs and employment goals are met.

One of the Guiding Principles of the Specific Plan is to provide "high-quality local jobs, while proactively enabling and empowering the local workforce to take advantage of these job opportunities." (DLVSP at 28.) And this principle is likewise incorporated, to some extent, into the Specific Plan's "vision statement" and "fundamental purpose," both of which at least mention the opportunities the Specific Plan will create for local workers. (*Id*. at 15, 31.) This principle is consistent with the County's General Plan, which prioritizes "employment of County residents by the renewable energy industries wherever and whenever possible." (Renewable Energy and Transmission Element ("RETE") at 24 [attached hereto as **Exhibit 3**].) The Specific Plan, however, does not impose *any* local hiring requirements, which are necessary to ensure that new industrial development delivers promised benefits to Imperial County residents.

In addition, training and apprenticeship programs are essential tools for empowering local workers to participate in these new industries, as well as for attracting project developers to Imperial County. Representatives of the lithium extraction industry have "emphasized that the

success of their facilities depends on building and maintaining a local workforce." (Exhibit 2 at 69.) The development contemplated by the Specific Plan will require skilled construction and extraction work, and the operation of Specific Plan projects will create demand for plant operators, mechanics, technicians, and other highly skilled positions. However, the Imperial County workforce is not yet trained for this work. (*See generally* Exhibit 1.) The Specific Plan should thus require projects to partner with labor organizations and educational institutions to provide apprenticeship and training programs, which are prerequisites for taking on these kinds of skilled positions. Apprenticeship and certificate programs would provide the opportunity for local residents to gain the qualifications necessary to take on high-quality jobs at Specific Plan-related projects. Without these opportunities, which are undoubtedly possible and feasible, local workers will be left behind, and the County will be unable to provide the skilled labor necessary to attract and sustain the industrial development promised by the Specific Plan, and as outlined in the General Plan.

The Specific Plan currently provides a policy – referred to as HP-10 – that addresses these issues, but that policy is permissive, not mandatory, and is therefore inadequate to meet the needs of union members and the public. (DLVSP at 154.) HP-10 *encourages* Specific Plan-related projects with two hundred (200) or more onsite employees to provide local hiring, training, and apprenticeship programs for both short and long-term positions. (*Id*.) However, the policy only states that such projects "should," rather than must, do this. (*Id*.) Moreover, it does not make use of unions' expertise in this area. Under the prior draft of the Specific Plan, companies were *required*, not encouraged to provide these programs. (Lithium Valley Specific Plan Public Review Draft January 2025 ["LVSPPRD"] at 156 [attached hereto as **Exhibit 4**].) The removal of this requirement leaves local hiring commitments, as well as training and apprenticeship programs, to the whims of project developers. As explained above, these issues are identified as priorities in the County's General Plan, in the Specific Plan itself, and in other documents the County used in preparing the Specific Plan, such as the Report of the Blue Ribbon Commission, but the Specific Plan does nothing to ensure such training and apprenticeship programs will be established and implemented.

Accordingly, the County should amend HP-10 in three ways. First, it should amend the policy to be mandatory. Second, the County should amend the policy to apply to all Specific Plan-related projects and not just ones with two hundred (200) or more onsite employees. According to the U.S. Census Bureau, approximately only four percent (4%) of businesses in Imperial County have two hundred (200) or more employees and only fourteen (14) percent have one hundred (100) or more employees. Thus, applying HP-10 to other businesses with fewer onsite employees is necessary for this policy to have any effect. Third, and perhaps most significantly, the County should amend HP-10 to encourage qualifying projects to partner with unions to plan and implement the job training programs contemplated. In a similar vein, the County should amend its "guiding principles," "vision statement," and "fundamental purpose" to make clear that unions have an important role to play in helping to establish and implement local hiring and training programs.

Unions, including UAW, have decades of experience training local people for skilled and high-paying careers and, therefore, offer the County and proponents of Specific Plan-related projects the ideal partner to promote these kinds of policies and programs. UAW, therefore, urges the County to amend the Specific Plan to better harness union know-how and to more clearly center the goals of hiring and training local residents and union members to work in and at Specific Plan-related projects. Unions are extraordinarily well-suited to help the County achieve the policies set forth in HP-2, HP-3, HP-5, HP-6, HP-7, HP-12, and HP-14, which emphasize the need for workforce training programs to promote the hiring of local residents. Unions have been working to build and implement job training programs and push employers to provide adequate healthcare, housing, food options, and recreational opportunities for decades and are thus uniquely prepared to help the County with these goals. UAW would welcome the opportunity to collaborate with the County to improve the Specific Plan in these areas and to help the County implement it in a way that ensures that the economic development catalyzed by the Specific Plan provides high-paying and safe jobs to union members and local, Imperial County residents.

Under the prior draft of the Specific Plan, HP-10 did include an opportunity for labor unions to collaborate with the County by directing the County to create an "Employment" tab on the Lithium Valley website to market job and training opportunities and to collaborate with labor organizations to develop a comprehensive list of apprenticeship programs and nonprofit initiatives to post to the website. (Exhibit 4 at 155.) The County should amend the Specific Plan to include this policy mandate, which would provide a valuable opportunity for the County to take advantage of unions' resources and expertise to assist the County in ensuring local residents have access to quality jobs.

The County should also restore the requirement, included in the January draft of the Specific Plan, for project developers to deliver community improvements. (*Id.* at 150.) These improvements included apprenticeship programs, project labor agreements with apprenticeship and local hiring commitments, and support for career centers. (*Id.*) Unless the County imposes such obligations on employers to commit to local hiring or apprenticeship and training programs, the Specific Plan will be inconsistent with the General Plan and with the purposes articulated within the Specific Plan itself.

Finally, the Specific Plan should be amended to include goals and policies encouraging Specific Plan-related projects to pay their employees a livable, just wage. UAW is aware of projects akin to those being contemplated here where employers were not incentivized to adequately compensate workers or to create and maintain good jobs and consequently offered workers wages at half the rate of those offered by incumbent firms nearby. (*See, e.g.*, UAW, *High Risk & Low Pay: Hazardous Conditions and Low Wages Show Standards Must Be Raised at Battery Cell Plants Getting Billions in Taxpayer Dollar: A Case Study of Ultium Cells Lordstown* [attached hereto as **Exhibit 5**].) This cannot and should not happen here in California. The Specific Plan should call out the need for Specific Plan-related jobs to be paid a living wage, as defined by the Living Wage Calculator published by the Massachusetts Institute of Technology, using the living wage rate for a household of two working adults with two children in Imperial County, or at local or regional prevailing wage standards for the applicable occupations. (In the alternative,

the County could base wage-related policies and goals off of the State's definition of "high road jobs" in its Power Forward Grant Program.) The County should therefore make it a clear priority, in this Specific Plan, for employers to pay a living wage, thereby providing Imperial County and its residents with the money needed to revitalize the region and ensure that the economic development being proposed flows to local community members.

B. The Specific Plan Does Not Adequately Account for Worker Safety Issues.

UAW commends the County for its efforts to include worker safety protections in the Specific Plan but respectfully insists that more is needed to ensure that Specific Plan-related projects protect onsite employees to the maximum extent possible. For example, though UAW supports the Standard-Use Conditions proposed for specific kinds of projects, these conditions are insufficient. Because the Specific Plan area gets extremely hot in the summer, every Specific Plan-related project must be mandated to implement measures to ensure that work conditions do not regularly hit dangerous temperatures, or, if such temperatures are encountered, onsite workers have ample facilities to escape the heat, and employers are required to encourage cooling breaks. HP-12, which establishes a policy to "[a]llow for and promote cooling centers within the Specific Plan Area to protect the workforce and visitors of Lithium Valley from extreme heat," is a good start, but it is not mandatory (as a Standard-Use Condition would be). The County should amend HP-12 into a mandatory condition on development. Furthermore, the Specific Plan does not compel any Specific Plan-related project to provide cooling facilities for onsite employees, let alone mandating it for all projects. (DLVSP at 151.)

Likewise, more is required to protect onsite employees working at Specific Plan-related battery manufacturing facilities. Such plants can be dangerous. (*See, e.g.*, Exhibit 5.) Through its experience in the electric vehicle supply chain, UAW is aware of the extensive workplace risks endemic to the types of jobs the Specific Plan seeks to attract. A study of workplace issues at Ultium Cells in Lordstown, Ohio, for instance, found that workers were regularly exposed to toxic chemicals and were not given transparent information about the hazards they were exposed to. (*Id*.) Multiple workers were hospitalized after safety incidents, including a worker who was sprayed in the face with toxic electrolyte. (*Id*.) And the plant was repeatedly cited by the Occupational Health and Safety Administration for failure to address safety concerns. (*Id*.) Indeed, as the General Plan notes, a "number of health and safety considerations are involved in renewable energy development, such as… ensuring the health and safety of workers constructing, operating and maintaining renewable energy facilities." (Exhibit 3 at 35-36.) Given the complexity and risks associated with these new industries, the use of a skilled and trained workforce is the only way to ensure that projects will operate in a manner that is safe for workers and for the environment. Policy HP-16 of the Specific Plan states that the County will "encourage the construction of projects within the Specific Plan area by a skilled and trained workforce." (DLVSP at 152.) This expression of support for employing skilled and trained workers is commendable, but it is nonbinding and thus insufficient to ensure that plants are operated safely by a trained workforce. The County should amend the plan to require companies to use a skilled and trained workforce and to implement apprenticeship and training programs. As explained in the preceding section, such programs are essential for producing a qualified workforce.

C. The Specific Plan Should Require Community Engagement in Exchange for Streamlined Permitting and Financial Incentives.

The Specific Plan is the County's opportunity to ensure that new industrial development delivers promised benefits to local communities and does not harm the environment. The Specific Plan offers streamlined permitting to developers and proposes generous incentives in the form of tax credits, grant funding, and other forms of public financing. (DLVSP at 159-161.) In exchange for these substantial benefits, project developers are not required to make any substantive commitments to the community in return. The County should consider the Blue Ribbon Commission's formal recommendation that benefits provided to developers should be "tied to community benefit agreements, project labor and maintenance agreements, and state-certified apprenticeship and pre-apprenticeship opportunities, and Tribal consultation." (*Id.* at 76.)

Community benefits agreements ("CBA") offer a proven model for effective community engagement. CBAs provide both accountability and flexibility, as they can be tailored to the specific needs of the community and developer. As the Blue Ribbon Commission explained:

> [c]ommunity benefits agreements between community organizations or Tribes and project developers are an effective tool to address community and Tribal priorities, reduce impacts, and ensure that economic gains from these projects are shared with the residents of the region by dedicating funds to address community-identified priorities.

(*Id.* at 68.) Accordingly, the County should consider amending the Specific Plan to require that developers enter into CBAs in exchange for streamlined permitting and financial incentives. The State of California has successfully used this model in the past to promote the development of renewable energy projects and the interests of local communities. Amending the Implementation section of the Specific Plan to include the following language, modeled on Cal. Gov. Code § 25545.10, would help ensure that Imperial County residents, tribes, and other stakeholders have a meaningful voice in the development contemplated by the Specific Plan:

> (a) The County shall not approve a site and related facility pursuant to the streamlined permitting process set forth in Section 8.1 unless the County finds that the applicant has entered into one or more legally binding and enforceable agreements with, or that benefit, a coalition of one or more community-based organizations, such as workforce development and training organizations, labor unions, local governmental entities, California Native American tribes, or other organizations that represent community interests, where there is mutual benefit to the parties to the agreement. The topics and specific terms in the community benefits agreements may vary and may include workforce development, job quality, and job access provisions that include, but are not limited to, any of the following:

(1) Terms of employment, such as wages and benefits, workplace health and safety, and career advancement opportunities.

(2) Union recognition process agreements (neutrality agreements).

(3) Local hire commitments, apprenticeship programs, commitments to a skilled and trained or credentialed workforce, and investment in workforce training and education.

(4) Establishing a high road training partnership, as defined in Section 14005 of the Unemployment Insurance Code.

(b) The topics and specific terms in the community benefits agreement may also include, but not be limited to, funding for or providing specific community improvements or amenities such as scholarships and programs for local schools and universities, installation of air quality monitoring systems and dust suppression mechanisms not already required for mitigation, assistance to the County in establishing career centers, job data reporting, project labor agreements, and annual contributions to a nonprofit or community-based organization that awards grants to organizations delivering community-based services and amenities.

(c) The County shall evaluate whether a developer has entered into one or more agreements consistent with subsections (a) and (b), and the extent of the developer's commitments under such agreements, in determining whether the County will grant a Special Use Permit, or whether the County will provide financial incentives or support the developer in obtaining financial incentives from other sources, including those listed in sections 8.2 and 8.3.

Including the above language would ensure that the companies benefiting from the Specific Plan pass some of those benefits on to Imperial County communities and residents.

D. The Specific Plan Should Not Offer Streamlined Permitting for Industries that Have Nothing to Do with Lithium.

As currently drafted, the Specific Plan streamlines permitting for industries that offer false climate solutions, could exacerbate local pollution, or have nothing to do with lithium extraction, workforce development, or community betterment. Specifically, the Specific Plan includes anaerobic digesting facilities, data centers, automobile wrecking and recycling yards, and green hydrogen production facilities. (DLVSP at 52-62.) These kinds of industries have nothing to do with lithium extraction. The presence of these facilities would foreclose opportunities to build other, lithium-related facilities where they are located and would, as a result, reduce the benefits of co-locating lithium extraction facilities with other lithium-related facilities to reduce the overall environmental impacts and costs of lithium production and renewable energy infrastructure.

Moreover, the non-lithium projects being considered are likely to exacerbate many of the problems Imperial County is already facing and unlikely to offer economic benefits to County residents comparable to those promised by the lithium-related industries being contemplated by the Specific Plan. For example, anaerobic digesting facilities, which use manure and other waste from factory farms to produce biogas, are a false climate solution. (*See, e.g.*, M.A. Holly et al., *Greenhouse gas and ammonia emissions from digested and separated dairy manure during storage and after land application*, Agriculture, Ecosystems and Environment 239 (2017) 410–419 [attached hereto as **Exhibit 6**].) Biogas combustion emits significant amounts of particulate matter, carbon monoxide, sulfur dioxide, and ozone-forming criteria pollutants, pollutants that Imperial County is already struggling to deal with, as discussed below. (*Id*.) And industrial digester facilities incentivize increased investment in massive dairies and concentrated animal feeding operations ("CAFO"), thereby increasing air and water quality problems in communities inside and outside of Imperial County. Likewise, both data centers and green hydrogen production facilities, neither of which relate to lithium extraction, require massive amounts of water. (Shannon Osaka, *A new front in the water wars: Your internet use*, (April 25, 2023), THE WASHINGTON POST, available at https://www.washingtonpost.com/climate-environment/2023/04/25/data-centers-drought-water-use/ [attached hereto as **Exhibit 7**];. Anand et al., *Green hydrogen for a sustainable future: A review of production methods, innovations, and applications*, International Journal of Hydrogen Energy III (2025) 319-341, available at https://www.sciencedirect.com/science/article/abs/pii/S0360319925008341 [attached hereto as **Exhibit 8**];.; K. Ramirez et al., *Hydrogen Reality Check: Distilling Green Hydrogen's Water Consumption*, (Aug. 2, 2023), RMI, available at https://rmi.org/hydrogen-reality-check-distilling-green-hydrogens-water-consumption/. [attached hereto as **Exhibit 9**].) As discussed below, Imperial County is already running low on water supply, so inclusion of such facilities in the Specific Plan makes little sense. In addition, data centers offer few, if any, jobs to local communities or union members. Providing geothermal power to data centers instead of people would contravene California's goals to convert our grid to renewable power and would therefore cut against the stated goals of the Specific Plan itself. (Pub. Util. Code § 454.53; DLVSP at 28.)

Similarly, while UAW acknowledges that California needs a system for collecting, refurbishing, and re-using and recycling lithium-ion batteries from electric cars at the end of their life, especially as the country moves further towards electrifying its vehicle fleet, building junkyards to destroy, shred, and combust vehicles (especially traditional, gas-powered vehicles) adjacent to the Salton Sea is not the answer. This kind of industry generates huge amounts of hazardous waste, which can be easily mobilized by wind and become entrained in the air and deposited in communities. Accordingly, the County should amend the Specific Plan to remove automobile wrecking and recycling yards from the allowed uses within the Specific Plan area, unless specifically tied and limited to electric vehicles. If the County concludes that including this sort of facility is necessary for the effectuation of the Specific Plan, it should consider adding a policy to proactively encourage the development of lithium ion battery recycling facilities instead of standard automobile recycling facilities since such facilities would better take advantage of the co-location of lithium-related industries.

UAW does not necessarily oppose these industries (biogas, data centers, green hydrogen, and automobile wrecking and recycling). However, they should not be included in the Lithium Valley Specific Plan, as they have nothing to do with lithium and take away from the County's efforts herein to collocate lithium extraction with lithium-related industries. These industries should not benefit from the streamlined permitting being offered here. If companies want to build these facilities, they should not be able to do so within the Specific Plan area and they should be obligated to undertake the full, normal permitting process.

E. The Specific Plan Does Not Meaningfully Guarantee Adequate Water Supply for Specific Plan-Related Projects.

The draft Specific Plan does not impose adequate measures to ensure that Specific Plan-related projects and the residential and commercial development they will enable have an adequate water supply. Imperial County's General Plan directs the County to support development of renewable energy while providing for the protection of environmental resources, including through the efficient use of water resources. (Exhibit 3 at 24-25.) Phase 1 of the Specific Plan is anticipated to require 48,023 acre-feet-per-year ("AFY"), phase 2 is anticipated to require 15,220 AFY, and phase 3 is anticipated to require 14,553 AFY (for a total of 77,776 AFY). (DLVSP at 116.) This is significant because the Imperial Irrigation District has stated that it will only have approximately 25,000 AFY available for lithium extraction projects. (*See, e.g.*, Imperial County Planning and Development Services, *Elmore North Geothermal Project - SB 610 - Water Supply Assessment* (November 15, 2023), available at https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=23-AFC-02 [attached hereto as **Exhibit 10**].) And this 25,000 AFY is itself wishful thinking. The Imperial Irrigation District based this number off of outdated data from 2012 that does not account for increased demand in Lithium Valley since then and on non-mandatory, discretionary programs to reduce water supply elsewhere in the County by investing in voluntary water-reduction programs. (*Id.* at 8-3, 11-1.) The Specific Plan will drastically exceed that amount and thereby push the County towards ever more difficult decisions between lithium extraction, municipal supply, and agricultural demand.

Imperial County's water supply comes primarily from the Colorado River, so it is entirely possible, if not likely, that this supply will diminish in the coming decades. The federal government recently negotiated a deal with three Colorado River states (including California) that compels such states to reduce their water demand on the river by thirteen percent (13%) in response to climate-exacerbated drought, over-allocation, and historically low water levels in Lake Mead and Lake Powell. (U.S. Bureau of Reclamation, *Lower Basin Plan Letter*, May 22, 2023, available at https://www.doi.gov/media/document/lower-basin-plan-letter-5-22-2023-pdf [attached hereto as **Exhibit 11**].) Given that the climate crisis will continue to get worse, it is likely that further, more drastic cuts will be mandated in the future.

The Specific Plan does not acknowledge this likely emergency, but it does recognize the need to obtain water supply for Specific Plan-related projects and recommends water storage facilities be constructed to supply phase 1 projects. (DLVSP at 117.) It states that "[i]t is anticipated that a Water Master Plan (WMP) will be prepared … to provide long-term water supply to the

Special District." (DLVSP at 117.) And it includes a policy – HP-11 – that "[p]rioritize[s] projects that secure reliable water sources for municipal water use within the Plan Area and the neighboring vulnerable communities." (DLVSP at 154.) UAW supports these measures, but more is desperately needed. The County must obtain a water supply assessment pursuant to Water Code sections 10910 to 10912, which require counties considering land use projects (including specific plans) to obtain a water supply assessment from the applicable public water system (here the Imperial Irrigation District). (Wat. Code § 10910, subd. (b); *see also Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal. 4th 412, 437.) The "water supply assessment" must then be included in subsequent California Environmental Quality Act (CEQA) documents. (Wat. Code § 10911, subd. (b).) The water supply assessment must not only account for the likely water demand associated with the projects the Specific Plan is intended to facilitate, including battery manufacturing, capacitor manufacturing, geothermal energy production, and lithium extraction, but also the likely decreases in water availability associated with climate-exaggerated evapotranspiration and a reduced availability of water from the Colorado River and tributaries to the Salton Sea. Moreover, any assessment must further account for the likely increase in water demand attendant to the increased population growth the Specific Plan is likely to create. (Wat. Code § 10910.) The proposed, future Water Master Plan is no substitute for a detailed water supply assessment prior to Specific Plan approval. Without this assessment, the Specific Plan is facially defective.

F. The Specific Plan Fails to Protect the Salton Sea and the Species that Rely on It.

Although the Specific Plan includes areas designated specifically for conservation uses, it lacks sufficient protections, policies, and programs to ensure that the development of the renewable energy hub envisioned will not catastrophically impact the Salton Sea and the rare and sensitive species that live there. For example, at no point in the entire Specific Plan does the County mention the possible impact that Specific Plan-related projects may have on inflows into the Salton Sea even though it acknowledges that the Salton Sea relies on such inflows. (DLVSP at 10.) The conservation and playas restoration land-use designations for properties adjacent to the Salton Sea are important and UAW supports these measures, but these designations do not provide any mechanisms to guarantee that changes in water allocation, use, and distribution associated with Specific Plan-related projects will not adversely affect the canals and drains that lead into the Salton Sea and the Salton Sea itself. Plainly put, and as described below, more is required. The Specific Plan must be amended to ensure that Specific Plan-related projects do not significantly deplete the Salton Sea of the inflows it needs to maintain key habitat for rare and sensitive species.

In fact, the Specific Plan lacks any mention of the myriad rare and sensitive species known to live in the Specific Plan area and that will be impacted by Specific Plan-related projects. The failure to address this topic is inconsistent with the General Plan, which directs the County to "[d]evelop mitigation measures and monitoring programs to minimize impacts to avian species and other species that may be affected by renewable energy facilities constructed near the Salton Sea." (Exhibit 3 at 26.) The Specific Plan area provides important habitat for a plethora of protected plant and animal species, including several federally endangered species like desert pupfish, snowy plover, brown pelicans, and Yuma Ridgway's rail. (Initial Study: Imperial County Lithium Valley

Specific Plan (Dec. 2023) [hereinafter "Initial Study"] at 20 [attached hereto as **Exhibit 12**].) Several other rare and sensitive species inhabit the area, including the mountain plover, loggerhead shrike, black rail, gull-billed tern, least bittern, and burrowing owl, which was recently proposed for listing under the California Endangered Species Act. (*Id*.) By converting this land to industrial uses, the Specific Plan is likely to result in significant impacts to these species that must be accounted for. Some of these species, including Yuma's Ridgway's Rail, for example, are very sensitive to sound and rely on marsh habitat adjacent to the Salton Sea. Other species, like the burrowing owl, are ground-bound and at risk of losing a tremendous amount of key habitat. Impacts to these species must be meaningfully analyzed and mitigated for each individual project to be facilitated by the Specific Plan and cumulatively for the Specific Plan area as a whole, as these species are likely to lose a large portion of their habitat. Failure to do so may result in violation of the federal Endangered Species Act and the California Endangered Species Act. (16 U.S.C. § 1538; 14 C.C.R. § 780.3 *et seq*.)

Construction and operation of Specific Plan-related projects are likely to significantly harm these species in various ways, both during construction and throughout the life of the projects. Such projects are likely to result in significant noise impacts, loss of habitat, dangerous toxic exposure (if birds access toxic pools or ponds on extraction sites, for example), and vehicle collisions (especially for burrowing owls and other ground-bound species). Consequently, the County must amend the Specific Plan to mandate that Specific Plan-related projects take the requisite actions to prevent impacts to these species to the maximum extent possible and to mitigate for the loss of habitat by paying for adequate substitute habitat elsewhere in the Salton Sea area. (Exhibit 3 at 24 [directing Imperial County to "[d]evelop mitigation measures and monitoring programs to minimize impacts to avian species and other species that may be affected by renewable energy facilities constructed near the Salton Sea"]; Cal. Gov't Code § 65454 ["No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan."]; *Bushey*, 5 Cal.5th at 1071 ["While a given general plan is in effect, neither local governments nor electors can enact a zoning ordinance inconsistent with it."].) Specifically, the Specific Plan should be amended to include a Standard-Use Condition mandating that Specific Plan-related projects take specified actions to reduce their noise impacts in and around rail and owl habitat, limit their impacts on drains and canals relied on by desert pupfish, and prevent harm to burrowing owls and their habitat. That Standard-Use Condition should also require projects to contribute to compensatory habitat for these species elsewhere in the Salton Sea area. Moreover, the County must also amend the Specific Plan to include policies and programs designed to emphasize the need for the protection and conservation of these species and their habitat and to ensure that Specific Plan-related projects undertake the proper consultation procedures under both the federal and California endangered species acts. Failure to do so would be an obvious and unacceptable violation of federal and state law.

G. Specific Plan-Related Projects are Likely to Cause or Exacerbate Exceedances of Air Quality Standards.

The Specific Plan is likely to result in significant air quality impacts. The Specific Plan area is located within the Salton Sea Air Basin, which is classified as nonattainment for ozone and

serious nonattainment for particulate matter less than ten microns ("PM_{10}"). Since emissions from the projects being facilitated by the Specific Plan will result in significant emissions of ozone precursor emissions and PM_{10}, the County must ensure that Specific Plan-related projects will not cause further and more drastic exceedances of air quality standards and, in addition, must require such projects to mitigate their air quality impacts to the maximum extent possible and, to the extent they cannot, ensure that they offset such emissions. (*U.S. Air Regulatory Group v. EPA*, 573 U.S. 302, 385 (2014) [describing Clean Air Act requirements].) This can and must be done by amending the Specific Plan to incorporate an additional Standard-Use Condition on Specific Plan-related projects and by adding both policies and programs to this effect.

Further, and specifically, the County must ensure that projects to be facilitated by the Specific Plan are consistent with the U.S. Environmental Protection Agency's ("EPA") recently issued National Ambient Air Quality Standard ("NAAQS") for particulate matter sized two-point-five microns or smaller ("$PM_{2.5}$"). On March 6, 2024, the EPA published a new NAAQS for $PM_{2.5}$. (89 Fed. Reg. 16202-406 (Mar. 6, 2024), available at https://www.govinfo.gov/content/pkg/FR-2024-03-06/pdf/2024-02637.pdf.) The EPA revised the allowable level of primary annual $PM_{2.5}$ from 12.0 $\mu g/m^3$ to 9.0 $\mu g/m^3$. (*Id.* at 16204-05.) Imperial County does not meet the revised annual primary $PM_{2.5}$ standard. (U.S. Environmental Protection Agency, *Fine Particle Concentrations for Counties with Monitors Based on Air Quality Data from 2020-2022* (Feb. 2022), available at https://www.epa.gov/system/files/documents/2024-02/table_annual-pm25-county-design-values-2020-2022-for-web.pdf [attached hereto as **Exhibit 13**].) The projects to be facilitated by the Specific Plan will cause or contribute to violations of the new $PM_{2.5}$ NAAQS. Consequently, the County must require Specific Plan-related projects to comply with this new, more stringent standard. Failure to do so would be a clear and unacceptable violation of both the Clean Air Act, CEQA, and the General Plan. (*Murray Energy Corp. v. EPA*, 936 F.3d 597, 627 (D.C. Cir. 2019) [Congress made an "express policy choice not to allow construction which will cause or contribute to nonattainment of 'any' effective NAAQS, regardless of when they are adopted or when a permit was completed'"]; Pub. Resources Code § 21002 [projects cannot be approved "if there … feasible mitigation measures available which would substantially lessen . . . significant environmental effects . . . ."]; 14 C.C.R. § 15092 [projects cannot be approved unless the agency has "[e]liminated or substantially lessened all significant effects on the environment where feasible"]; Land Use Element at 40 [attached hereto as **Exhibit 14**]; Cal. Gov't Code § 65454; *Bushey* (2018) 5 Cal.5th at 1071; *DEBottari,* 171 Cal.App.3d at 1213.)

Moreover, the lithium extraction, battery manufacturing and recycling, and capacitor manufacturing projects the Specific Plan is designed to facilitate are also likely to emit significant quantities of toxic air contaminants. For example, battery manufacturing plants emit extremely dangerous quantities of cobalt. In fact, the cobalt emissions from Tesla's battery manufacturing are so significant that they make the corporation the only automaker among the nation's hundred worst air polluters. (*Cf.* Political Economy Research Institute at the University of Massachusetts Amherst ("PERI"), *Toxic 100 Air Polluters Index (2024 Report, Based on 2022 Data)*, available at https://peri.umass.edu/index-edition/toxic-100-air-polluters-index-2024-report-based-on-2022-data/ *with* PERI, *Tesla Inc.*, available at https://grconnect.com/tox100/ry2020/index.php?search=yes&sortp=&company1=1164&chemfac

=chemfac&advbasic= [attached hereto as **Exhibit 15**].) Tesla's cobalt emissions are over eighty-six percent of the reason for its listing as one of the hundred worst air polluters in the County, according to researchers. (*See* Exhibit 15.) If inhaled at significant levels, cobalt emissions can cause serious respiratory impacts even with short-term exposure. (U.S. Environmental Protection Agency, *IRIS Assessment Plan and Protocol for Assessing Cancer Risk from Inhalation Exposure to Cobalt and Cobalt Compounds*, November 2022 [attached hereto as **Exhibit 16**].) Long-term exposure to high quantities of cobalt emissions can cause and exacerbate existing respiratory and cardiovascular problems, and can also cause cancer, liver and kidney failure, and immunological effects. (*Id.*) The County must therefore amend the Specific Plan to impose a Standard-Use Condition on battery manufacturing projects being streamlined by the Specific Plan to mitigate their cobalt (and other toxic air) emissions to the maximum extent possible and to offset any remaining cobalt emissions to the maximum extent feasible thereafter. (Exhibit 14 at 40; Cal. Gov't Code § 65454; *Bushey* (2018) 5 Cal.5th at 1071; *DEBottari*, 171 Cal.App.3d at 1213.) In addition, the County should amend the Specific Plan to include policies favoring the production of batteries without cobalt to the maximum extent practicable, as alternatives are both available and safer for workers and local communities.

Likewise, lithium extraction projects emit large quantities of hydrogen sulfide. Hydrogen sulfide in the ambient air near the Salton Sea is subject to episodic events which result in concentrations which temporarily exceed the California Ambient Air Quality Standard ("CAAQS") of 0.03 parts per million (ppm) (42 $\mu g/m^3$). Accordingly, Specific Plan-related projects are likely to cause or contribute to CAAQS violations. The County must therefore amend the Specific Plan to impose a Standard-Use Condition on lithium extraction and battery manufacturing projects being streamlined by the Specific Plan to mitigate their hydrogen sulfide emissions to the maximum extent possible and to offset any remaining hydrogen sulfide emissions to the maximum extent feasible thereafter. (Exhibit 14 at 40; Cal. Gov't Code § 65454; *Bushey* (2018) 5 Cal.5th at 1071; *DEBottari*, 171 Cal.App.3d at 1213.)

These deficiencies notwithstanding, UAW supports policy HP-5, which "[f]acilitate[s] the deployment of air quality monitors within the Specific Plan Area through collaboration with local organizations to identify the best locations, funding mechanisms, and maintenance plans for air quality monitoring stations." (DLVSP at 153.) Additional air quality monitors will help inform regulators and the public regarding the air quality impacts of Specific Plan-related projects down the line. In locating these air quality monitors, the County should emphasize areas near residential development and areas directly adjacent to industrial development, since the former will help to identify conditions where residents are and the latter will help regulators understand the air quality conditions faced by onsite employees.

H. The Specific Plan is Likely to Impair Tribal Resources.

The draft Specific Plan makes short shrift of the implications it will have on tribes in the area. Local tribes consider Obsidian Butte and the adjacent mud pots, which are within the Specific Plan area, sacred, so development in the area is likely to diminish tribes' use and enjoyment of

these areas. Yet, the draft Specific Plan offers little to ensure that tribes' interests will be protected. While some of the areas sacred to local tribes are slated to be designated as "conservation" areas, and therefore will not be developed *per se*, the presence of such intense development in the area is likely to impact tribes' use and enjoyment of these sacred sites and may even impact the mud pots themselves. The County must therefore account for these impacts in the Specific Plan and associated programmatic EIR, and it must mitigate for impacts on tribes to the maximum extent practicable when issuing the programmatic EIR. (Exhibit 3 at 24 [directing the County to "[l]essen impacts of site and design production facilities on … cultural resources"]; Cal. Gov't Code § 65454; *Bushey* (2018) 5 Cal.5th at 1071; *DEBottari,* 171 Cal.App.3d at 1213.) Failure to do so would be a plain and obvious violation of applicable law.

I. The Specific Plan is Inconsistent with Imperial County's General Plan.

As noted, "[n]o specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan." (*See* Cal. Gov't Code § 65454; *see also Bushey* (2018) 5 Cal.5th at 1071 ["While a given general plan is in effect, neither local governments nor electors can enact a zoning ordinance inconsistent with it."]; *DEBottari,* 171 Cal.App.3d at 1213 [referendum election could not be held on zoning ordinance because if enacted the ordinance would have been inconsistent with the city's general plan and therefore invalid].) Yet, as explained below, the Specific Plan, at least as proposed, is inconsistent with Imperial County's current General Plan. Approving the Specific Plan as currently devised would, therefore, constitute an abuse of discretion.

For example, the Renewable Energy and Transmission Element of the General Plan, which "serves as the primary policy statement by the Board of Supervisors for implementing development policies for geothermal and other renewable energy land uses in Imperial County[,]" sets forth objectives relevant to the Specific Plan. (Exhibit 3 at 24.) These objectives direct the County to:

- "provide a balance between the development of renewable energy resources while preserving sensitive environmental resources within" Imperial County;
- "[l]essen impacts of site and design production facilities on agricultural, natural, and cultural resources[;]"
- "[r]equire appropriate mitigation and monitoring for environmental issues associated with developing renewable energy facilities[;]"
- "[e]ncourage the efficient use of water resources required in the operation of renewable energy generation facilities[;]"
- "[e]ncourage [the] employment of County residents by the renewable energy industries wherever and whenever possible[;]"
- "[e]ncourage the establishment of necessary and applicable renewable energy training programs in local school systems[;]"
- "[e]valuate environmental justice issues associated with job creation and displacement when considering the approval of renewable energy projects[;]" and

- "[d]evelop mitigation measures and monitoring programs to minimize impacts to avian species and other species that may be affected by renewable energy facilities constructed near the Salton Sea."

(*Id.* at 24-26.) For the aforementioned reasons, the Specific Plan, at least as currently drafted, conflicts with these objectives. The proposed Specific Plan overemphasizes industrial development to the detriment of Imperial County's air quality, water supply, and threatened and endangered species. And it streamlines development without also providing for the job training and local economic benefits favored by the objectives outlined in the Renewable Energy and Transmission Element of Imperial County's General Plan.

Likewise, the Land Use Element of the General Plan includes an objective that directs the County to "[r]equire that extractive uses are designed and operated to avoid air and water quality degradation, including groundwater depletion, other adverse environmental impacts." Yet, as noted already, the Specific Plan allows for significant and unmitigated air emissions and facilitates the depletion of the County's remaining freshwater supply. This too is plainly inconsistent with the General Plan's Land Use Element and is therefore unlawful. (Cal. Gov't Code § 65454; *Bushey* (2018) 5 Cal.5th at 1071; *DEBottari*, 171 Cal.App.3d at 1213.) The County must therefore amend the Specific Plan as outlined above or risk deviating too far from the mandates of the General Plan, as required.

III. Conclusion

As noted, UAW generally supports the proposed Lithium Valley Specific Plan and its vision to develop a renewable energy hub in California. However, for the foregoing reasons, the Specific Plan, at least in its current form, fails to ensure that the economic development to be instigated by the Specific Plan and related projects will be enjoyed by local union members and Imperial County residents. The Specific Plan also violates the clear mandates of applicable laws and regulations. Accordingly, UAW strongly urges the County to closely review and implement the issues identified in this comment to better guarantee that this project goes forward as planned and has the desired impacts on local communities and people.

Respectfully,

Matthew C. Maclear
Aqua Terra Aeris Law Group

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Monday, May 5, 2025 4:17:24 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Kimberly Palacio
Email Address:: kpalacio@unionyes.org
City of Residence:: Calexico
State of Residence:: CA
Comment:: Imperial County Officials,

As a representative of the Labor movement in Imperial Valley, I cannot support the current draft of the Lithium Valley Specific Plan. The sole mention of labor comes in section 2.3.1 with a generic statement of hope for future collaboration. Workers across the Valley are demanding assurances of transparency, local hiring, health and safety, and family-sustaining wages. Strong language detailing the provision of such requisites are not only assured through project labor and community benefits agreements, but must be included in the LVSP as well.

BHE Renewables, LLC

4124 NW Urbandale Drive
Des Moines, IA, 50309-3037

May 5, 2025

Imperial County
801 Main Street
El Centro, CA 92243

RE: **Comments on the County of Imperial Draft Lithium Valley Specific Plan**

Dear Jim Minnick:

BHE Renewables, LLC (BHER), values the County of Imperial's (County) effort to produce the draft Lithium Valley Specific Plan (LVSP). The LVSP is an important planning tool for the development of lithium production in Imperial County, and BHER appreciates the opportunity to provide the following questions and substantive comments for your consideration. Our comments are formatted with suggested deletions in strikethrough text and insertions in boldface, underlined text.

Chapter 1. Introduction and Intent

Page 10, Section 1.4 Specific Plan Area Location (Plan Area), 1st Paragraph, Last Sentence – To specify the location of the Specific Plan Area, revise the sentence as follows:

> *The Specific Plan Area, located in the northern portion of the County, **overlaps** ~~borders~~ the **southeastern portion of the** Salton Sea, which is renowned for its ecological significance and unique geological features which serve as a focal point for environmental conservation efforts and recreational activities in the region.*

Page 11, Section 1.4 Specific Plan Area Location (Plan Area), 4th Paragraph, 2nd Sentence – To clarify and improve readability, revise the sentence as follows:

> *The regulations in this Plan are generally not applicable to these 160-acre~~s~~ **tracts** unless the land is transferred to a private individual or used by a private lessee solely for private purposes (Gov. Code § 53090 et seq.; 68 Ops.Cal.Atty.Gen. 114, 118 (1985).).*

Page 13, Section 1.5 Relationship to the General Plan and Other Planning Documents, 9th Paragraph, 1st Sentence – Recommendation to reference other relevant agencies:

> *In addition to the Imperial County General Plan, **Regional Water Quality Control Board Basin Plan, Imperial Air Pollution Control District Regulation,** other plans and policy documents that were reviewed and referenced to better understand existing conditions, planned improvements, and policy synergies include…*

Page 14, Section 1.6 CEQA Compliance, 2nd Paragraph, Last Sentence – To clarify and improve readability, revise the sentence as follows:

> *The PEIR can streamline administrative processes, resulting in reduced delays and enhanced efficiencies in environmental review procedures for projects meeting program criteria, as outlined in the Implementation Chapter 8 Section **41**, **Application and** Review Process.*

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Page 17, Section 1.8 Executive Summary, Chapter 3 Land Use, Floodplain Drainage Basin and Conservation definitions – Ensure that linear features such as transmission lines, pipelines, rail, streets and utility can cross these features.

Page 18, Section 1.8 Executive Summary, Chapter 6 Infrastructure, Playas Restoration – Clarify if this section will address bridge improvements:

> *This chapter provides recommended infrastructure improvements for future consideration to meet the anticipated needs of development as it occurs within the Specific Plan Area.*

Page 18, Section 1.8 Executive Summary, Chapter 6 Infrastructure, Water – Consider the following: subsidence risks when extracting groundwater, impacts to the Salton Sea if the reclaimed water is sourced from canal drains, supply impacts from seasonal and daily flow variations, and compliance with Regional Water Quality Control Boards (RWQCBs) Basin Plan for groundwater and reclaimed water use:

> *Water supply may be provided by surface water, groundwater, and reclaimed water. Future water supply for subsequent phases are intended to be guided by a comprehensive Water Master Plan (WMP).*

Page 18, Section 1.8 Executive Summary, Chapter 6 Infrastructure, Wastewater, 1st Paragraph – Will the County establish a right of way for piping wastewater to a treatment facility?

> *Initial developments will utilize engineered septic systems to manage non-process and sanitary wastewater, transitioning to centralized treatment as development progresses.*

Page 18, Section 1.8 Executive Summary, Chapter 6 Infrastructure, Wastewater, 2nd Paragraph – Clarifying what agency or organization will be responsible for new wastewater treatment plants (WWTPs).

Page 18, Section 1.8 Executive Summary, Chapter 6 Infrastructure, Floodplain, Drainage, and Stormwater Quality, 1st Paragraph, 2nd Sentence – The County proposes establishing a 950 foot corridor along the Alamo River. Will Imperial County include provisions for lithium development within any established river corridor that is shown to not impact the Alamo River? Please clarify if existing buildings and infrastructure will be exempt from impacts of creating this floodway corridor.

Page 20, Section 1.8 Executive Summary, Chapter 6 Infrastructure, Solid Waste Disposal, 3rd Paragraph – Since the compliance and reporting of hazardous waste fall under the jurisdiction of Department of Toxic Substance Control, specify municipal solid waste (MSW) and revise the sentence as follows:

> *To address solid **municipal** waste disposal needs, the new Special District will oversee waste management services, establish contracts with specialized companies, and enforce compliance through reporting and inspections.*

Page 21, Section 1.8 Executive Summary, Chapter 6 Infrastructure, Essential Services, 2nd Paragraph, 2nd Sentence – Please clarify how many additional permanent and onsite workforce personnel will trigger the requirement to construct a larger fire station and emergency response facility(ies).

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Chapter 2. Vision and Guiding Principles

Page 27, Section 2.1 Planning and Legal Background, 5th Paragraph, 1st Sentence – To clarify and improve readability, revise the sentence as follows:

> *In Lithium Valley, brine can be extracted from the geothermal reservoir and serve as two beneficial resources: (1) a heat* ***and pressure*** *source for geothermal electricity production, and (2) a source of lithium.*

Page 28, Section 2.2 Vision Statement, 2.3.4 Job Creation and Local Economy – Please define the "SPA" acronym and include in Acronym Glossary.

Page 28, Section 2.2 Vision Statement, 2.3.5 Environmental Stewardship and Responsible Growth, 1st Sentence – Consider using an alternative term to 'natural resources' that may not unintentionally include geothermal, mineral or subsurface resources. To further clarify and improve readability, revise the sentence as follows:

> *Protect and preserve natural resources* ***on the ground surface*** *and support the recovery of sensitive habitats in the planning process.*

Page 31,Section 2.4 Fundamental Purpose and Objectives, Item #6 – Consider the following suggested changes to Objective #6:

> *Create local economic benefits from abundant natural resources, particularly lithium, that* ***levy excise and property taxes that support community benefits and a profitable business development foundation.*** ~~*increased excise and property taxes that support community benefits, including*~~ ***Community benefits include*** *career training, local employment opportunities for disadvantaged communities and indigenous people, and restoration activities, while minimizing environmental impacts, and minimizing impacts to disadvantaged communities and indigenous people in Imperial County.*

Page 32, Figure 2-2, Lithium Valley Vision – To the extent feasible, please identify tribally significant features on Figure 2-2.

Page 33, Figure 2-3, Lithium Valley Concept Map – Please ensure land uses for existing and new development projects are classified on Figure 2-3.

Chapter 3. Land Use

Page 34, 3rd Paragraph – This language is duplicative of the language provided within the prior paragraph and should be removed in its entirety:

> ~~*This Specific Plan shall constitute the applicable zoning and land use regulations for parcels within the Plan Area. In some cases, the Plan will regulate land uses in conjunction with other regulations (e.g. see "Interim Agriculture").*~~

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Page 35, Section 3.1 Land Use Map, Conceptual Intermodal Rail Yard, 1st Sentence – Ships are not a viable transport option for this region and should be removed accordingly, see the suggested edits below:

> *A specialized facility where freight is transferred between different modes of transportation, such as trains and~~,~~ trucks~~, and ships~~.*

Page 38, Section 3.2 Land Use Designations, 3.2.2 Manufacturing, 4th Sentence – To clarify and improve readability, revise the sentence as follows:

> *Due to its location within the **Salton Sea** Known Geothermal Resource Area, geothermal energy and mineral recovery operations are still anticipated uses within the Manufacturing designation.*

Page 40, Section 3.2 Land Use Designations, 3.2.4 Playas Renewables – The suggested changes below are proposed to assist in the development of lithium and geothermal resources within the Lithium Valley Specific Plan area:

> *The purpose of this designation is to promote similar uses to Green Industrial while restricting these uses to be compatible with environmental factors of the Salton Sea and the exposed lakebed (playas), such as soil stability and ~~toxic~~ **fugitive** dust. As the Salton Sea recedes, the exposed playas become a major source of fugitive dust containing harmful elements~~ that have accumulated from agricultural runoff over decades~~. The exposed playas pose serious respiratory risks to humans when inhaled over long periods. Dust suppression is a necessary mechanism to protect the on-site employees and the vulnerable communities surrounding the Salton Sea. See Section 4.1.1, Standard Design Conditions For Unique Locations, A. Adjacent to the Salton Sea for relevant dust suppression standards. Due to the unique soils and geologic conditions of the Salton Sea playas, geologic testing may be required for proposed **significant** structures**, while well pads, pipelines, transmission/distribution lines, and access roads would be exempt from testing,** within the Playas Renewables designation to determine the viability of development on the proposed site.*

Page 43, Section 3.2 Land Use Designations, 3.2.6 Interim Agriculture, 4th Sentence – To clarify and improve readability, revise the sentence as follows:

> *As shown in Figure 3-3, Interim Agriculture, the underlying agricultural zones include A-2, A-2-R-G, A-3, A-3-G, as regulated by County Code Land Use Ordinance Title 9 Division 5, Chapter 8 and ~~9~~ Section **9**.*

Page 46, Section 3.2 Land Use Designations, 3.2.8 Playas Restoration, 3rd Sentence – To enhance the understanding of possible potential activities, consider incorporating the following language:

> *Subsurface geothermal activities and above-surface environmental restoration and mitigation activities will be permitted, while geothermal energy and operation, and mineral recovery, processing, and production **activities, including pipeline and transmission corridors, within this designation** would be subject to a Special Use Permit.*

Page 47, Section 3.2 Land Use Designations, 3.2.9 River Corridor, 2nd Paragraph, 1st Sentence – Please clarify if the creation of the "River Corridor" would remove any existing rights of land/lease owners to develop or use property within the corridor area.

Page 47, Section 3.2 Land Use Designations, 3.2.9 River Corridor, After 2nd Paragraph – Include the alternate features that have been authorized within specific areas of the River Corridor:

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The River Corridor designation covers an approximately 950-foot buffer (475 feet on each side) on the Alamo River and a 1,275-foot buffer (637.5 feet on each side) on the New River. This designation also allows for a multi-use river trail (including pedestrian and bicycle facilities) within the buffer area to serve as permanent open space and provides for recreation within the Specific Plan area.

Well pads along with transmission, pipeline and utility crossings within the River Corridor are authorized at Garst Road, Sinclair Road, David Road and crossings, as noted in the 2024 IID Integrated Resource Plan Conceptual Transmission Lines and as approved by the County Planning and Development Services (PDS) director.

Page 48, Section 3.2 Land Use Designations, 3.2.10 Conservation, 2nd Paragraph, Last Sentence – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the specific plan area:

For example, should a project within the Specific Plan Area need to find additional mitigation land that's offsite, there is land designated as Conservation that may be purchased and used for such mitigation. ***Transmission, pipeline and utility crossings within Conservation would be approved by the County Planning and Development Services (PDS) director****.*

Page 50, Section 3.3 Phasing, 3.3.1 Phase Exchange or Expansion Process, Item #3 Review and Approval, 1st Sentence – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the specific plan area:

The County may impose a~~n~~ ***reasonable*** *application fee for the cost of review and administration of the application.*

Page 53, Section 3.4 Allowed Uses, 3.4.1 Use Definitions, Geothermal Energy and Operations, 2nd and 3rd Sentences – Please consider other ancillary activities associated to geothermal energy production as proposed below:

This includes the exploration, drilling (~~perpendicular~~ ***vertical*** *and directional), and operation of geothermal wells, power plants or other facilities designed to convert geothermal energy into electricity or other usable forms of power, and the necessary infrastructure support such as transmission lines, pipelines, and cooling systems. Geothermal energy production may also involve ancillary activities such as resource monitoring ~~and~~,* ***solar energy production, and energy storage****.*

Page 53, Section 3.4 Allowed Uses, 3.4.1 Use Definitions, Geothermal Pipelines and Wells – The proposed changes are provided to improve the definition of geothermal pipelines and wells:

Geothermal Pipelines and Wells: Above- and sub-surface infrastructure designed to support geothermal energy production. This includes geothermal and water pipelines, ***wells that are*** *either vertically* ***or directionally, including*** *horizontally,~~ excavated or~~ drilled to access geothermal resources, provide monitoring functions, or support geothermal well functions. This also includes the associated utilities and facilities such as access roads and operational equipment for the functionality and maintenance of geothermal pipe****line****s****, control systems*** *and wells.*

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Page 53, Section 3.4 Allowed Uses, 3.4.1 Use Definitions, Housing, 2nd Sentence – Please consider the following suggested change to the Housing definition:

> *There is a maximum of 18* ***permanent*** *dwelling units per acre, comprising up to 80% of the given community opportunity area.*

Page 53, Section 3.4 Allowed Uses, 3.4.1 Use Definitions, Mineral Recovery, Conversion, Processing, and Production – Please define Mineral Recovery, Conversion, Processing, and Production and specify the operational boundary between geothermal energy production and lithium production. BHE Renewables recommends establishing the lithium production boundary when the brine enters the lithium production facility.

Page 53, Section 3.4 Allowed Uses, 3.4.1 Use Definitions, On-Site Solar, Last Sentence – Please consider the following suggested change to allow the integration of energy storage into any solar development:

> *On-site solar may be roof-mounted, installed over parking lots or carports, or an ancillary solar farm****, and may include an energy storage system****.*

Page 54, Section 3.4 Allowed Uses, 3.4.1 Use Definitions, Subsurface Geothermal Directional Drilling, Last Sentence – Please consider the following changes to the Directional Drilling definition:

> *Drilling activities are conducted in a manner that minimize surface disturbance and designed to be compatible with areas where surface activities are ~~restricted~~* ***limited*** *or undesirable, such as conservation areas****, or in areas that are inaccessible by heavy equipment. The Lithium Valley Specific Plan land use designations are limited to surface land use, such as wellhead locations. Geothermal drilling and well operation remains regulated by California Department of Conservation – Geologic Energy Management Division, while access to the geothermal resources is solely constrained by agreements between the mineral rights owner and mineral rights lessee and their agents****.*

Pages 55-60, Section 3.4 Allowed Uses, Table 3-2 Use Table – A number of suggested changes are proposed to Table 3-2 to facilitate the development of geothermal energy and lithium production. In addition, the Specific Plan should include use designations for municipal solid waste landfill and heliports, with the percentages within the table defined, and identify that trailers are required for solid waste management at geothermal facilities.

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Use	Land Use Designation									
	Green Industrial	Playas Renewables	Manufacturing	Logistics	Playas Restoration	Interim Agriculture	Community Opportunity Areas	Solar	Conservation	River Corridor
Renewables And Industrial-type Uses										
Airport			S	S						
Agrivoltaics[1]	S		S	S		P		P		
Anaerobic Digesting Facility[1]	P	P	P	P						
Automobile Wrecking and Recycling Yard	P		P	P						
Battery Energy Storage Systems (On-site)	A (30)%	A (30)%	A (30)%	A (30)%			A (50%)	A (50%)		
Battery Energy Storage Systems (Commercial Scale)	P		P	P						
Business Industrial Parks	P		P	P						
Commercial-Scale Solar[2]	A (30%)	A (10%)	A (30%)	A (30%)				P		
Data Centers[1]	P		P	P		**P**				
Desalinization	S	S	S							
Electrical Vehicles Charging Stations as a Primary Use (Passenger and Heavy Duty Vehicles)	P		P	P			S			
Electrical Vehicles Charging Stations (Passenger Vehicles)	A (20%)		A (20%)	A (20%)			P			
Floatovolatics or Waterway-Covering Solar	P	S	P	P	S	P				S
Geothermal Energy and Operations[1]	P	P	P	P	S	**P**		P		
Geothermal Pipelines and Wells[1]	P	P	P	P	P	P		P	S[3]	**S[3]**
Green Hydrogen[1]	P		P	P						

Use	Land Use Designation									
	Green Industrial	Playas Renewables	Manufacturing	Logistics	Playas Restoration	Interim Agriculture	Community Opportunity Areas	Solar	Conservation	River Corridor
Hydrogen Fuel Station (Passenger and Heavy Duty Vehicles)	P		P	P			S			
Intermodal Rail Hub[1]	S		S	P						
Logistics and Wholesale Distribution	A (30%)	A (20%)	A (40%)	P						
Manufacturing and Assembly[1]	P	A (30%)	P	A (50%)						
Mineral Recovery, Conversion, Processing, and Production[1]	P	P	P	P	S	**P**				
On-Site Solar[1]	P	P	P	P	P	P	P	P		
Outdoor Storage of Trucks, Trailers, Shipping Containers	A (20%)	**A**	A (50%)	P	**A**	**A**		**A**		
Rail[1]	P	S	P	P			S	P		
Recycling Centers[1]	P		S	S						
Subsurface Geothermal Directional Drilling[1]	P	P	P	P	P	**P**	**P**	**P**	P	**P**
Temporary Contractors Equipment and Storage Yard[1]	A (20%)	A (10%)	A (20%)	P						
Utilities[1]	P	P	P	P	S	P	P	P	S[4]	**S[4]**
Wastewater Treatment Plant	P		P	P				P		
Water Storage Facility Regional Scale	P	S	P	P		P				
Office-type Uses										
Office and Government Buildings	A (30%)		P	P						
Research and Development	P	P	P	P			S			
Workforce Training and Employment Services	P		P	P			P			

Use	Land Use Designation									
	Green Industrial	Playas Renewables	Manufacturing	Logistics	Playas Restoration	Interim Agriculture	Community Opportunity Areas	Solar	Conservation	River Corridor
Agriculture Uses										
Agriculture, Limited (A-1)[1]	S		S	S		P	S	P		
Agriculture, Heavy (A-3)[1]						P		P		
Community-oriented Uses										
Churches							P			
Civic Uses							P			
Commercial/Retail[1], [5]	A (10%)		A (20%)	A (10%)			P			
Community Center							P			
Convention Center[5]							S			
Cooling Centers	P	P	P	P			P	P		
Educational Institutions, Colleges, and Universities	S		S	S			S			
Emergency Services[1]	P		P	P		**P**	P			
Entertainment5							S			
Farmers Market						**P**	P			
Gas Station and Auto Services within an Enclosed Facility	S		P	P			S			
Health Care Facilities							P			
Hotels							S			
Housing[1]							P			
Library							P			
Public Transportation Hub							P			
Restaurants and Catering[5]	A (10%)		A (10%)	A (10%)			P			
Temporary Construction Housing	P		P	P		**P**	P	P		
Trade Schools	P		P	P			P			

Use	Land Use Designation									
	Green Industrial	Playas Renewables	Manufacturing	Logistics	Playas Restoration	Interim Agriculture	Community Opportunity Areas	Solar	Conservation	River Corridor
Parks	P		P	P			P			
Passive Recreation	P	P	P	P	P		P		P	P
Public Art Installations	P	P	P	P			P			
Air Quality Monitoring	P	P	P	P	P	**P**	P	P	P	**P**
Cultural Resource Preservation[1]	P	P	P	P	P	~~P~~	P		P	
Dust Suppression[6]	P	P	P		P				P	
Habitat Restoration	P	P	P		P				P	
Mitigation Projects	A (60%)	P	A (60%)	A (60%)	P	**P**			P	P
Native Riparian Restoration	A (60%)	P	A (60%)	A (60%)	P	**P**			P	P

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Page 61, Section 3.5 Standard Use Conditions, 3.5.3 Battery Energy Storage Systems – The Specific Plan should identify fire suppression system requirements for battery energy storage systems.

Page 62, Section 3.5 Standard Use Conditions, 3.5.6 Temporary Construction Housing – The Specific plan should consider standard use conditions for the development and use of temporary construction housing.

Pages 63 and 64, Section 3.6 Land Use Goal, Policies, and Programs, Table 3-3 Land Use Goal, Policies, and Programs –BHE Renewables recommends including a separate row for Regional Water Quality Control Board compliance in Table 3-3.

Chapter 4. Development and Design Standards

Page 66, Section 4.1 Development Standards, C. Setbacks, 1st Paragraph, Last Sentence – Please include laboratory and process vents from the list of vents excluded from building height requirements. Exhaust vents are typically routed based on the safest path, considering both internal and external factors. There should not be requirements for aesthetics for process safety related roof top vents, since this could potentially impact the functionality of such vents. There should be no prohibitive setback or blocking requirements for process safety vents:

> *Building height is exclusive of roof-mounted utility equipment, such as HVAC systems, rooftop solar panels, condensers, boilers, pumps, electrical transformers, utility boxes and* ***laboratory/exhaust*** *vents, and other necessary mechanical equipment, provided that:*

Page 66, Section 4.1 Development Standards, C. Setbacks, Item #1 – Given the rural nature of the specific Plan area and the scale of geothermal energy and lithium production facilities, screening of roof-mounted features appears to be excessive and unwarranted, and will introduce additional cost burden to geothermal and lithium development projects

Page 66, Section 4.1 Development Standards, C. Setbacks, Items #2 and #3 – Please see the suggested changes to the setback standards:

> 2. *Height of Equipment: The height of any roof-mounted equipment, including the screening structures, shall not exceed ~~four~~* ***twelve*** *(4****12****) feet above the maximum allowable building height.*
> ~~3. *Setbacks: Roof-mounted equipment must be set back from the edge of the building by a distance that is not visible from any public rights-of-way or adjacent properties.*~~

Page 66, Section 4.1 Development Standards, D. Maximum Utility Structure Height, Last Sentence – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> *These regulations do not apply to utility structures such as electrical transmission towers* ***or power plant vent stacks. Variances to utility structure height limits can be approved by the PDS****.*

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Page 66, Section 4.1 Development Standards, E. Maximum Lot Coverage, 2nd Sentence – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the specific plan area:

> *Maximum lot coverage is defined as the maximum percentage of a lot's total area that may be covered by roofed buildings and* ***permanent*** *structures****, excluding solar and/or covered parking facilities****.*

Page 67, Section 4.1 Development Standards, Table 4-1 General Development Standards – The following suggested changes to Table 4-1 are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

	Green Industrial	Playas Renewables	Manufacturing	Logistics	Community Opportunity Areas	Solar	Playas Restoration	Conservation	Floodway
Minimum Lot Size	2 acres	2 acres	1 acre	1 acre	8,000 SF	-	-	-	-
Minimum Building Setback from Roadway	50~~'~~ **ft**	50~~'~~ **ft**	50~~'~~ ft	50~~'~~ **ft**	10~~'~~ **ft**	-	-	-	-
Minimum Distance Between Buildings	30~~'~~ **ft**	30~~'~~ **ft**	30~~'~~ **ft**	40~~'~~ **ft**	-	-	-	-	-
Maximum Building Height	80~~'~~ **ft**	80~~'~~ **ft**	80~~'~~ **ft**	80~~'~~ **ft**	40~~'~~ **ft**	20~~'~~ **ft**	-	-	-
Maximum Utility Structure Height	110~~'~~ **ft**	110~~'~~ **ft**	110~~'~~ **ft**	110~~'~~ **ft**	-	20~~'~~ **ft**	-	-	-
Maximum Building Lot Coverage	~~70~~**85**%	50%	75%	80%	80%	10%	10%	-	-
Minimum Area for Landscaping and Dust Suppression	~~15~~**10**%	20%	10%	10%	10%	-	30%	-	-

Page 69, Section 4.1 Development Standards, 4.1.1 Standard Design Conditions For Unique Locations, A. Adjacent to the Salton Sea, Item #2.d – The proposed changes provide for all native vegetation to be included:

> *Installing physical barriers that reduce wind speeds and prevent dust from being carried away, such as rows of native ~~cacti~~* ***vegetation****, hay bales, picket-style board fences with gaps, and berms.*

Page 69, Section 4.1 Development Standards, 4.1.1 Standard Design Conditions For Unique Locations, B. Adjacent to State Route 111 (SR-111), Item #5 – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the specific plan area:

> *Berms may be up to eight (8) feet tall to visually screen and separate development from SR-111.* ***Taller berms may be approved by PDS.***

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Page 69, Section 4.1 Development Standards, 4.1.1 Standard Design Conditions For Unique Locations, D. Adjacent to Gateway Segment (1st mile of Sinclair west of SR-111), Trees and Groundcover – The suggested edits is provided for public safety consideration:

> *The corner of each intersection shall provide at least four trees of varying heights to promote shade and aesthetic interest* ***without obstructing views to drivers****. Vegetation groundcover and plant selections will complement adjacent landscape designs ~~to create a cohesive and stylistic approach~~.*

Page 70, Section 4.1 Development Standards, 4.1.1 Standard Design Conditions For Unique Locations, E. Contiguous to Conservation and River Corridor Areas – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> ***E. ~~Adjacent~~ Contiguous to Conservation ~~and River Corridor~~ Areas***
>
> 1. *The minimum setback from Conservation ~~and River Corridor~~ areas shall be 50-feet from the property line to provide a buffer to these environmentally-sensitive areas.*
> 2. *No buildings, truck courts, loading areas, employee/visitor parking, truck transportation areas, or truck or trailer storage uses are permitted within this setback area.*
> 3. *Rooftop equipment, such as mechanical equipment and solar panels, shall* ***use screens to block views from*** *~~be limited to no greater than 20 percent of the first 100 feet of roof area facing~~ the Conservation areas.*
> 4. *The following is permitted within the ~~100~~**50**-foot setback:*
>   a. *Fencing ~~made with porous materials (e.g. vertical blade fencing) that allow~~ **to prohibit** wildlife ~~to move freely across fencing areas~~ **from entering industrial areas, including well cellars**. Temporary fencing is also permissible during construction.*
>   b. *Noise attenuation walls up to eight feet tall from at-grade, ~~made with materials that allow for the cross-movement of wildlife~~ **if operations are modeled to or actually do impact wildlife or visitors to the Conservation Areas**. Temporary noise barriers are also permissible during construction activities.*
>   c. *Native planting indigenous to Imperial County with a mix of trees, shrubs, and grasses to mimic the natural or riparian ecosystem.*
>   d. *Berms up to eight feet tall in height, as measured from the base elevation.*
>   ~~e. Subsurface geothermal operations.~~
>   f. *Utilities and drainage facilities.*
>   g. *Emergency access.*
>   h. *Property maintenance access.*

Pages 70 and 71, Section 4.1 Development Standards, 4.1.1 Standard Design Conditions For Unique Locations – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> ***F. ~~Adjacent~~ Contiguous to Conservation ~~and River Corridor~~ Areas***
>
> 1. *The minimum setback from Community Opportunity areas shall be 200-feet from the property line. This 200-foot setback shall act as a buffer between industrial-type uses and community-oriented uses.*

2. *No truck courts, loading areas, employee/visitor parking, truck transportation areas, or truck or trailer storage are permitted within the 200-foot setback area.*
3. *Industrial development shall be visually screened from the Community Opportunity Areas using context-sensitive screening techniques such as landscaped berms, landscaped noise attenuation walls, or grade changes.*
4. *The following is permitted within the 200-foot setback:*
    a. *Air quality monitoring systems*
    b. *Noise attenuation walls*
    c. *Berms up to eight feet tall in height, as measured from the base elevation*
    ~~*d. Subsurface geothermal operations*~~
    e. *Utilities and drainage facilities*
    f. *Emergency access*
    g. *Property maintenance access*
5. *Within the 200-foot setback, a mix of native and adaptive plant species with consideration to plants that are able to create visual screening, absorb sound, and improve air quality. Landscaping shall have a mix of trees, shrubs, and groundcover. Landscaping shall cover at least 50 percent of the 200-foot buffer and cover the length of the buffer for visual screening.*

Page 72, Section 4.2 Design Standards, 4.2.1 Site Design Standards, C. Shade – The Lithium Valley Specific Plan needs to clarify that landscaping water use apart from industrial use, allocations and recycling requirements. The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

1. *All developments shall provide shade for at least ~~50~~ **35** percent of all outside common or break areas within the development. Shade may be provided through the following design elements:*
    a. *Verandas*
    b. *Covered porches*
    c. *Fixed canopies, awnings, trellises, or other shade structures*
    d. *Native, low water consumption shade and palm trees*
2. *All development shall provide shade for at least ~~40~~ **35** percent of all pedestrian routes within the development, including sidewalks, paseos, and pedestrian pathways. Shade may be provided through the following design elements:*
    a. *Arcades*
    b. *Colonnades*
    c. *Verandas*
    d. *Covered porches*
    e. *Fixed canopies, awnings, trellises, or other shade structures*
    f. ***Native, low water consumption** Shade **and palm** trees.*

Page 72, Section 4.2 Design Standards, 4.2.1 Site Design Standards, E. Parking Area Design, Items #5 and #6 – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

5. *Parking lots/spaces for street legal vehicles (including but not limited to passenger vehicles, motorcycles, trucks, tractor trailer/semi-trucks and trailers) to be paved with either:*
    a. ~~*Three inches (3") of a*~~***A****sphaltic concrete, or*

b. ~~*Three and one-half inches (3 1/2") of*~~ *Portland cement concrete****, or***

c. Chip seal

6. *Incorporate a minimum of one (1) of the following design features in surface parking areas within the development:*

   a. Carports / shade structures for 50 percent of all parking areas, ***and 35 percent of all*** *common amenity areas~~,~~ and* ***non-industrial*** *pedestrian walkways.* ***This requirement does not apply to tractor trailer/semi-trucks and trailers and other vehicles used for industrial activities****.*

   b. *Increased paving with a high albedo, such as permeable pavers, porous asphalt, reinforced grass pavement (turf-crete), stone pavers, light-colored concrete, pervious concrete, high albedo asphalt, water-permeable asphalt, recycled class and rubber, photocatalytic concrete, reflective coatings*

Pages 79-80, Section 4.1 Development Standards, 4.2.2 Campus Design Standards – Please consider providing more general requirements for Section 4.2.2. As written, the campus design standards are prescriptive and may not allow for optimal land use depending on the technical design requirements and parcel shape/orientation. For example, internal loading bays create constricted driving situations and could lead to greater safety risks. A campus must be defined by physical location. Multiple independent operating and sited geothermal and/or lithium facilities should not be considered a campus.

Page 82, Section 4.2 Design Standards, 4.2.4 Landscape – Water requirements for landscaping must be excluded for industrial water recycling and allotment constraints, and ensure that any prescribed landscaping focus on use of low water use designs, xeriscaping, native plants and similar measures.

Page 82, Section 4.2 Design Standards, 4.2.4 Landscape, A., A. General Landscaping, Item #1 – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> *Vegetation coverage shall comprise a minimum of ~~50~~* ***25*** *percent of the total landscape and dust suppression area, established at the time of occupancy or within two (2) years from the time of planting, whichever is sooner. The other* ***75****~~50~~ percent of the total landscape and dust suppression area shall be comprised of non-vegetative groundcover and dust suppression methods. Non-vegetative groundcover may include rocks,* ***decomposed granite****, wood chips, pavers and other artificial cover. Permitted dust suppression methods are described in Section 4.1.1 A. Adjacent to the Salton Sea.*

Page 85, Section 4.2 Design Standards, 4.2.4 Landscape, B. Water Quality Retention and Infiltration Basins, Item #1, Last Sentence – There are very few significant slopes from natural relief in Lithium Valley. Slope stability from the construction of facilities should be driven by specific design parameters and reviewed in the building permit process. The following deletion is proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> ~~*Arrange plant material in natural groupings at appropriate densities to stabilize side slopes.*~~

Page 85, Section 4.2 Design Standards, 4.2.4 Landscape, C. Irrigation Systems, Item #1, Last Sentence – The following deletion is proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> ~~*Irrigation plans shall be prepared by a licensed landscape architect.*~~

BHE Renewables, LLC

4124 NW Urbandale Drive
Des Moines, IA, 50309-3037

Page 86, Section 4.2 Design Standards, 4.2.4 Landscape, Footnote #5 – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> *To avoid disturbance of nesting and special-status bird species protected by the MBTA and California Fish and Game Code, activities related to the project, including but not limited to, vegetation removal, ground disturbance, and construction and demolition ~~shall~~ **should** occur outside of the bird breeding season (February 15 through August 31) **if impact to special-status bird species is anticipated and mitigation actions cannot lessen the impact.** If construction must be initiated during the peak nesting season, vegetation removal and/or tree removal should be planned to occur outside the nesting season (September 1 to February 14) **unless the** ~~and a~~ preconstruction nesting bird survey **identifies no presence or habitat of special status species. Preconstruction biological surveys** shall be conducted no more than ~~3~~ **21** days prior to initiation of construction activities. The nesting bird preconstruction survey shall be conducted on foot inside the project site disturbance areas. For listed and raptor species, ~~this~~ **the survey** buffer shall be expanded to 500 feet or as determined by a biologist.*

Page 87, Section 4.2 Design Standards, 4.2.5 Lighting, Item D – Revised to enhance worker safety and ensure a safe and secure work environment. Night work is essential due to daytime temperatures. Aligned the lighting requirements with Imperial County regulations and retain "Dark Sky Approved" program products:

> *Security **and safe operation** specific lighting types such as floodlights, spotlights, motion- sensor lights, or infrared lights ~~may be~~ **are** permitted on sites with **use of dark sky-compliant fixtures or shielding to avoid impact to wildlife areas** ~~high security demands but must still comply with policies 1 and 2 of this section~~.*

Page 87, Section 4.2 Design Standards, 4.2.6 Perimeter Walls and Fences – The proposed measures are too prescriptive and may not allow for optimal land use depending on the technical design requirements and parcel shape/orientation:

A. *Incorporate fencing or decorative walls along the perimeters of **industrial** properties to provide security screening and visual continuity. ~~All perimeter fencing shall be made of durable, yet porous materials (e.g. vertical blade fencing) that allow wildlife to move freely across fencing areas~~.*
B. *Perimeter security fencing shall not exceed 12 feet in height. The use of barbed wire is prohibited, however, anti-climb features at the top of security fencing such as angled tops are permitted. Examples of allowable perimeter security fencing materials include, but are not limited to, solid steel, iron, and aluminum. ~~Examples of prohibited materials on perimeter security fencing include, but are not limited to, wood, chain-link, plastic, vinyl, and wire~~.*
C. *Vehicle entry gates, checkpoints, kiosks, guard shacks, and other similar secured entry points shall be set back from the street at least 20 feet, except that secured entries on sites accessed by trucks shall be set back at least 60 feet, to allow adequate queuing space. Such checkpoints, kiosks, guard shacks may be within the building setback.*
D. *Noise attenuation walls are only to be used in proximity to noise sensitive receptors when a sound level standard (decibels) is exceeded at a sensitive receptor due to project generated ~~truck~~ noise ~~or similar overreaching sound generation~~. Noise attenuation walls should be manufactured to reduce noise by at least 10 dBA at ground level or meet ASTM E90 & E413*

standards/ASTM C423 (or similar standards with equivalent 10 dBA noise reduction).

E. Masonry walls may be permitted along the lot frontage, with a building permit, for perimeter security and to define a site's entrance. The following policies apply to masonry walls.

i. Acceptable materials for masonry walls consist of concrete block, brick, or stone.

ii. Wall finishes shall include natural finish and/or stucco finish. Painted masonry is prohibited.

iii. Finish colors shall be earth tone colors. Gray masonry is prohibited.

iv. Locate masonry walls where needed to screen from heavy traffic volumes; industrial uses and attendant truck traffic; or where individual development projects require separate identification from each other.

v. *The maximum wall and fence height shall be eight feet* ***unless approved by DPS****. Chain-link and razor wire is prohibited on top of masonry walls.*

Page 88, Section 4.2 Design Standards, 4.2.8 Waste, Compost, and Recycling Storage – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

A. On-site ***municipal solid*** *waste, compost, and recycling storage should be located in a separated enclosed area (Enclosure). Enclosures shall be located in convenient but not prominent areas. ~~such as inside parking garages or at the ends of parking bays. They~~* ***Enclosures*** *should be ~~located in a separate room~~ surrounded by walled enclosure and well screened with landscaping to protect adjacent uses from noise and odors. A clear and safe pedestrian route shall be established to each trash area. ~~Workers should not have to wind their way through parked cars or truck bays to access the trash area.~~* ***Industrial, construction and hazardous solid waste is exempt from Section 4.2.8.***

B. Enclosures located in exterior areas should be a minimum of six (6) feet high and constructed from solid materials ~~and adequately screened from adjacent dwelling units. All trash enclosures in exterior areas should be covered with a trellis or similar canopy structure~~.

C. Enclosures should be accessible for collection but should not block transportation drives near loading areas or conflict with parking. For security reasons, ***municipal solid waste*** *trash enclosure locations should not create blind spots or hiding areas.*

D. Enclosures shall be naturally ventilated, when reasonably and safely possible. Hazardous, industrial and any materials or wastes that could contribute to PM10, PM2.5, odor or other emissions issues are exempt from this requirement.

E. The architectural style of ***pedestrian and worker*** *trash enclosures should match the rest of campus.*

~~F. Areas should be clustered within dedicated areas of the site, not scattered throughout the site.~~

Page 88, Section 4.2 Design Standards, 4.2.9 Mechanical Screening, Item A – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

A. Mechanical and electrical equipment on the ground should be screened from view. Transformers, utility meters and other electrical equipment should be placed in locations that are not exposed to view from the street and should be suitably enclosed and screened, including the use of landscape materials. Screening devices should be compatible with the architecture and color of the adjacent buildings. ***Power plants and industrial facilities, including mineral***

BHE Renewables, LLC

4124 NW Urbandale Drive
Des Moines, IA, 50309-3037

recovery facilities, are exempt from Section 4.2.9.

Chapter 5. Circulation & Transportation

Page 93, Section 5.1 Vehicles and Trucks, Figure 5-1 Roadway Network – This figure depicts a connection between Davis Road and Kalin Road; however, this would necessitate the construction of a new bridge across the Alamo River and an additional road through the wildlife refuge. The map should show a paved road leading to Davis Road that turns west of Schrimpf Road, along with enhancements to the existing bridge.

Page 92, Section 5.1 Vehicles and Trucks, 5.1.2 Truck Routes, 1st Paragraph, Last Sentence – BHER suggests that a figure be included that clearly defines the extent of improvements on Davis Road, including if a new bridge is proposed over the Alamo River, and whether on Davis Road will extend south of Shrimpf Road.

Page 101, Section 5.1 Vehicles and Trucks, 5.1.2 Truck Routes, A. Truck Route Strategies, Item #8 – For public safety, please consider the following:

> *Integrate traffic calming mechanisms such as roundabouts and speed humps to enhance safety without compromising traffic flow.* ***If roundabouts are implemented, include a local workforce and community campaign to educate drivers on use of roundabouts.***

Page 102, Section 5.1 Vehicles and Trucks, 5.1.2 Truck Routes, A. Truck Route Strategies, Item #13 – Identify which roads are sensitive.

Page 104, Section 5.2 Bridges, 5.2.1 Bridge Design Strategies, Item h – The additional text is recommended to minimize potential Desert Pupfish impacts:

> *In lieu of utility bridge crossings over drains or canals, consider siphon or conduit utility crossings for faster design and construction* ***if Desert Pupfish are not present in the drain. Otherwise, if a drain has Desert Pupfish, plan to use single spans to avoid disturbing of the canal and related impacts to Desert Pupfish****.*

Page 108, Section 5.4 Rail – BHE Renewables requests that the proposed rail extension into Lithium Valley be reviewed with stakeholders before finalizing the location and that future potential capacities for lithium production are taken into consideration. Recognizing rail and geographic limitations may influence the location, location preference should consider areas that will cover the majority of lithium and other product processing, and best reduce the resulting truck traffic from these potential facilities.

Page 108, Section 5.4 Rail, 5.4.1 Rail Design and Operations, Item 1.b, Last Sentence – Please expand on the County range for rail facility leases:

> *The newly established Special District may own the ~~lease~~ ~~the~~* ***of*** *rail facilities* ***and may lease the facilities*** *to a railroad switching operator.*

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4124 NW Urbandale Drive
Des Moines, IA, 50309-3037

Page 111, Section 5.5 Transit, Recommended Transit Improvements, Item #5 – Provide current statistics on bus reliability and timing to compare with the expected improvements and justify the large road construction investment:

> *Dedicated Bus Lane on SR-111: C**onsider c**onstruction of a new outside lane, exclusive to buses, defined as a dedicated bus lane**, when reasonable. A dedicated bus lane** would significantly improve the reliability and timeliness of transit services, making public transportation a more attractive option for residents, potentially increasing ridership and reducing the overall number of vehicles on the road, and reducing the number of single-occupancy vehicles on the road.*

Chapter 6. Infrastructure

Page 116, Section 6.1 Water, 6.1.1 Water Supply and Demand, 1st Paragraph, Last Sentence – Expand potential sources to include irrigation and condensate water:

> *Water supply may be provided by **irrigation water,** surface water, groundwater, condensate, and reclaimed water.*

Page 116, Section 6.1 Water, 6.1.1 Water Supply and Demand, Table 6-1 – Provide additional context for values presented. Does water demand quantities consider imposed requirements, such as landscaping maintenance?

Page 117, Section 6.1 Water, 6.1.2 Water Infrastructure, 2nd Paragraph, 3rd Sentence – Please address the scenario in which commercial facilities intend on operating prior to the Special District's capability of establishing twelve water storage facilities and finalizing a supply agreement with the Imperial Irrigation District. Specific scenarios to consider include the following:

- Does this imply that industrial users must acquire water from the Special District, rather than purchasing it directly from Imperial Irrigation District?
- Who will be responsible for funding this project?
- What happens if this project is delayed?
- Would it be acceptable to obtain an exemption for certain water requirements if the necessary infrastructure to support these requirements is not established, as outlined in this plan?
- Existing operations within the Lithium Valley area should be exempt from any Special District requirements or obligations to participate.

Page 117, Section 6.1 Water, 6.1.2 Water Infrastructure, 3rd Paragraph, Item B – Please provide a list of potential water recycling requirements for industrial users?

Page 117, Section 6.1 Water, 6.1.2 Water Infrastructure, 3rd Paragraph, Item C – Please consider the following suggested change as spent brine is already recycled to the geothermal reservoir:

> *Explore alternative water sources for industrial cooling and processing, such as air~~, recycled brine~~, or recycled groundwater.*

Page 118, Section 6.1 Water, 6.1.2 Water Infrastructure, Figure 6-1 Proposed Water System – How much of the existing drain network is intended for conveyance purposes? How will this impact Imperial Irrigation District operations?

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4124 NW Urbandale Drive
Des Moines, IA, 50309-3037

Page 119, Section 6.2 **Wastewater, 6.2.1 Existing Conditions, A. Niland Wastewater Treatment Plant, 3rd Paragraph, 1st Sentence –** Consider providing alternative units [acre-feet per year (AFY)] in parathesis for MGD.

Page 119, Section 6.2 **Wastewater, 6.2.1 Existing Conditions, A. Niland Wastewater Treatment Plant, 3rd Paragraph, 5th Sentence –** How would Niland County Sanitation District compliance be maintained if the existing infrastructure is reactivated?

Page 119, Section 6.2 **Wastewater, 6.2.1 Existing Conditions, B. Calipatria Wastewater Treatment Plant, 4th Paragraph –** Please provide the associated reference for the recommended upgrades to the Calipatria WWTP. Will the upgrades be completed prior to development needs?

Page 120, Section 6.2 **Wastewater, 6.2.2 Wastewater Recommendations, 2nd Paragraph –** There appears to be a disconnect between the wastewater treatment plant combined capacity of 2.23 million gallons per day (MGD) and the projected demand of 32 MGD.

Page 121, Section 6.2 **Wastewater, 6.2.2 Wastewater Recommendations, 6th Paragraph, Last Sentence –** The location of the proposed wastewater treatment plant on Davis Road is proposed between an existing operating power plant (Hudson Ranch Power I), the proposed Morton Bay geothermal power facility site and mud pots located on an adjacent parcel. There does not appear to be adequate space to build a wastewater treatment plant at this location.

Page 123, Section 6.3 Stormwater and Drainage, 6.3.2 Floodplain Recommendations, 1st Paragraph, Last Sentence – This proposed fee needs to be defined.

Page 123, Section 6.3 Stormwater and Drainage, 6.3.2 Floodplain Recommendations, 4th Paragraph, 1st Sentence – Will any modifications to existing facilities be required to establish the river corridor?

Page 124, Section 6.3 Stormwater and Drainage, 6.3.2 Floodplain Recommendations, 6th Paragraph – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> *The other more conventional flood control strategy would be to raise the buildings and any insurable structures within the existing floodplain above the BFE* ***or construct engineered berms around the facilities*** *and let the flood waters go around the buildings (or under if constructed on pillars)* ***or berms****. This strategy would require developments to go through the FEMA CLOMR* ~~*and LOMR*~~ *process.*

Page 126, Section 6.3 Stormwater and Drainage, 6.3.3 Drainage Recommendations, B. Conveyance Drains, 2nd Paragraph, 1st Sentence – To specify the location of IID drainage serving the Specific Plan Area, revise the sentence as follows:

> *Currently, many of the IID drains serve as conveyance systems for stormwater within the Specific Plan Area, primarily in an east to west direction* ***for land east of the Alamo River and in a south to north direction for land west of the Alamo River****.*

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4124 NW Urbandale Drive
Des Moines, IA, 50309-3037

Page 133, Section 6.5 Solid Waste Disposal, 2nd Paragraph, After Last Sentence – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> ***…Additionally, projects may elect to use privately established waste collection services and landfill(s).***

Page 134, Section 6.5 Solid Waste Disposal, 7th Paragraph – The solid waste section should focus on Municipal Solid Waste disposed in Imperial County landfill. All hazardous waste is regulated by DTSC and the federal Resource Conservation and Recovery Act, and is disposed of outside of Imperial County. Therefore, the additional reporting, recordkeeping, and auditing requirements relating to hazardous waste are duplicative.

> *To efficiently manage ~~both~~ non-hazardous **municipal solid** ~~and hazardous~~ waste~~s~~ generated during construction and operational phases it is imperative to leverage the expertise of private companies which comply with local, state, and federal regulations. To contract with these companies, it is recommended that the newly established or expanded existing Special District oversee the provision of waste disposal services and provide funding through a structured budget allocation. This budget should cover the costs associated with waste collection, transportation, recycling, and disposal services. The Special District will establish clear contract terms, performance metrics, and compliance requirements to ensure that the waste management companies meet all regulatory standards and deliver efficient and effective services.~~ ~~The Special District will also oversee and evaluate how developers are responsibly disposing of hazardous wastes by implementing strict reporting requirements and conducting site inspections to ensure compliance with all hazardous waste management regulations~~.*

Page 134, Section 6.5 Solid Waste Disposal, 10th Paragraph – Special District should focus only on MSW. Hazardous waste is regulated by Department of Toxic Substances Control (DTSC) and managed by DTSC Certified Unified Program Agencies and additional requirements are duplicative.

Page 140, Section 6.8 Infrastructure Goal, Policies, and Programs, Table 6-5 Infrastructure Goal, Polices, and Programs – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> *Manage and distribute **potable** water supply, **and** wastewater systems~~, and solid waste service~~ using a newly formed Infrastructure Special District (Special District). The Special District may establish a new fee structure to fund infrastructure improvements.*

Page 141, Section 6.8 Infrastructure Goal, Policies, and Programs, Table 6-5 Infrastructure Goal, Polices, and Programs, Row Policy I-12: Waste Management Oversight and Compliance – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> *The Special District will oversee contracts with waste management companies to ensure compliance with clear terms, performance metrics, and regulatory standards for managing ~~both~~ non-hazardous **municipal solid** ~~and hazardous~~ waste~~s~~:*

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4124 NW Urbandale Drive
Des Moines, IA, 50309-3037

Page 142, Section 6.8 Infrastructure Goal, Policies, and Programs, Table 6-5 Infrastructure Goal, Polices, and Programs, Policy, Telecommunication and Broadband Programs, Row I-19:

> *As part of any linear utility improvement projects within the Plan Area, such as roadway paving, **potable** water or sewer installation, or transmission upgrades, the responsible agency should consult with the County Public Works Department to consider the installation of fiber conduit during improvement/installation of said utility.*

Page 142, Section 6.8 Infrastructure Goal, Policies, and Programs, Table 6-5 Infrastructure Goal, Polices, and Programs, Policy, Solid Waste Disposal Programs, Row I-20:

> *The newly formed special district shall oversee contracts with **municipal solid** waste management companies, ensuring clear terms, performance metrics, and regulatory compliance.*

Page 142, Section 6.8 Infrastructure Goal, Policies, and Programs, Table 6-5 Infrastructure Goal, Polices, and Programs, Row Policy I-21: Microgrids – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> *Support the development of microgrids and distributed energy systems powered by energy storage batteries**, including as authorized uses on all land use zones**…*

Page 142, Section 6.8 Infrastructure Goal, Policies, and Programs, Table 6-5 Infrastructure Goal, Polices, and Programs, Row Policy I-22: Support Battery Storage – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> *Promote the integration of renewable energy storage batteries into the grid to alleviate pressure during peak demand periods. **Use of battery storage is authorized on all land use zones.** Energy storage batteries can recharge from the grid during low-demand periods, facilitating interactive energy exchange and improving grid efficiency while reducing carbon emissions.*

Page 142, Section 6.8 Infrastructure Goal, Policies, and Programs, Table 6-5 Infrastructure Goal, Polices, and Programs, Policy, Solid Waste Disposal Programs, Row I-25:

> *Specify proper storage containers and designated areas for **municipal solid** waste, with regular collection schedules.*

Page 142, Section 6.8 Infrastructure Goal, Policies, and Programs, Table 6-5 Infrastructure Goal, Polices, and Programs, Row Policy I-31: Water Accessibility For Fire – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> *Establish reliable water sources to improve access for firefighting operations **near improvements and structures** in rural areas with limited water supplies. Consult with governing agencies to ensure access to water sources, including canals and drains, to optimize the Imperial County Fire Department's (ICFD) firefighting capabilities in rural areas**, particularly near improvements and Lithium Valley facilities**.*

BHE Renewables, LLC

4124 NW Urbandale Drive
Des Moines, IA, 50309-3037

Page 143, Section 6.8 Infrastructure Goal, Policies, and Programs, Table 6-5 Infrastructure Goal, Polices, and Programs, Policy, Water Programs, Row I-1 – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> *At the time any non-geothermal or mineral recovery development requests approval for The County of Imperial shall create a new Special District to* ***consider*** *provid~~e~~****ing potable*** *water, wastewater services, and* ***municipal*** *solid waste services****, if reasonable,*** *to all projects within Phase 1 at the industrial rates. Provide an option for the City of Calipatria and town of Niland to opt into the new Special District as their water provider.*

Page 143, Section 6.8 Infrastructure Goal, Policies, and Programs, Table 6-5 Infrastructure Goal, Polices, and Programs, Policy, Water Programs, Row I-2 – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> *A Water Master Plan will be prepared that addresses the first phase of development and is programed to expand based on phases 2 and 3 once they have been further defined.* ***However, the preparation of a Water Master Plan shall not delay the consideration, approval, construction, and/or operation of a project in Lithium Valley.*** *The Water Master Plan shall be prepared in collaboration with IID, and shall consider:*
>
> *a. Expansion of water conservation opportunities to support additional non- agricultural beneficial uses;*
>
> *b. ~~c.~~ Construction of new water projects and changes in land use with a hydrologic analysis and requisite environmental analysis.*

Pages 143 and 144, Section 6.8 Infrastructure Goal, Policies, and Programs, Table 6-5 Infrastructure Goal, Polices, and Programs, Policy, Water Programs, Row I-4 – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> *Implement initiatives that collectively aim to modernize wastewater management in ~~Imperial County~~* ***Lithium Valley, Niland and Calipatria,*** *ensuring better environmental protection, more efficient use of resources, and water reclamation…*
>
> *c. Plan and build a central WWTP with advanced tertiary treatment capabilities****, if reasonable,*** *to ensure sustainable water management practices, including rigorous pre-treatment processes to safeguard environmental quality.*

Page 145, Section 6.8 Infrastructure Goal, Policies, and Programs, Table 6-5 Infrastructure Goal, Polices, and Programs, Policy, Water Programs, Row I-6 – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> *Construct and maintain a river corridor in a phased approach for the Alamo River and New River that is wide enough to contain and convey the 100-year peak flow from its tributary and reduce the 100-year floodplain that currently encompasses a large portion of the Specific Plan Area.* ***This river corridor shall exclude wildlife refuge areas and existing structures. Additionally, the river corridor design will allow for transmission, pipelines and bridge crossings at Garst, Sinclair and Davis roads****.*

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4124 NW Urbandale Drive
Des Moines, IA, 50309-3037

Page 148, Section 6.8 Infrastructure Goal, Policies, and Programs, Table 6-5 Infrastructure Goal, Polices, and Programs, Policy, Solid Waste Disposal Programs, Row I-23 – The DTSC regulates hazardous waste reporting and compliance; therefore, additional County oversight would be duplicative.

> *For projects generating more than 30,000 tons of* ***non-hazardous*** *solid waste~~r~~ per year, conduct regular audits and reporting on waste generation and diversion rates, with transparent documentation of results to stakeholders.*

Page 148, Section 6.8 Infrastructure Goal, Policies, and Programs, Table 6-5 Infrastructure Goal, Polices, and Programs, Policy, Solid Waste Disposal Programs, Row I-24 – The DTSC regulates hazardous waste reporting and compliance; therefore, additional County oversight would be duplicative.

> *Require* ***the*** *applicant to comply with procedures for handling hazardous materials and ensure compliance with all regulations* ***through consultation with California Department of Toxic Substance Control****.*

Chapter 7. Community Health and Prosperity

Pages 151 to 156, Table 7-1 Community Heath and Prosperity Programs, multiple suggested changes presented below.

Page 159, Table 7-1 Community Health and Prosperity Programs, Row HP-8 – This policy appears to be redundant with existing geothermal seismic monitoring requirements current implemented within Imperial County's conditional use program and the Department of Conservation – Geologic Energy Management Division's regulations. Identifying the geothermal developer's current obligations and referencing existing regulations would be more efficient.

> ~~*Facilitate the deployment of seismic activity monitors within the Specific Plan Area through collaboration with local organizations to identify the best locations, funding mechanisms, and maintenance plans for seismic activity monitoring stations.*~~

Table 7-1 Community Health and Prosperity Goal, Policies, and Programs

Goal 5: Community Health and Prosperity (HP)	
Promote a sustainable employment hub rooted by renewable energy that provides mechanisms to improve the physical and economic health of the nearby communities.	
Policy HP-1: Best Practice for Quality of Life	Promote best practices that improve employees and visitors of Lithium Valley access to clean air, reliable clean and affordable water, affordable housing, and places to recreate.
Policy HP-2: Healthy Communities	Promote workforce support and community health and well-being, including access to high-quality healthcare services, healthy food options, recreational opportunities, and mental health support. Look for ways to reinforce the goals and strategies of the 2024-2027 Community Health Improvement Plan (as amended).
Policy HP-3: Economic Stewardship	Create pathways for economic growth and diversification, leveraging the opportunities presented by the incoming industry to generate employment, entrepreneurship, and investment in local businesses and industries. This may include encouraging employers to provide comprehensive benefits to full-time employees such as healthcare insurance, dental and vision insurance, 401**(**k**)** matching and/or **a** retirement program. ~~The County may also encourage employers to provide their employees with competitive salary and performance-based incentive opportunities.~~
Policy HP-4: Electric Vehicle Charging	Facilitate the deployment of EV charging infrastructure through the collaboration with local organizations to identify the best locations, funding mechanisms, and maintenance plans for EV charging stations.
Policy HP-5: Seamless Pathways	Create seamless pathways between high schools, community colleges, and vocational training programs to facilitate the transition of students into high-demand careers.
Policy HP-6: Local Hiring	Encourage employer**(s)** to commit to local hiring where residents of Imperial County will be prioritized for direct project jobs with opportunities for upskilling and advancement in these roles.
Policy HP-7: Local Training Programs	Encourage the establishment of necessary and applicable renewable energy training programs in local school systems in association with the renewable energy industry. Employers will be encouraged to offer pre-approved professional development courses or trainings to employees ~~may attend either free of charge or offer reimbursement~~.
Policy HP-8: Reduce Dust	Reduce fugitive windblown dust from unpaved **and impacted** roads and surfaces, especially related to **associated** truck traffic ~~and agricultural operations~~.
Policy HP-9: Renewable By Phase 2	Mandate the use of 95 percent (on average) renewable energy in the mineral recovery process by 2040.
Policy HP-10: Climate Resilience	Explore FEMA funding mechanisms for climate-resiliency technology and infrastructure development that address environmental injustice.
Policy HP-11: Reliable Water	Prioritize projects that secure reliable water sources for municipal water use within the Plan Area and the neighboring vulnerable communities.
Policy HP-12: Cooling Centers	Allow for and promote cooling centers within the Specific Plan Area to protect the workforce ~~and visitors~~ of Lithium Valley from extreme heat.
Policy HP-13: Zero- Emission Transportation	Continue to work with the Imperial County Transit Commission to offer zero-emission transportation methods**, when reasonable,** throughout the North End of Imperial County.

Table 7-1 Community Health and Prosperity Goal, Policies, and Programs

Goal 5: Community Health and Prosperity (HP)	
Policy HP-14: Prioritize Disadvantaged Communities	Prioritize community improvements in the existing disadvantaged communities, **as** identified in SB 125**, relative to other communities in Imperial County**. In doing so, engage with community leaders, organizations, and residents to understand their concerns and priorities related to environmental justice and pollution burdens.
Policy HP-15: Salton Sea Restoration Partnerships	Continue coordination and **to** partner~~ships~~ with, **when reasonable**, the organizations working on Salton Sea restoration and enhancement projects, such as: the Salton Sea Authority, California Natural Resource Agency (CNRA), IID, Audubon California, and the Sierra Club.
Policy HP-16: Skilled and Trained Workforce	The County will encourage the construction of projects within the Specific Plan area **are performed** by a skilled and trained workforce.
Policy HP-17: Career Education	Encourage local high schools and community colleges to expand articulation and dual enrollment courses in career education and technical fields to provide students with early exposure to industry-relevant skills and opportunities to earn college credits. The County may ask local employers to provide in-class presentations at local schools and universities.
Policy HP-18: Dust Suppression	To demonstrate compliance with ICAPCD Rules 800-806, all construction activities within the Specific Plan Area must implement the following dust control measures at a minimum: – Water the exposed area three times per ~~8-hour~~ workday at a minimum – Water demolished area two times per ~~8-hour~~ workday at a minimum – For on-road fugitive dust, water unpaved roads two times daily at a minimum – **The frequency of application water can be adjusted during the periods of precipitation** – Limit vehicle speeds on unpaved roads to 15 miles per hour – Sweep paved roads one per month at a minimum – Pave unpaved roads as soon as feasible during the construction process. *(not a model assumption, so not required, but our team recommends inclusion)*

	Program	Responsible Party	Timeframe	Possible Funding Source	Guiding Principle
HP-1	Continue community planning efforts and engagement with the local communities of Niland and Calipatria to provide greater definition to the Community Opportunity Areas land use designations. This may include future master planning efforts or Specific Plan Amendments once there is sufficient demand for such uses in these areas.	Planning & Development Services Dept.	4 - 6 years	General Fund	Advancing Opportunities; Job Creation and Local Economy; Community Engagement; Transformative and Innovative Planning
HP-2	Increase or bolster fire protection services in the Specific Plan area.	Fire Department	Ongoing	USDA Communities Facilities Direct Loans and Grants	Proactive Infrastructure and Services

	Program	Responsible Party	Timeframe	Possible Funding Source	Guiding Principle
HP-3	Implement County-led water conservation measures, infrastructure upgrades, and sustainable water management practices ~~to offset diminishing water supplies from the Colorado River, and encourage IID to do the same~~.	Agricultural Commissioner; Public Works; Planning and Development Services	Ongoing	SCAG Grants; USDA Grants and Loans	Proactive Infrastructure and Services
HP-4	Implement ~~standards~~ **guidance** that reduce the **potential** heat island effect through site design and landscaping practices.	Planning & Development Services Dept.	Ongoing	General Fund	Environmental Stewardship and Responsible Growth
HP-5	Facilitate the deployment of air quality monitors within the Specific Plan Area through collaboration with local organizations to identify the best locations, funding mechanisms, and maintenance plans for air quality monitoring stations. This effort may also recommend and implement colored flags to signify Air Quality Index (AQI) levels.	Air Pollution Control Department	4 - 6 years (depending on the timing of development)	Development Impact Fees	Environmental Justice; Environmental Stewardship and Responsible Growth
HP-6	In addition to what is required in Section 4.2.1B. Indoor and Outdoor Break Areas, develop an incentive program for employers to provide indoor air purifiers to improve indoor air quality.	Air Control District; Public Health Department	1 - 3 years	General Fund; Development Impact Fees	Proactive Infrastructure and Services
HP-7	Require new development projects to use EPA-rated Tier 4 final off-road diesel engines if feasible when electric-powered construction equipment is infeasible or unavailable. All operational off-road equipment shall be electric or net-zero emissions**, when reasonable**.	Air Pollution Control Department;	1 - 3 years	General Fund	Environmental Justice; Environmental Stewardship and Responsible Growth
~~HP-8~~	~~Facilitate the deployment of seismic activity monitors within the Specific Plan Area through collaboration with local organizations to identify the best locations, funding mechanisms, and maintenance plans for seismic activity monitoring stations.~~ **]**	~~County Executive Office; Planning and Development Services~~	~~4 - 6 years (depending on the timing of development)~~	~~General Fund; Development Impact Fees~~	~~Proactive Infrastructure and Services~~
HP-9	Pursue funding or subsidies for healthcare facilities to implement one-time or long-term health initiatives to provide comprehensive services to future employees and residents. This may include funding for establishment and operations of a new program at the County Public Health department.	Public Health Department	Ongoing	California Health Facilities Financing Authority	Proactive Infrastructure and Services

	Program	Responsible Party	Timeframe	Possible Funding Source	Guiding Principle
HP-10	Incoming industries and companies that have 200 or more operational employees should provide local hiring, training, and apprenticeship programs for short-term jobs (such as construction and contracted-out maintenance projects) and for long-term positions. Apprenticeship (or equivalent) programs should provide structured, on-the-job training and coursework to prepare participants for skilled positions within the industry. Apprenticeships should be offered on an ongoing basis and offered for short-term jobs (such as construction and contracted-out maintenance projects) and for long-term positions. Recruitment for apprenticeships would prioritize local community members.	Planning & Development Services Dept.	1 - 3 years	General Fund	Job Creation and Local Economy
	Projects with 200 or more operational employees, the County will track the number of jobs created in each sector, job quality, and job training opportunities through ongoing data collection. This report shall be publicly available.	Planning & Development Services Dept.	1 - 3 years	General Fund	Job Creation and Local Economy
HP-12	Consult with local agencies to establish career centers in key locations across the county (El Centro, Brawley, Imperial, and Calexico) to rapidly connect residents with open jobs and provide resources for career development and training.	Planning & Development Services Dept.	1 - 3 years	General Fund	Job Creation and Local Economy
HP-13	Utilize the Lithium Valley Economic Opportunity Investment Plan (LVIP) to attract private investment and partnership opportunities from industry and government entities at the state and federal levels.	Planning & Development Services Dept.	1 - 3 years	General Fund	Job Creation and Local Economy
HP-14	Pursue funding sources to establish a career center in key locations in proximity to the Plan Area (such as Calipatria, Westmorland, Brawley) to rapidly connect residents with open jobs and provide resources for career development and training.	Workforce & Economic Development Dept.	4 - 6 years (depending on the timing of development)	CA Employment Development Department Grants; General Fund; Development Impact Fees	Job Creation and Local Economy

BHE Renewables, LLC

4124 NW Urbandale Drive
Des Moines, IA, 50309-3037

Chapter 8. Implementation

Page 156, Section 8.1 Application and Review Process, 8.1.1 Pre-Application Process, 3rd Sentence – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

> *Following receipt of a complete application and completion of any required determination and action pursuant to CEQA, the PDS director shall issue a written determination* ***within six months*** *of the project's compliance with the Specific Plan and any conditions of project approval as recommended by any County officials or affected agencies.*

Page 158, Section 8.1 Application and Review Process, 8.1.2 Site Plan Review, B. Facility Decommissioning Plans, 4th Bullet – The following suggested changes are proposed to assist in the development of lithium and geothermal resources within the Specific Plan area:

- A**n** ~~detailed~~ inventory of ~~all~~ **major** structures, equipment, and materials that would need to be decommissioned and removed;

BHE Renewables looks forward to working with the County on the Lithium Valley Specific Plan. Please contact Jon Trujillo at (760) 604-0045 or email address: Jon.Trujillo@calenergy.com, if you have any questions or if you need additional information.

Sincerely,

Christina Fleming

Christina Fleming

Senior Vice President, Mineral Development

February 2025 Draft Lithium Valley Specific Plan

Public Review Comments

Section 4: Community

Section 4 of the Public Review includes the comment letters received from the public and industry representatives. During the public comment period, a relatively large quantity of written comments were received from the public, including letters that containing identical or nearly identical content. To avoid unnecessary duplication, in cases of reoccurring comment letters, or “form letters,” we have included a single representative version and listed all submitters of that version. Some form letters included varied introductory statements but shared the same substantive content; these were considered to have the same message. Unique letters with distinct content are included individually in this compiled document.

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Monday, May 5, 2025 3:36:46 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Axel David Abrica
Email Address:: ada82@georgetown.edu
City of Residence:: Imperial
State of Residence:: CA
Comment:: Dear Planning & Development Services Department:

My name is Axel Abrica, and I was born and raised in Imperial, California. I recognize the unprecedented opportunity the Lithium Valley Specific Plan (LVSP) represents for clean-energy leadership and high-road employment in our county, and I support responsible geothermal-lithium development. Yet after a careful reading of the February 2025 draft and the county's public-facing Guide, I am compelled to register a formal objection to the Plan's handling of water. The LVSP speaks at length about visionary land-use designations and job creation, but it leaves the single most important lifeline of the Imperial Valley—our Colorado River allocation—dangling on vague assurances that "negotiations with IID" will sort things out later. A plan of this magnitude must stand on something sturdier than wishful thinking.

The first problem is one of basic arithmetic. The Executive Summary concedes that Phase 1 alone is projected to consume roughly 48,023 acre-feet of water per year to power industrial process cooling, brine handling, dust control, and a pair of new wastewater-treatment plants (Imperial County Planning). Public workshop slides and social-media briefings have alternately quoted 42,000 AFY for Phase 1, but even if we use that lower figure, the gap is still glaring: only 18,620 AFY remain available to new non-agricultural projects under IID's Interim Water Supply Policy—a ceiling reaffirmed by IID's own negative declaration when that policy was adopted in 2009 . Neither the LVSP text nor its appendices explain how a deficit of roughly 20,000–30,000 AFY will be closed in the first decade of development, let alone in Phases 2 and 3, which will arrive precisely when federal Bureau of Reclamation models predict deeper shortages on the lower Colorado River. Simply promising that a future Water Master Plan will "guide" supply decisions is not enough. Imperial County cannot issue sweeping entitlements for water-intensive industries without locking in a legally enforceable water budget today.

Beyond the numbers, the Plan glosses over financial equity. Diverting IID water from municipal users or special-service districts to meet industrial demand will, by the County's own admission in public slides, "lead to increased water rates and further shortages" for ordinary households. Because water bills in Imperial Valley are already among the highest relative to median income in California, any additional rate pressure would fall hardest on farm-working families who can least afford it. The draft Plan offers no rate-impact analysis, no mitigation fund, and no guarantee that industrial off-takers—not low-income residents—will shoulder the true cost of new conveyance, storage, and treatment infrastructure. Without explicit rate-payer protections, the LVSP violates its own guiding principles of "Environmental Justice" and "Advancing Opportunity" .

Even more troubling is the Plan's silence on cumulative ecological impacts. Agriculture currently accounts for about 97.5 percent of IID deliveries, and tail-water run-off from the fields is the last significant source of inflow sustaining the shrinking Salton Sea. Any shift of

water from agriculture to industry will accelerate shoreline recession, expose more playa, and loft additional toxic dust laced with decades of pesticide residue. Imperial County's pediatric asthma rate already sits near the top in California; physicians at El Centro Regional Medical Center have traced seasonal spikes directly to Salton Sea dust events. The draft LVSP mentions that tertiary-treated effluent "may be returned" to the Alamo River and Sea, but provides no volumetric targets, no timelines, and no funding mechanism to guarantee that back-flows keep pace with industrial withdrawals . Nor does the Plan set forth any contingency if imported surface water deliveries are curtailed under the multi-state shortage agreements now under negotiation for the post-2026 Colorado River framework.
In the absence of enforceable safeguards, the LVSP risks locking Imperial County into a vicious cycle: fresh water is siphoned to lithium extraction, the Sea recedes, dust storms worsen, and residents face larger public-health costs at precisely the moment their household water and electricity bills rise to subsidize industrial growth. That is not "responsible growth"; it is an environmental-justice failure waiting to happen.

The County still has time to correct its course. I urge you to produce, before any plan adoption, a full Water Master Plan that (1) discloses all anticipated water-purchase agreements with Imperial Irrigation District, (2) analyzes multiple shortage scenarios tied to Bureau of Reclamation Tier 1–3 cutbacks, (3) sets mandatory industrial water-efficiency standards and annual public reporting, (4) commits to binding minimum-flow contributions to the Salton Sea backed by performance bonds, and (5) establishes a community-controlled oversight board with authority to audit usage and impose penalties for non-compliance. Parallel to that, the County should require each high-consumption project—especially data centers, hydrogen electrolysis plants, or anaerobic digesters flagged as "water-intensive" in the community Guide —to undergo a site-specific Water Supply Assessment under SB 610 and bear the cost of any conveyance upgrades, dust-suppression infrastructure, or residential rate offsets triggered by their operations.

Finally, public participation cannot end on May 5. The Plan itself promises "Community Engagement" as a core principle. To honor that promise, the County must circulate the Water Master Plan and the forthcoming Programmatic Draft EIR for no less than sixty days, with plain-language summaries in both English and Spanish, and hold at least one in-person workshop in the North End communities of Niland and Calipatria that will bear the brunt of Salton Sea dust. Anything less would amount to a paper commitment to equity rather than a lived one.

Imperial County stands at a strategic crossroads: we can pioneer domestic lithium refining while elevating public health and water security, or we can repeat the historical pattern of exporting resources and importing risk. The decision hinges on whether the final LVSP embeds a clear, comprehensive, and enforceable water strategy. I respectfully request that you revise the Plan to include such a strategy and re-release it for public review before proceeding to adoption.
Thank you for the opportunity to comment, and please add my contact information to all future notifications concerning the LVSP, the Water Master Plan, and related CEQA documents.

Sincerely,
Axel Abrica
Imperial, CA 92251

From:	WordPress
To:	CEO - Lithium Valley Specific Plan
Date:	Friday, May 2, 2025 5:06:58 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Alondra Mateo
Email Address:: alondrammateo@gmail.com
City of Residence:: West Covina
State of Residence:: CA
Comment:: I support responsible lithium development and a just transition to zero emission technology, but I am concerned that the LVSP allows industry to burden resources without benefiting residents. I am deeply concerned about the fast-tracking of unrelated and polluting industries like data centers and anaerobic digesters; the lack of guaranteed local hiring; the impact on water and air quality. Clean technology means little when the burden is merely placed on the shoulders of already overburdened communities of color. Residents must have an ongoing role in shaping how Lithium Valley develops through written Community Benefit Agreements that ensure a fair process and continued community involvement if the project continues.

Protecting our air and water should be a priority. Any new industry in Lithium Valley should be required to prevent pollution, not deplete resources, provide continuous public reporting, and put community over profits. I urge Imperial County to remove harmful/unrelated industries from the plan; require strong local hiring commitments; look to community-led groups to create Community-led Benefits Agreements (CBAs); and improve environmental protections.

From:	WordPress
To:	CEO - Lithium Valley Specific Plan
Date:	Sunday, May 4, 2025 11:33:49 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Anonymous
Email Address:: tim65@hotmail.com
City of Residence:: NA
State of Residence:: NA
Comment:: First, I appreciate the County's efforts to plan for economic growth and development in the Lithium Valley area. However, I urge the County to ensure that equity and environmental sustainability are centered throughout the plan's implementation.

Specifically, I request that Imperial County:
1. Prioritize Equity for Local Communities:
• Ensure that local residents, particularly historically underserved communities, have access to good-paying jobs, affordable housing, and clean infrastructure benefits created by the Lithium Valley development.
• Implement clear requirements for community benefits agreements (CBAs) to guarantee long-term investments in health, education, and workforce training for local families.
2. Commit to Strong Environmental Protections:
• Include specific, enforceable measures to protect air, water, and soil quality in and around the project area.
• Ensure that environmental monitoring is transparent, frequent, and accessible to the public.
• Prioritize renewable energy and sustainable practices in all industrial and community developments associated with Lithium Valley.
3. Guarantee Meaningful Public Engagement:
• Maintain accessible public forums, updates, and opportunities for residents to have a voice in decision-making as the plan moves forward.
• Translate all critical documents into Spanish and other commonly spoken languages in the community to ensure inclusive participation.

I am excited about the potential opportunities Lithium Valley can bring, but true success will only be achieved if the plan promotes fairness, health, and long-term sustainability for all Imperial County residents.

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Sunday, February 23, 2025 9:25:57 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Corban Dillon
Email Address:: dilloncorban@gmail.com
City of Residence:: El Centro
State of Residence:: California
Comment:: As industry will come to the Imperial Valley as a whole. What is the goal for being fully prepared for issues that will rise before industry arrives and these topics get put on the back burner. such as housing since we all struggle with affordable housing at this point in time. The need for expansion on city limits so much of our housing is considered county. Last but not least the need for safer road ways especially on the road to Lithium Valley.

From:	WordPress
To:	CEO - Lithium Valley Specific Plan
Date:	Monday, May 5, 2025 6:45:32 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: sal salazar
Email Address:: sal@calethos.com
City of Residence:: irvine
State of Residence:: california
Comment:: LVSP Comments

Page 52. Section 3.4.1 Use Definitions.

Data Centers. We recommend that given the amount of untapped geothermal resources available in Imperial County that the Data Center Definition should be expanded to include alternative or preferred on-site power generation.

On Site Geothermal. We recommend the LVSP create a NEW definition to include Geothermal as a permitted use. More specifically, we recommend the following definition.

On Site Geothermal. The installation and operation of geothermal energy production systems that provide renewable energy to other on-site industrial or commercial uses. On-site geothermal may be located on the same parcel or on any parcel no more than 1,000 feet from the industrial or commercial use, so long as it is under the same ownership.

Page 57. Table 3-2 Use Table

As stated in the previous comment we recommend including On-Site Geothermal as a permitted use like On-Site Solar. Therefore, we recommend Table 3-2 to be expanded to include the following:

Green Industrial

Playas Renewables

Manufacturing

Logistics

Playas Restoration

Interim Agriculture

Community Opportunity Areas

Solar Conservation River Corridor

On Site Geothermal 1

P

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Page 61. Section 3.5.4.3. States in part as follows:

“Data Centers must adopt water-free cooling technologies or systems that minimize water consumption, such as air cooling”.

This comment/restriction of water-free cooling is not practical nor applicable to Data Center projects in Imperial County. We recommend, elimination of this requirement. The elimination of this requirement permits data centers like those in other hot climate locations such as Phoenix. Therefore, we are recommending that the requirement be modified as follows: Data Center cooling technologies must use systems that minimize water consumption.

Page 61. Section 3.5.4.2. States in part as follows:

Data centers must maintain an energy efficiency rating of 1.2 or lower through techniques such as advanced cooling systems, server virtualization, and energy-efficient hardware.

This requirement, based on the location and climate conditions in the Imperial valley, is not

feasible. More specifically, achieving a Power Usage Efficiency (PUE) rating of 1.2 in a desert climate is not feasible without a substantial reliance on water. However, closed-loop chilled water systems can operate with minimal water usage but have a slightly higher PUE such as 1.5 with the current technologies. Therefore, we are recommending that the energy efficiency rating be changed from 1.2 to 1.5.

Page 68 Table 4-2 states in part as follows:

Data Centers shall provide parking at a ratio of 1 space per 1,000 sf of building area.

In our experience and based on development standards from other public agencies with multiple data centers in their jurisdiction, the parking requirements are based on the office area of the Data Center Facility. These jurisdictions have learned that most of the Data Center space is dedicated to housing server and networking equipment, as well as infrastructure equipment necessary for electrical and mechanical operations.

Fairfax Virginia, which has permitted and currently has many Data Centers recently modified their parking requirements to be based on the “gross floor area of Office Space associated with the Data Center.

The parking requirement reduces the sea of asphalt that could generate excessive heat.

Therefore, we recommend the LVSP to adopt a requirement of 1 Parking Space for 1,000 sf of Gross Floor area of Office Space associated with the Data Center Use.

From:	WordPress
To:	CEO - Lithium Valley Specific Plan
Date:	Monday, May 5, 2025 10:30:31 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: David Hernandez
Email Address:: dhernandezhernandez@gmail.com
City of Residence:: Imperial
State of Residence:: California
Comment:: The plant list for landscaping for all projects should only include plants native to the Colorado desert ecoregion and not from the Palm springs or Arizona desert. Seeds can be collected from BLM land in coordination with BLM to help with sourcing genetically appropriate plants. Language throughout document should change drought tolerant to native Colorado desert plants sourced from imperial valleys ecoregion. A measure should prohibit the use of non native Colorado desert plant species.

Areas around the new river should be changed to conservation areas up to 1000m from the edge to provide a buffer for native species to thrive. Conservation areas should not be disjointed and should create habitat/movement corridors. Conservation areas should be incorporated within each land use plan area to increase the overall acreage and increase habitat available. Development should only be done in areas already disturbed by agriculture, industrial or some other use. Any solar development on untouched desert land should not be allowed and that should be converted to conservation.
Areas under IID contract for conservation should not be designated for conservation since they're already protected. New areas should be defined by this plan that increase the buffer of Alamo and New River from the current acreage to 2-3x that. Areas along untouched desert land should be identified for conservation. Areas of importance for native wildlife within the existing agricultural areas should be included in conservation. You cannot rely on federal land for conservation mitigation as those are separate and not under jurisdiction of the county. An applicant seeking mitigation for a lithium valley project will not be able to use federal plans for their mitigation in perpetuity per federal land use plans. You need to coordinate with those federal agencies before committing them to something like this.

There should be mitigation ratios for agricultural land developed that provides habitat for native animals like burrowing owl and migratory birds. That ratio should be required for all development projects to allow for restoration of nearby lands.. there are no mitigation requirement to native animals and plants that are sensitive that may be found in these areas you should develop those.

Mortality of birds and bats from these developments should be taken into account and appropriate mitigation funds should be collected for nearby restoration or conservation efforts. A fund should be identified and created for this area to be used exclusively for habitat restoration/conservation/acquisition.

Refer to the BLM land use plans like the desert renewable energy plan for more guidance on appropriate measures.

Community opportunity zones should only be placed in/adjacent to niland and calipatria. Calipatria isn't included in this at all. No golf courses should be allowed as this is a waste of water and is geared towards affluent visitors vs locals. No grass should be allowed in any

development

Parking minimums should be decreased to reduce GHG from work traffic and reduce permanent pavement on sites and heat island effects. Van pools and car pools and designated areas for park and rides should be incorporated and required for each development. A shuttle system in conjunction with the public transit should connect the campuses to reduce ghg and traffic to reduce air quality. A mitigation measure should require this and should require companies to come up with worker transportation plans to reduce vehicles to the site and reduce impacts to local air quality.

If they don't then there should be a mitigation fund required for every sq foot of parking pavement and/or number of parking spaces per development. That fund would go back into the north communities for projects that increase air quality, reduce emissions, fund public transit, fund alternative modes of transport for locals (i.e. shared electric vehicles, bikes, scooters, shuttles)
Campuses/businesses should be required to share parking with one another and/or concentrate strategic parking structures throughout the area to reduce need for too many parking spaces. Those parking structures can meet the needs of multiple businesses.

From:	WordPress
To:	CEO - Lithium Valley Specific Plan
Date:	Monday, May 5, 2025 4:13:01 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Emma Flores
Email Address:: emmakary27@gmail.com
City of Residence:: Calexico
State of Residence:: California
Comment:: Hello, my name is Emma Flores. I am excited about the potential opportunities that the Lithium Valley project brings to our community, however, I am even more concerned about the potential harm that can come from this project if Imperial County is not protective.

We can all agree that the Imperial Valley is in need of high quality jobs, however, it should not come at the expense of the residents' well-being.The Valley already has limited water supply and very concerning air quality. I may not understand many things, but I can physically feel how challenging it is to breathe at times due to the pesticides that are used in our community and due to the burning that is done by current industry. Has the County been protective of the community regarding the current health/air quality concerns? I would say that if it has made attempts, it has not been enough. The community struggles with many health concerns because of the current industry. Imperial Valley residents experience Asthma and allergies at alarming rates, along with many other health concerns. I fear that history will just repeat itself with the Lithium Valley industry.

I urge the Imperial County to place the well-being of the northend and the rest of the Imperial Valley community as a top priority. Detailed plans should be in place including Community Benefits Agreements that are developed with the input from the community. Verbal promises get us nowhere, the community needs for the Imperial County to get things in writing, in carefully reviewed plans/contracts. Plans should be specific. Where will the water that is needed for Lithium Valley come from? How will this water usage affect the community? What protective measures will be sent in place for the northend community/employees of Lithium Valley? Will they have good roads to access during emergencies? Will they have access to clinics/hospitals within a short distance in case of an emergency? Will there be first responders who are trained in Lithium related emergencies available in the northend?

This new industry will burn up our resources if the Imperial County does not plan to protect the workers, the surrounding communities, and the environment. These industries have resources and money. They are after a local resource and we need the County to do its part to protect the community to ensure the things are well planned, well implemented, and that accountability is enforced. If the benefits do not outweigh the risk/harm, then it is not worth it. We depend on you to do the right thing.

Thank you for your time,
Emma Flores

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Monday, May 5, 2025 2:31:30 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Fabiola Moreno Ruelas
Email Address:: fmoreno@ibew569.org
City of Residence:: El Centro
State of Residence:: CA
Comment:: To ensure that the development accelerated by the Lithium Valley Specific Plan truly benefits Imperial Valley residents, the Draft must include clear, enforceable language that holds developers accountable to local hire and workforce standards.
The State Building and Construction Trades Council of California has proposed language to support this goal, including provisions to:
All contractors and subcontractors performing construction and contracted-out maintenance work for the project shall pay at least the prevailing wages determined pursuant to Labor Code sections 1773 and 1773.9,
All contractors and subcontractors performing construction and contracted-out maintenance work on the project shall request the dispatch of apprentices from state-approved programs consistent with the requirements of Labor Code section 1777.5,
All contractors and subcontractors performing construction and contracted out maintenance work on the project shall ensure that all construction work that falls within an apprenticeable occupation in the building and construction trades shall be performed by a skilled and trained workforce in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.
Despite these recommendations, the current Draft of the Lithium Valley Specific Plan references a “skilled and trained workforce” only once, under:
Goal 5: Community Health and Prosperity (HP)
Policy HP-16: Skilled and Trained Workforce — The County will encourage the construction of projects within the Specific Plan area by a skilled and trained workforce.
The use of the word “encourage” is insufficient. It does not guarantee that developers will hire a skilled and trained workforce or prioritize local residents for these jobs.
IBEW 569 operates the only apprenticeship program in the County that enables Imperial Valley residents to “earn while they learn” and become state-certified general electricians. For over 20 years, IBEW 569 members have contributed to the region’s renewable energy growth, including solar panel installations, commercial battery energy storage systems, and EV charger deployment.
To fully realize the economic and workforce development potential of Lithium Valley, the County of Imperial must strengthen the Specific Plan by requiring—not just encouraging—that developers commit to local hire, prevailing wage, and skilled and trained workforce standards. The community of Imperial County deserves better.

From:	WordPress
To:	CEO - Lithium Valley Specific Plan
Date:	Monday, May 5, 2025 4:57:40 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Iván González-Soto, Ph.D.
Email Address:: igs38@humboldt.edu
City of Residence:: Formerly: El Centro, CA / Currently: Vancouver, WA
State of Residence:: WA
Comment:: Dear members of the Board,

My comment ties into a history of environmental justice in the Imperial Valley, and the ways that a story from the late twentieth century can inform local decisions regarding Lithium Valley.

In the early 1980s, a waste disposal company began operation in Westmorland, California. Many local residents did not know about this new waste disposal site until they learned that an earthquake triggered landfill leachate to seep into an irrigation canal where liquid pollution flowed into the town's drinking water. In the ensuing years, residents learned that local leaders had waived requirements that would have provided protections against this environmental health hazard. Local residents responded and demanded changes from their elected officials.

I encourage local leaders to include historians in their decision making acts regarding Lithium Valley—so that leaders in the Imperial Valley can broaden their understanding of how our predecessors navigated and responded to previous issues regarding new investments in the Imperial Valley. It's not too late, and as an academic historian of the Imperial Valley, I would be honored to provide historical context that might inform current decisions.

Thank you.

My very best,
Iván González-Soto, Ph.D.
Former Resident of El Centro, California

From:	WordPress
To:	CEO - Lithium Valley Specific Plan
Date:	Monday, May 5, 2025 4:57:31 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Johanna Espinoza
Email Address:: jespinoza@ivequityjustice.org
City of Residence:: El Centro
State of Residence:: California
Comment:: Board of Supervisors,

My name is Joey Espinoza, and I am a resident of El Centro in Imperial County. As the Lead Organizer for the Public Health programs at IV Equity and Justice, I want to begin my public comment by acknowledging that Imperial County is built on Kumeyaay, K'wtsan, and Cahuilla lands. In an act of rightful reparation, collaboration with the native indigenous community as co-stewards of all forms of land and water management is essential, as they are the original caretakers of this land.

We are at a pivotal moment where the decisions made by each Supervisor will significantly impact the well-being and future dreams of our community's children. The water they drink, the air they breathe, and the ground they walk on are all at stake in this Lithium Valley Specific Plan.

Treating this solely as an economic development opportunity while disregarding potential environmental and public health consequences would be irresponsible. Imperial County already faces alarming rates of respiratory issues like asthma, along with significant air pollutants such as arsenic, silica, and lead.

There is no justification for fast-tracking the approval of industrial developments at the risk of the health of the neighboring communities and those working in these industries.

Across the U.S. and globally, instances of mineral runoff have caused public health crises by leaving towns without safe drinking water. We must prevent similar catastrophes in our county. We are already experiencing water scarcity, rising costs for residents, and the near-privatization of this essential resource by the agricultural industry. With many residents in Calipatria and Niland already struggling with heat and access to basic resources like sewage systems, a clear plan for water management is crucial. This indispensable resource is being treated as expendable, which it is not. I urge you to prioritize our residents and not include data centers, anaerobic digesters, or green hydrogen in this plan.

All such industries must undergo their own thorough review process, with extensive research into their potential environmental and health impacts. Data centers, in particular, should not be permitted on our lands. They are an extractive and contradictory industry that seeks dry areas to avoid humidity's corrosive effects, but will require massive amounts of water for cooling in

our extreme heat.

Please carefully review all public comments received and ensure that the priorities of every individual are heard and considered.

Best,

Joey Espinoza

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Sunday, May 4, 2025 8:10:30 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Jennifer Jara
Email Address:: jjara3000@gmail.com
City of Residence:: El Centro
State of Residence:: CA
Comment:: I’m from El Centro, born and raised, and I’m tired. Tired of watching outside companies come in and act like they’re saving us when really they’re just taking advantage of our land, our water, and our silence. This plan says it’s for “Lithium Valley” but where are the protections for the people who’ve lived here our whole lives? We’ve been breathing bad air, dealing with asthma, struggling with poverty, and watching the Salton Sea disappear into dust while nobody listens. And now we’re supposed to be okay with big industries setting up shop without even guaranteeing that our people will get jobs or that our water will be protected? No. We are not disposable. Our communities matter. Our environment matters. You don’t get to greenwash a plan and pretend it’s justice. We need legally binding promises—not suggestions. We need investment in public transit, clean water, healthcare, and real wages for local workers. Not minimum wage scraps while corporations profit. We’ve been left out of the conversation for decades and now that lithium is valuable, everyone wants to act like we’re part of the solution? Then prove it. Protect us. Hire us. Listen to us. This plan can’t move forward unless it puts local people first—and right now, it doesn’t. Fix it.

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Monday, May 5, 2025 11:30:16 AM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Jason Rider
Email Address:: j-rider@sbcglobal.net
City of Residence:: Bombay Beach
State of Residence:: California
Comment:: Please be thoughtful when impacting residents and resources of residents. The Salton Sea must be restored by the company profiting from lithium in our area.

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Monday, May 5, 2025 2:02:22 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: James Taylor
Email Address:: answeringquestions@hotmail.com
City of Residence:: El Centro
State of Residence:: CA
Comment:: I want to raise a serious concern about the lack of meaningful consultation with Indigenous communities in the development of the Lithium Valley Specific Plan. The targeted region includes land that holds deep cultural, spiritual, and historical significance to several local tribes. Under California law, tribal consultation is a legal and moral obligation, but many tribal voices have been excluded from this process. We risk repeating a long and painful history of resource extraction that leaves local communities, especially Indigenous ones, with the pollution of the land and disrespect toward their culture, but none of the benefits. I urge the County to pause and engage in genuine consultation with tribal nations and to ensure their cultural sites and sovereign rights are protected.

From:	WordPress
To:	CEO - Lithium Valley Specific Plan
Date:	Monday, May 5, 2025 1:17:24 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Kimberly Palacio
Email Address:: kpalacio@unionyes.org
City of Residence:: Calexico
State of Residence:: CA
Comment:: Imperial County Officials,

As a representative of the Labor movement in Imperial Valley, I cannot support the current draft of the Lithium Valley Specific Plan. The sole mention of labor comes in section 2.3.1 with a generic statement of hope for future collaboration. Workers across the Valley are demanding assurances of transparency, local hiring, health and safety, and family-sustaining wages. Strong language detailing the provision of such requisites are not only assured through project labor and community benefits agreements, but must be included in the LVSP as well.

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Saturday, April 26, 2025 2:49:24 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Krystle Vega
Email Address:: demandorganicps@gmail.com
City of Residence:: Bombay beach
State of Residence:: CA
Comment:: To Whom It May Concern,

I am writing to express my concerns regarding the proposed lithium extraction activities near the Salton Sea. While I understand the importance of lithium for clean energy technologies, I am deeply concerned about the potential environmental and public health impacts on our community.

The Salton Sea is a unique and delicate ecosystem that already faces significant challenges, including declining water levels and air quality issues. Introducing large-scale lithium extraction in this area, which is located on a fault line, raises additional concerns about seismic risks and the potential for environmental disruption.

I urge decision-makers to prioritize the health and well-being of local communities and to consider the long-term environmental impacts of these activities. Transparent public consultation and thorough environmental assessments are essential to ensure that any development is conducted responsibly.

Thank you for considering my comments.

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Sunday, May 4, 2025 10:56:46 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Luisa Gould
Email Address:: satchelofgold@gmail.com
City of Residence:: Calexico
State of Residence:: California
Comment:: Section 6.4 Electrical Transmission

“existing process is that existing transmission lines owned and operated by IID are constructed to support development at the time of construction.”

This statement is unclear, but I assume it means IID will construct and operate new transmission lines for this project based on its location. Assuming the cost of construction and upgrades will be recovered via rate base - will an estimate of the cost be made available to the public? Otherwise, how is IID financing these upgrades / new infrastructure?

From:	WordPress
To:	CEO - Lithium Valley Specific Plan
Date:	Sunday, May 4, 2025 8:02:01 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Laura Rioseco
Email Address:: laurayvettexomua@gmail.com
City of Residence:: Calexico
State of Residence:: CA
Comment:: Here are my concerns and comments on each chapter

☐ Chapter 1:Introduction and Intent
Comments:
As someone born and raised in Calexico, I carry my hometown in everything I do. Our community is full of hardworking, resilient people—but we've been overlooked time and time again. I support responsible lithium development, but not at the cost of our water, our health, or our people. It's unacceptable that the LVSP opens the door to industries like data centers and hydrogen plants that will take from our land and give nothing back. We deserve a plan that truly reflects the needs and dreams of locals—not one designed to benefit outside corporations.

☐ Chapter 2: Vision and Guiding Principles
Comments:
I want a future where Calexico kids grow up with opportunities, not obstacles. A just vision for Lithium Valley means putting local voices, jobs, and protections first. For too long, we've watched wealth and resources pass us by. This is our chance to demand legally enforceable community benefits—not vague promises. Our families deserve jobs with dignity, clean air and water, and a voice in what's built in our backyard.

☐ Chapter 3: Land Use
Comments:
Water is life in the Imperial Valley. With the Salton Sea shrinking and toxic dust already harming our health, it's heartbreaking that this plan doesn't do more to protect our environment. It's reckless to allow more water-intensive industries in a place that's already water-scarce. The LVSP must reject polluting projects and prioritize sustainable land use that safeguards our future.

☐ Chapter 4: Development and Design Standards
Comments:
Every new project in the Valley should have to prove it won't harm our health or drain our limited resources. Calexico shouldn't be treated like a dumping ground for outside developers. We need clear rules, environmental reviews, and accountability. If a project can't show that it benefits local workers and protects our home, it shouldn't move forward.

☐ Chapter 5: Circulation and Transportation
Comments:
Many people in Calexico can't afford long commutes or own reliable transportation. If jobs are created through this plan, they need to be accessible to locals. The LVSP must invest in better public transit options that actually connect Calexico and surrounding areas to job sites—

otherwise, these jobs won’t truly be for us.

☐ Chapter 6: Infrastructure
Comments:
I’ve seen how underfunded our roads and basic services are in Calexico. If we’re going to host new industries, we need serious investment in local infrastructure first—especially water systems, roads, and environmental protection. Projects that rely on our region must contribute to rebuilding and strengthening it—not wear it down even further.

☐ Chapter 7: Community Health and Prosperity
Comments:
Growing up in the Imperial Valley, we’ve lived with poor air quality and high rates of asthma and illness for as long as I can remember. We can’t keep sacrificing our health for jobs that don’t even go to us. The LVSP must guarantee local hiring, fair pay, and strong protections for worker and community health. Our community has paid the price for far too long—we deserve to finally benefit.

☐ Chapter 8: Implementation
Comments:
Plans mean nothing without enforcement. Too many times, we’ve been promised change that never comes. I urge Imperial County to include strong, enforceable commitments to local hiring, clean water, air protections, and fair wages. Without legal requirements, companies will continue to take advantage of our community. Calexico and the entire Imperial Valley deserve real change—this is our moment to make it happen.

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Monday, May 5, 2025 12:31:13 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Lisa C Winkler
Email Address:: wnklrls@yahoo.com
City of Residence:: Imperial
State of Residence:: CA
Comment:: The California Jobs First Initiative strongly supports the Lithium Valley Specific Plan and commends the developers for taking the lead on a project with the potential to transform Imperial Valley into a hub for clean energy production. This development represents a smart investment in California's future and a major opportunity to bring long-term economic growth to the region.

We encourage local and state agencies to work closely with the developer to ensure timely approvals, infrastructure support, and a clear path forward. With the right backing, this project can deliver reliable jobs, attract additional private investment, and enhance California's leadership in energy innovation. We also support efforts to prioritize local hiring and job training to help residents benefit directly from this growth.

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Tuesday, April 22, 2025 8:14:50 AM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Monica Buford
Email Address:: bumonica@yahoo.com
City of Residence:: El Centro
State of Residence:: CA
Comment:: I like how it will create more jobs and provide something that is needed with little impact to agriculture. I like how they are taking noise and keeping the environment clean and providing forms where the community can voice their opinion
---

From:	WordPress
To:	CEO - Lithium Valley Specific Plan
Date:	Monday, May 5, 2025 4:05:39 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: May Salazar
Email Address:: maykent.lsg@gmail.com
City of Residence:: Holtville
State of Residence:: California
Comment:: Hello BOS,

As you probably know, the rapid expansion of artificial intelligence (AI) and data centers is influencing energy consumption around the world and has raised sustainability concerns everywhere. It is abundantly clear that data centers are energy-intensive, primarily due to the need to power servers and large cooled server farms. These cooling systems demand a huge consumption of water.

As water droughts throughout California and Mexico are becoming more frequent, local governments must take into account the environmental impact on our local agricultural-dependent economies and communities. And by local governments, we mean you, dear Board of Supervisors.

There's many different alternatives and technologies that can be used to develop a sustainable lithium valley. In fact, not far from the Valley, there's many research universities and institutes doing massive research on this matter, yet it seems like the Board of Supervisors prefers to go the easy and cheaper route and want to just fast-track unrelated and polluting industries like data centers and anaerobic digesters into the LVSP. THIS IS UNACCEPTABLE.

We elected you, you are in your seat thanks to the constituents of Imperial Valley. You owe all of us, answers.

We need written commitment, we need proof that this won't be another project destroying our water resources, our already extremely and dangerously polluted air, and the crippling economy that you guys have not been able to develop EVER.

And what about the jobs? or are we gonna continue depending on the same government and agricultural jobs forever? There's an evident brain drain in Imperial County but Lithium Valley offers an opportunity for massive economic growth as well as research and development. For that reason, we need enforceable rules to ensure sustainable development, not just voluntary guidelines. Please remove harmful/unrelated industries from the plan; require strong local hiring commitments, require Community Benefits Agreements and environmental protections.
Imperial County cannot afford to roll out the red carpet for industries that use up water resources or make air pollution worse, PLEASE NOT AGAIN!!!!! THIS IS IN YOUR HANDS!!!

PLEASE THINK OUTSIDE THE BOX AND DO THE JOBS YOU PROMISED TO DO.

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Wednesday, March 12, 2025 8:58:28 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Nora Banaga
Email Address:: jimmy92233@yahoo.com
City of Residence:: Calipatria
State of Residence:: CA
Comment:: My thoughts are that as with previous projects that have an impact on the well-being of neighboring communities or adjacent populations, there must be accountability. Any adverse effect , biological, psychological or economical, should not be ignored for the sake of greed or to satisfy corruptness. There should be standards and ethics to uphold and the communities most impacted by the project, Calipatria being one of them, should always be invited to the table of decision making. The lucrative expected outcome of this lithium venture should not be at the demise of the little people, for every voice matters. Tax paying, law abiding citizens of this community should not be ignored or disadvantaged over the loud and powerful speakers with authority or big microphones. Fostering the economy or checkbooks of wealthy benefactors at the expense of lifelong residents is what movies & documentaries are made when things go terribly wrong. Consider that everyone is a critic and movie maker nowadays. Consider the voice of the locals.

From:	WordPress
To:	CEO - Lithium Valley Specific Plan
Date:	Wednesday, March 12, 2025 9:49:55 AM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: ROBERTO Munguia Diaz
Email Address:: robertodmunguia@gmail.com
City of Residence:: San Diego
State of Residence:: CA
Comment:: Good day Members of Imperial County,
My name is Roberto Munguia Diaz, and I come to you today to express concern over the lithium and health of not only the families but of the land, the environment. I am of the land and have come to an understanding that you value the lithium more than the land and those who call the Imperial County home. I understand its business but what i dont understand is the lack of utility on the farm land and the farmers who we desperately need in America. Prices of eggs going up, yet we have abundance of land yet we are maintaining a mine. I dont know about you but i perfer personally fresh fruits and vegetables than a lithium battery that gives us cancer with radiation, health needs to be the number one priority. Or else what good would electronic vehicles and cells phones do us if we cant use them due to illness. I understand Imperial County is labeled as a proverty neighborhood but I'm from San Diego and its beautiful in Brawley.
On a more firm note Treaty rights are essential for protecting the land, resources, and cultural traditions of Native American tribes. These agreements recognize that tribes have a right to hunt, fish, and gather on their ancestral lands, as well as access to healthcare, education, and other services. Moreover, treaties serve as a framework for government-to-government relations between tribes and the US government. This has resulted in both economic and cultural harm to our community, but we continue to fight for our treaty rights through legal avenues and grassroots activism. I ask you to really consider, I understand its your job or your career. I also took a risk to do what I am doing now and I consider this far more better than a job, I'm a free to set others free and open their mind. America is not a land we need to be emptying our resources but protecting them at all cost so it can grow more. Let the Sea be a Sea again, let the land be farm land again, with green plants. I understand you may not automatically get up and stop all operations, but I know there is an alternative, but please stop hurting the land, I can hear her crying, thats why I come to you today. Thank you have a great day.

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Monday, May 5, 2025 4:51:36 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Sherry Cowie
Email Address:: CEO@IVRegionalChamber.com
City of Residence:: El Centro
State of Residence:: CA
Comment:: On behalf of the Imperial Valley Regional Chamber of Commerce, we strongly support the timely adoption and completion of the LVSP. This plan is critical to positioning our region competitively against other states by streamlining permitting timelines and creating a clear pathway for development. Time is of the essence and we cannot afford to lose out on major opportunities that bring tax revenues to enhance public services, create quality jobs, and fuel long-term economic growth. We appreciate the diverse business opportunities within the proposed land uses, which support innovation in energy, lithium, and beyond. The LVSP reflects our mission to drive sustainable economic progress and ensure the Imperial Valley remains a destination for forward thinking industries.

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Monday, May 5, 2025 9:05:27 AM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Victor Zazueta
Email Address:: vzeta3@outlook.com
City of Residence:: El Centro
State of Residence:: California
Comment:: I believe that the front line communities most impacted by the Lithium Extraction should be the largest beneficiaries of any Extraction Excise Tax. These communities also suffer from the environmental degradation of the shrinking Salton Sea, many residents live at the lowest socioeconomic scale, and they are currently hostage of the predatory equity-based water treatment facility operated by Golden State Water Company.

These front line communities and their elected city representative should receive a more equitable and larger share of the Lithium Tax so that they could use those resources to create, finance, and sustain their own water treatment facilities which would be operated to benefit their residents. And if matched with additional grant assistance from the Federal Government, residents could free their residents from the predatory grasp of Golden State water treatment facility. Additionally, with a secure source of funding from the proposed lithium tax these impacted communities could hire their own staff to work at a proposed facility as well as hire additional support city personnel to manage the operations of their city, invest in public housing, support cultural events, and promote their communities.

Thank you.
Victor Zazueta
1603 Farmer Drive
El Centro, CA 92243

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Saturday, February 8, 2025 4:17:15 PM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Xitlali Garcia
Email Address:: xgarcia5757@gmail.com
City of Residence:: Los Angeles
State of Residence:: California
Comment:: I admire the creation of the Good Neighbor CBA Program as well as the other justice oriented statements. However, I am concerned that these are merely statements. How can you ensure that companies will join the Good Neighbor CBA Program? I think their participation in the program should be mandatory. Companies cannot develop unless they are committing to the local economy through the Good Neighbor CBA Program.

From:	Jacob Rodriguez
To:	Lithium Valley; Diana Robinson; Jim Minnick; Bari Bean
Subject:	Submission of Valle Unido"s Public Comment Collection on the Lithium Valley Specific Plan
Date:	Tuesday, May 6, 2025 11:21:33 AM
Attachments:	VUBC LVSP Public Comments (pt2).pdf VUBC Transcribed LVSP Public Comments 5_5_25.pdf

CAUTION: This email originated outside our organization; please use caution.

On behalf of Valle Unido por Beneficios Comunitarios, we writing to formally submit our coalition's collected public comments on the Lithium Valley Specific Plan (LVSP). These comments reflect the voices, concerns, and priorities of community members who want to be part of the Lithium Valley developments.

Valle Unido por Beneficios Comunitarios is a coalition of residents, community-based organizations, unions, and environmental justice advocates fighting for a clean environment, healthy communities, and good, family-sustaining jobs in California's "Lithium Valley."

We respectfully request that all submitted comments be included in the public record and fully considered as you move forward with planning and implementation. Please confirm receipt of this submission and let us know if any additional information is needed.

Attached are the original public comment worksheets completed and submitted by community members : "VUBC LVSP Public Comments (pt1)" & "VUBC LVSP Public Comments (pt2)". For your convenience, we have also included a separate document with the worksheet content transcribed: "VUBC Transcribed LVSP Public Comments 5/5/25".

Thank you for your time and for honoring community voices.

Sincerely,

Valle Unido por Beneficios Comunitarios

VUBC LVSP Public Comments (pt1) .pdf

Lithium Valley Specific Plan Comment

Date:

Full Name:	Darlene Berber
Email address:	d1nonly1280@gmail.com
City/state of residence:	Westmorland CA

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment as many as you want.

- ☑ Chapter 1: Introduction and Intent
- ☑ Chapter 2: Vision and Guiding Principles
- ☑ Chapter 3: Land Use
- ☑ Chapter 4: Development and Design Standards
- ☑ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

I support responsible lithium development, but I am concerned the verbage of the LVSP to actually obtain Jobs or create Jobs for current and long time residents without current health conditions

The county definitely Needs to Ensure and provide adequate Notices to & for Public Participation "Accountability" Transparency requires specifics

We need enforceable rules to ensure sustainable development, Not just voluntary guidelines but community & City approved guidlines. Mandating community benefits

Roads & Transportation Need more details and Attention to the Needs

We're making this form available to residents simply as a template! If you would like to send your public comments directly to the County government, go to www.imperialcounty.org/lvsp/ scroll to the bottom, and fill out the form. Don't forget to click the "Submit Comment" button!

Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date: 3/12/25

Full Name:	Michael Antonio Morales
Email address:	morales6694@sbcglobal.net
City/state of residence:	EL CENTRO CA 92243

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment as many as you want.

- ☑ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

Chp. #1: DRAFT Plan needs to be more specific and Transparent, THE MASTER Plan needs to be incorporated into the LVSP

Chp #7: Community oversight Committee with enforcement & appeal Power need to be Developed - Community over-sight committee compromised of citizens from each Community.

Chp #7: Corporation comming into the Imperial Valley must allocate direct annual funding to North Community [Funding to be negotiated between Community and Corporations]

Chp #8. County needs to extent Comment period and review period

We're making this form available to residents simply as a template! If you would like to send your public comments directly to the County government, go to www.imperialcounty.org/lvsp/ scroll to the bottom, and fill out the form. Don't forget to click the "Submit Comment" button!

Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date: 03/13/25

Full Name:	Jaime Torrez
Email address:	agtorrez0bg@gmail.com
City/state of residence:	Westmorland CA 92281

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

Who will regulate Construction of Buildings and insure all safeguards are mandated and inforced

How and Whome will be paying for all the construction of Roads and upkeep needed for Lithium Valley

What Protection for people who live and have Respiratory Illnesses in the Valley

We're making this form available to residents simply as a template! If you would like to send your public comments directly to the County government, go to www.imperialcounty.org/lvsp/ scroll to the bottom, and fill out the form. Don't forget to click the "Submit Comment" button!

Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date:	

Full Name:	Maria De Jesus Ariz
Email address:	
City/state of residence:	

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

NO DEBERIAN DE APROBAR EL USO DE AGUA POR LA CUAL NO SABEN DE DONDE VIENE
LAS EMPRESAS DEBEN ENSEÑAR DE DONDE VIENE EL AGUA.
los empleos deben ser para los residentes valle imperial
LAS INDUSTRIAS DEBEN INCLUIR PROTECCIONES PARA LA SALUD PUBLICA Y DE LOS TRABAJADORES

We're making this form available to residents simply as a template! If you would like to send your public comments directly to the County government, go to www.imperialcounty.org/lvsp/ scroll to the bottom, and fill out the form. Don't forget to click the "Submit Comment" button!

Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date:	3-12-25

Full Name:	DIPAK. R PATEL
Email address:	DIPAK.RPATEL20@Gmail.com
City/state of residence:	700 North Sorenson Ave calipatria 92233

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment as many as you want.	Comments:
☐ Chapter 1: Introduction and Intent ☐ Chapter 2: Vision and Guiding Principles ☐ Chapter 3: Land Use ☐ Chapter 4: Development and Design Standards ☐ Chapter 5: Circulation and Transportation ☐ Chapter 6: Infrastructure ☐ Chapter 7: Community Health and Prosperity ☐ Chapter 8: Implementation	How many people get job in Calipatria

We're making this form available to residents simply as a template! If you would like to send your public comments directly to the County government, go to www.imperialcounty.org/lvsp/ scroll to the bottom, and fill out the form. Don't forget to click the "Submit Comment" button!

Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date: 03.12.25

Full Name:	THE BECOMING PROJECT, INC.
Email address:	THEBECOMINGPROJECT.ORG@GMAIL.COM
City/state of residence:	CALIPATRIA, CA

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☑ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

DEVELOPEMENT INFRASTRUCTURE SHOULD BE EQUALLY PROTECTED. ROAD DAMAGE, ENVIRONMENTAL IMPACT AND INFRASTRUCTURE MAINTAINCE CAN ALL BE REASONABLY ANTICIPATED. WE'RE AGAINST ANY DEVELOPEMENT THAT DOESN'T HAVE BASIC CONSIDERATION FOR THE FRONTLINE COMMUNITIES THEY WILL MOST NEGATIVELY AFFECT.

We're making this form available to residents simply as a template! If you would like to send your public comments directly to the County government, go to www.imperialcounty.org/lvsp/ scroll to the bottom, and fill out the form. Don't forget to click the "Submit Comment" button!

Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date: 3-12-25

Full Name:	Latha Reiling
Email address:	lreiling51@gmail.com
City/state of residence:	FOY – Niland CA

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

1. Electricity needs – which California citizens will go without.
2. Water – already short supply – who will go without.
3. No "Maybes" – need definites
4. Taking too much good farmland
5. Would this even be taking place if there weren't government incentitives.
6. community incentitives and infrastructure.

We're making this form available to residents simply as a template! If you would like to send your public comments directly to the County government, go to www.imperialcounty.org/lvsp/ scroll to the bottom, and fill out the form. Don't forget to click the "Submit Comment" button!

Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date: 3/12/25

Full Name:	Debbie Salas
Email address:	debbiesalas85@yahoo.com
City/state of residence:	Niland CA

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

Do not allow the LVSP to be a backdoor for industries unrelated to lithium, data centers green hydrogen, ANAerobic digesters
Commit to community benefits in writing
Plan for sustainability - make sure there is enough water.
The plan should require companies to reinvest in our communities.
Reject water-intensive & polluting industries.
It will affect us in the community
Invest in a Local infrastructure
Protect workers + community health.
Protect our air + water should be a priority
Any new industry in Lithium Valley should be required to prevent pollution and provide public reporting.

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Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date: 03/12/25

Full Name:	Bryan Vega
Email address:	bryan.vega.hernandez@gmail.com
City/state of residence:	Holtville

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment as many as you want.	Comments:
☒ Chapter 1: Introduction and Intent	1) Can the Lithium Valley specific plan include provisions to uplift & invest in the existing economies of Niland & Calipatria? Specifically, can the plan mandate that a significant portion of the county investments be directed towards revitalizing infrastructure in these cities? & just continue w/ investing into Lithium Valley infrastructure.
☒ Chapter 2: Vision and Guiding Principles	
☐ Chapter 3: Land Use	
☐ Chapter 4: Development and Design Standards	
☐ Chapter 5: Circulation and Transportation	
☐ Chapter 6: Infrastructure	
☐ Chapter 7: Community Health and Prosperity	
☒ Chapter 8: Implementation	

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Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date: 3/12/2025

Full Name:	Karolina Castañeda Rodriguez
Email address:	rodriguezkarolina21@gmail.com
City/state of residence:	Westmorland, CA

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

The LVSP should guarantee jobs for local residents, prioritizing those who live in the northend. I'm concerned about the detrimental environmental impacts that the data centers will have. There is no concrete plan for the amount of water required where we for these centers will obtain to run and function properly. I want to see Imperial County thrive, our community deserves an industry that cares about the residents that live here. I'm demanding that concrete language is written to promise that these companies put our people over the profit that we line their pockets.

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Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date: 12/MAR/2025

Full Name:	César Hernández
Email address:	cfhp2014@gmail.com
City/state of residence:	OXNARD, CA

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

"An injury to one is an injury to all!" I am here in Solidarity w/ the Imperial County Community. As Californians, we must work together to ensure a healthy and prosperous future for EVERYONE!

I am concerned that the LVSP is lacking important details that are necessary to fully understand the impact of all of the proposed industrial development land uses.

I believe that any "ecconic development" that gets public $$'s needs to include a legally binding Community Benefits Agreement that truly provides tangible "gains"; benefits (Good) in the form of jobs, investments in youth & education, helping redress the housing crisis and ensure a clean & healthy environment

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Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date: 3-12-25

Full Name:	Cynthia Wayne Harvie
Email address:	Cynthiawharvie@gmail.com
City/state of residence:	Brawley, CA 760-996-2445

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☒ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

(1) Security - Safety - Very Important
Especially for those adults who have asthma - (lifetime) (Not just children)

(2) Environmental - Cares -
We are already - known as Allergy Valley - We need To be careful of Toxins.

(3) Where will water come from?

(4) We need a percentage - for whole Valley
How will our community get benefits
money wise - We need to benefit
How many people will be able to work for Companies - How many jobs Available.

(5) What benefits for People coming in to buy houses -

(6) - We need more Town talks to discuss what is going to ~~be~~ happen.

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Last day to submit your public comment is April 1, 2025!

Comentario para el Plan Especifico del Valle de Litio

Fecha:	04-13-25

Nombre completo:	Jose Mendivil
Correo electrónico:	
Ciudad/estado de residencia:	Salton City

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
□ Capítulo 1: Introducción y proceso □ Capítulo 2: Visión y principios rectores □Capítulo 3: Uso de suelo □ Capítulo 4: Normas de desarrollo y diseño □ Capítulo 5: Circulación y transporte □ Capítulo 6: Infraestructura □ Capítulo 7: Salud y prosperidad de la comunidad □ Capítulo 8: Implementación	Hi, my name is Jose. Im 13 years old, and Im a 7th grader in WSHS and my goal is to have my own restaurant. I would like for the Plan to force the companies to support local buisnesses. I would also like more stores Like Walmart for groceries and make So we don't have to drive far for them. This is what I want.

Este formulario está disponible para los residentes simplemente como plantilla! Si desea enviar sus comentarios públicos directamente al condado, visite www.imperialcounty.org/lvsp/ desplácese hasta la parte inferior y complete el formulario. ¡No olvide hacer clic en el botón "Enviar comentario"!

¡El último día para enviar comentarios públicos es el 1 de abril de 2025!

Lithium Valley Specific Plan Comment

Date: 4-13-25

Full Name:	Alejandra Mendivil
Email address:	aleranja@gmail.com
City/state of residence:	Salton City

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment on as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

My name is Alejandra and, I am an 8th grader from Salton City. Im worried about lithium valley coming into our communities because saltoncity can be harmed. My dream is to ~~become~~ be part of law enforcement. We need to make sure that all communities are protected from the harms of lithium valley.

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Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date: 04/13/25

Full Name:	Kris Flores
Email address:	Kris.flores3006@gmail.com
City/state of residence:	Salton City, CA

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment on as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

-The main issue i keep hearing about is transportation especially at work for those who want to change location but can't due to transportation. I think that's something that would really help the people here.

-Something like a gym or some place exercise that would be ideal to work out, ~~[illegible]~~ or at least walk around.

- more job opportunity would be great I know at lot of people that are young that move out of Saltoncity due to lack of jobs around here which personaly I think its a huge problem for many young people such as me.

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Lithium Valley Specific Plan Comment

Date: 04/17/25

Full Name:	PAEDRIN FUSCO
Email address:	paedrinblues@gmail.com
City/state of residence:	BOMBAY BEACH / CA

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment on as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

I am concerned about the fast-tracking of heavy water-usage projects. Lithium extraction already requires more water than we may be able to manage, and I am concerned about the environmental impact that rapid shrinkage of the Salton Sea is sure to cause.

If companies want to go forward with such projects, then they should absolutely be required to go through the full permitting process, to ensure the sustainability long-term.

I am also concerned about issues with air quality that the LVSP may cause. especially with regards to projects such as anaerobic digesting facilities. I believe that any new industry in Lithium Valley should be required to provide public reporting, and take measures to offset air and water quality issues.

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Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date: 4-17-25

Full Name:	KIM BRANHAM
Email address:	tobemeps@gmail.com
City/state of residence:	9580 Av. H. Bb Beach CA 92277

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment on as many as you want.

- □ Chapter 1: Introduction and Intent
- □ Chapter 2: Vision and Guiding Principles
- □ Chapter 3: Land Use
- □ Chapter 4: Development and Design Standards
- □ Chapter 5: Circulation and Transportation
- □ Chapter 6: Infrastructure
- □ Chapter 7: Community Health and Prosperity
- □ Chapter 8: Implementation

Comments:

Language in plan is vauge not specific to guarantee jobs go to locals.

Industries not related to lithium should not be fast tracted to bypass environmental studies effecting health of Communities.

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Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date: 4/17/25

Full Name:	VAUGHN IVAN FOSMO
Email address:	VAUGHNFOSMO@YAHOO.COM
City/state of residence:	TEHACHAPI CALIFORNIA 93561

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment on as many as you want.

- ☑ Chapter 1: Introduction and Intent
- ☑ Chapter 2: Vision and Guiding Principles
- ☑ Chapter 3: Land Use
- ☑ Chapter 4: Development and Design Standards
- ☑ Chapter 5: Circulation and Transportation
- ☑ Chapter 6: Infrastructure
- ☑ Chapter 7: Community Health and Prosperity
- ☑ Chapter 8: Implementation

Comments:

I SUPPORT SUSTAINABLE SAFE PROGRESS.

ENVIRONMENTAL DEGREDATION MUST BE PREVENTED.

SUSTAINABLE GROWTH IS IMPORTANT

CONSERVATION IS NEEDED.

LOGICAL ENGINEERING IS IMPORTANT

CLIMATE CHANGE MUST BE CONSIDERED

IMPROVING HEALTH AND PROSPERITY IS IMPORTANT

SOCIAL CONSCIENCE IS NEEDED

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Last day to submit your public comment is April 1, 2025!

Comentario para el Plan Especifico del Valle de Litio

Fecha: 03/20/25

Nombre completo:	Manuel Romero
Correo electrónico:	esgar.1830@gmail.com
Ciudad/estado de residencia:	Heber, CA

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
□ Capítulo 1: Introducción y proceso □ Capítulo 2: Visión y principios rectores □Capítulo 3: Uso de suelo □ Capítulo 4: Normas de desarrollo y diseño □ Capítulo 5: Circulación y transporte □ Capítulo 6: Infraestructura □ Capítulo 7: Salud y prosperidad de la comunidad □ Capítulo 8: Implementación	Yo como residente del condado de imperial, apoyo el desarrollo de un proyecto industrial en nuestra region ya que es una excelente oportunidad para impulsar la economia local y generar nuevas fuentes de empleo. Considero que las oportunidades laborales que se pueden crear son claves y tendrian un impacto positivo a nuestra comunidad, brindando estabilidad y crecimiento a muchas familias. Sin embargo es fundamental que se tenga en cuenta el impacto ambiental que este nuevo proyecto podria generar. Es importante que nuestro condado realice un buen plan especifico donde quede bien acentado todas las responsabilidades y beneficios que las compañias deben cumplir para poder realizar la extracion de litio y todas las actividades que se lleven acabo por esta. Este documento debe ser concreto con todas las peticiones las cuales esta exigiendo la comunidad. - Trabajos para las personas de la comunidad - Buenos Salarios para los Trabajadores - Mejorar infraestructura de las comunidades cercanas (escuelas, calles, parques, iluminacion) - Cuidado de los recursos naturales (fauna, Tierra, Agua, Calidad del aire, disposicion de residuos).

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¡El último día para enviar comentarios públicos es el 1 de abril de 2025!

Lithium Valley Specific Plan Comment

Date: 4/25/25

Full Name:	George Brown
Email address:	gonly one @ hotmail.com
City/state of residence:	Bombay Beach, California

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment on as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

I'm not excited about any land development. My vision is to bring the sea back to its former glory. The land should remain in its natural form as a wildlife habitat. I urge Imperial County to stop all plans for development and start plans of land restoration. We need to fill the sea back up to previous levels by taking water from the gulf and the Colorado River. Hopefully you listen.

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Last day to submit your public comment is April 1, 2025!

May Son

Lithium Valley Specific Plan Comment

Date: 4-25-25

Full Name:	MARGARET GREENE
Email address:	MARGARET GREENE 56 @ I CLOUD.COM
City/state of residence:	NILAND CA 92257

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment on as many as you want.	Comments:
☒ Chapter 1: Introduction and Intent	I don't support anything that does not support this community. WE DESERVE BETTER.
☒ Chapter 2: Vision and Guiding Principles	If you roll out the red carpet for industries the red carpet has to roll for our community FIRST
☒ Chapter 3: Land Use	SAVE OUR POLLUTED WATER HERE. WE DON'T HAVE A DROP TO WASTE
☒ Chapter 4: Development and Design Standards	NO APPROVAL ON ANYTHING THAT HARMS US MORE. WE NEED IMPROVED CONDITIONS
☒ Chapter 5: Circulation and Transportation	INVEST IN OUR ROADS AN INFRASTRUCTURE WE ALREADY DEAL WITH ONE WAY IN AND ONE WAY OUT
☒ Chapter 6: Infrastructure	
☒ Chapter 7: Community Health and Prosperity	LOCAL HIRING, BENEFITS AND FAIR WAGES THE PEOPLE HERE DESERVE IT. MEDICAL CARE IS A MUST.
☒ Chapter 8: Implementation	I REALLY CARE ABOUT THE AIR I BREATHE I WANT, NEED + DESERVE TO BREATHE CLEAN AIR

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Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date: 5/02/2025

Full Name:	Sandy Sierra
Email address:	ssierra1160@gmail.com
City/state of residence:	El centro, CA (lived in Niland prior)

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment on as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

I'm writing to express both an enthusiasm and a concern for the emerging "Lithium Valley"! I have been hearing a lot of rumble and noise regarding a new exciting project emerging in the north end of the Imperial Valley.

I grew up in Niland, started school there up until 8th grade (the cap in Niland) and my dad is a farmer there still. His company relies heavily on the soil and irrigation water of that area. Because of this, I am familiar with this community. I am invested in this community's well-being. Because of this, I am urging you to provide clarification on the particulars of your plan of using the land that surrounds Niland.

The residents of Niland and Calipatria merit further information on the plans that will directly impact their community. I urge you to be transparent and keep the people of Niland and Calipatria in your mind when you continue to lay out your plans.

Respectfully, Sandy Sierra

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Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date:

Full Name:	Jared Davis
Email address:	N/A
City/state of residence:	El Centro, CA

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment on as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

what waste products come from lithium mining

what % of native imperial valley workers will be hired to perform jobs associated with lithium mining

will a board of directors be appointed to oversee the $1b grant,

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Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date: 5/2/25

Full Name:	~~John Doe~~ Giovanni Garcia
Email address:	John.Doe@hotmail.com
City/state of residence:	El Centro

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment on as many as you want.	Comments:
☐ Chapter 1: Introduction and Intent ☐ Chapter 2: Vision and Guiding Principles ☐ Chapter 3: Land Use ☐ Chapter 4: Development and Design Standards ☐ Chapter 5: Circulation and Transportation ☐ Chapter 6: Infrastructure ☐ Chapter 7: Community Health and Prosperity ☐ Chapter 8: Implementation	How much lithium are we working w? What do you want to do with it? What challenges are expected with regards to how we use the lithium? I heard that we cannot make batteries w/ lithium unless we have Cobalt, which China has the majority amount? How will you counteract environmental effects these projects will have? Please make a video that answers these questions in a digestable fashion. How long will this industry last? Tell us how it effects us !!. Will you make sure peoples' health are respected.

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Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date:	

Full Name:	Cory Fitzsimmons
Email address:	N/A
City/state of residence:	El Centro

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment on as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

Please don't dig without consent.

Save ~~the~~ Valley

NO MINES!!!

WE NEED CLEAN AIR!!

THANK YOU!!

We're making this form available to residents simply as a template! If you would like to send your public comments directly to the County government, go to www.imperialcounty.org/lvsp/ scroll to the bottom, and fill out the form. Don't forget to click the "Submit Comment" button!

Last day to submit your public comment is April 1, 2025!

Lithium Valley Specific Plan Comment

Date: 3/25/25

Full Name:	Graciela M. Ramos.
Email address:	Gracielamramos@gmail.com
City/state of residence:	Salton City Ca

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

Primeramente el Estado de California debe de tener el compromiso con nuestros comunidades Que va a afectar directamente todo el Valle de Imperial Que nuestro Ambiente sea Un ambiente ~~dirty~~. aire limpio no nos merecemos mas de lo que ya tenemos con los fogatas de aire y la contaminacion de la Laguna

G Graciela

We're making this form available to residents simply as a template! If you would like to send your public comments directly to the County government, go to www.imperialcounty.org/lvsp/ scroll to the bottom, and fill out the form. Don't forget to click the "Submit Comment" button!

Last day to submit your public comment is April 1, 2025!

Comentario para el Plan Especifico del Valle de Litio | Fecha: 3/24/2025

Nombre completo:	Jose Villa
Correo electrónico:	
Ciudad/estado de residencia:	Calexico

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
□ Capítulo 1: Introducción y proceso □ Capítulo 2: Visión y principios rectores □Capítulo 3: Uso de suelo □ Capítulo 4: Normas de desarrollo y diseño □ Capítulo 5: Circulación y transporte □ Capítulo 6: Infraestructura □ Capítulo 7: Salud y prosperidad de la comunidad □ Capítulo 8: Implementación	Para los trabajadores Pienso deberian apoyar y Contratar gente del valle imperial Principalmente para cubrir los Puestos de trabajo darles entrenamiento Para desarrollar su trabajo. darles buenos salarios Garantizar Seguridad en sus Sitios de trabajo. ofrecerles buen Servicio Medico para ellos y su familia Para las Empresas Exigirles ~~xxx~~ Implementar formas de mantener un medio ambiente Seguro Construir y facilitar transporte y carreteras accesibles para llegar al lugar de trabajo Sigue atras

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¡El último día para enviar comentarios públicos es el 1 de abril de 2025!

Comentario para el Plan Especifico del Valle de Litio

Fecha: 3/24-/25-

Nombre completo:	Manuel De La Torre Rodriguez
Correo electrónico:	manueldelatorre72@6mail.com
Ciudad/estado de residencia:	Calexico CA

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
□ Capítulo 1: Introducción y proceso □ Capítulo 2: Visión y principios rectores □Capítulo 3: Uso de suelo ☑ Capítulo 4: Normas de desarrollo y diseño □ Capítulo 5: Circulación y transporte □ Capítulo 6: Infraestructura □ Capítulo 7: Salud y prosperidad de la comunidad □ Capítulo 8: Implementación	Me gustaria comentar el transporte y la falta de Empleo en esta Valle IMPerial. El Empleo es muy Escazo y el trabajo No Es Siempre para la capacidad de cada uno o de Otro deben de Ubicar donde se desenvuelve mas cada Persona Thank's

Este formulario está disponible para los residentes simplemente como plantilla! Si desea enviar sus comentarios públicos directamente al condado, visite www.imperialcounty.org/lvsp/ desplácese hasta la parte inferior y complete el formulario. ¡No olvide hacer clic en el botón "Enviar comentario"!

¡El último día para enviar comentarios públicos es el 1 de abril de 2025!

Comentario para el Plan Especifico del Valle de Litio

Fecha: 03/24/2025

Nombre completo:	Miguel De la Torre
Correo electrónico:	mi:Hb123122 Gmail.com
Ciudad/estado de residencia:	Imperial CA

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
□ Capítulo 1: Introducción y proceso □ Capítulo 2: Visión y principios rectores □Capítulo 3: Uso de suelo □ Capítulo 4: Normas de desarrollo y diseño □ Capítulo 5: Circulación y transporte □ Capítulo 6: Infraestructura □ Capítulo 7: Salud y prosperidad de la comunidad □ Capítulo 8: Implementación	Es una buena introduccion sobre este sistema. Creo que se necesita revisar mas las consecuencias sobre todos los riesgos ala comunidad. Espero todo se pueda crear mas empleos.

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Comentario para el Plan Especifico del Valle de Litio | Fecha: 3/24/2025

Nombre completo:	Victor De La Torre
Correo electrónico:	victordelatorre2099@gmail.com
Ciudad/estado de residencia:	Calexico, CA.

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
□ Capítulo 1: Introducción y proceso □ Capítulo 2: Visión y principios rectores □Capítulo 3: Uso de suelo □ Capítulo 4: Normas de desarrollo y diseño □ Capítulo 5: Circulación y transporte □ Capítulo 6: Infraestructura □ Capítulo 7: Salud y prosperidad de la comunidad □ Capítulo 8: Implementación	Yo creo que en la introducion se fuera ver explicado el proceso y resultado de lithium. estando mas informados sobre como sirve esta forma de energia nos ayuda a entender con lo que estamos trabajando. Tambien entenderiamos lo positivo y negativo sobre el lithium.

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Comentario para el Plan Especifico del Valle de Litio

Fecha: 3/24/25

Nombre completo:	Sonia Velazquez.
Correo electrónico:	SoniaVelazquez4041@gmail.com.
Ciudad/estado de residencia:	Calexico

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
□ Capítulo 1: Introducción y proceso □ Capítulo 2: Visión y principios rectores □Capítulo 3: Uso de suelo □ Capítulo 4: Normas de desarrollo y diseño □ Capítulo 5: Circulación y transporte □ Capítulo 6: Infraestructura □ Capítulo 7: Salud y prosperidad de la comunidad □ Capítulo 8: Implementación	Apoyar el desarroyo responsable del litio, pero me preocupa que el LVSP sea una puerta abierta que permita industrias que seran carga para nuestros recursos. sin beneficiar a nuestros recursos. El Condado Imperial merece un plan que proteja alos trabajadores, el medio ambiente y la economia, no uno que beneficie a corporaciones externas a nuestra costa. Si se puede nosotros trabajadores del campo si podemos seguir muchas indicaciones ya que si podemos trabajar largas Jornadas en el abiente Frio y Calor.

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Comentario para el Plan Especifico del Valle de Litio | Fecha:

Nombre completo:	Maritza Valentina Peña de Rios
Correo electrónico:	rios famola@yahoo.com
Ciudad/estado de residencia:	Holtville Ca

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
☑ Capítulo 1: Introducción y proceso	(1) El LVSP deve centrarse en las industrias geotermicas y del litio que proporcione buenos Empleos y Se alinien con las nececidades de la comunidad.
□ Capítulo 2: Visión y principios rectores	#2 una visión para el valle del litio que ponga a los residentes en primer lugar garantizando que las empresas. se comprometan con empleos Locales y Sostenibles.
□ Capítulo 3: Uso de suelo	
□ Capítulo 4: Normas de desarrollo y diseño	
□ Capítulo 5: Circulación y transporte	
□ Capítulo 6: Infraestructura	
□ Capítulo 7: Salud y prosperidad de la comunidad	
□ Capítulo 8: Implementación	

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Comentario para el Plan Especifico del Valle de Litio

Fecha:	

Nombre completo:	Agustina Gutierrez
Correo electrónico:	
Ciudad/estado de residencia:	Holtville CA.

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
□ Capítulo 1: Introducción y proceso □ Capítulo 2: Visión y principios rectores □Capítulo 3: Uso de suelo □ Capítulo 4: Normas de desarrollo y diseño □ Capítulo 5: Circulación y transporte □ Capítulo 6: Infraestructura □ Capítulo 7: Salud y prosperidad de la comunidad □ Capítulo 8: Implementación	El LVSP debe centrarse en las industras geotermica y del Litio que proporciona buenos empleos. Me gustaria Saber como se solucionara el problema de decechos toxicos Los empleos que se proporcionaran me gustaria que fueran para nuestros recidentes del Valle Imperial. Me gustaria que Un Cientifico Local Me explique que problemas de Salud voy a presentar Siendo una persona de 60 años ¿Tende Oportunidad de trabajar?

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Comentario para el Plan Especifico del Valle de Litio

Fecha: 3.24.25

Nombre completo:	Martina Soto
Correo electrónico:	jorgeavila1955@gmail.com
Ciudad/estado de residencia:	Calexico

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
□ Capítulo 1: Introducción y proceso □ Capítulo 2: Visión y principios rectores □Capítulo 3: Uso de suelo □ Capítulo 4: Normas de desarrollo y diseño □ Capítulo 5: Circulación y transporte □ Capítulo 6: Infraestructura □ Capítulo 7: Salud y prosperidad de la comunidad □ Capítulo 8: Implementación	Me preocupa que no hay detalles del agua. Soy trabajadora de campo y me preocupa. Tambien me preocupa la posibilidad de contaminacion del aire

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Comentario para el Plan Especifico del Valle de Litio

Fecha: 3/24

Nombre completo:	Jorge Avila
Correo electrónico:	jorgeavila1755@gmail.com
Ciudad/estado de residencia:	Calexico

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
□ Capítulo 1: Introducción y proceso □ Capítulo 2: Visión y principios rectores □Capítulo 3: Uso de suelo □ Capítulo 4: Normas de desarrollo y diseño □ Capítulo 5: Circulación y transporte □ Capítulo 6: Infraestructura □ Capítulo 7: Salud y prosperidad de la comunidad □ Capítulo 8: Implementación	Mi preocupacion es el agua. No hay manera de que reciclen el agua del Salton Sea? Sin agua o sin detalles de como usaran el agua, nos dejan a los trabajadores de campo fuera.

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Comentario para el Plan Especifico del Valle de Litio | Fecha: 03/24/25

Nombre completo:	ALONSO GONZALEZ
Correo electrónico:	algargonto@idoud.com.
Ciudad/estado de residencia:	Imperial Ca. 92251

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
□ Capítulo 1: Introducción y proceso □ Capítulo 2: Visión y principios rectores □Capítulo 3: Uso de suelo □ Capítulo 4: Normas de desarrollo y diseño □ Capítulo 5: Circulación y transporte □ Capítulo 6: Infraestructura □ Capítulo 7: Salud y prosperidad de la comunidad □ Capítulo 8: Implementación	1 NO Contaminar el ambiente y si contamina seagan responsable del daño 2 Que no se acave la agricotura en este valle de eso depende mucha gente. 3 Empresas de litio construirlas asia abajo de lo que esta pareso y no acavarse el agua para gente de hogares de familia. 5 Camiones que vallan directo al trabajo o su destino final 6 mejores carreteras, recreacion parques, promover depates para la juventud. 7 mejore veneficios para trabajadores en todo tipo de trabajo no importa el monto de gente que trabaje. 8

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Comentario para el Plan Especifico del Valle de Litio

Fecha: lunes 24-marzo-2

Nombre completo:	ANTVRO AVALOS.
Correo electrónico:	
Ciudad/estado de residencia:	El Centro CA. 92243

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
□ Capítulo 1: Introducción y proceso □ Capítulo 2: Visión y principios rectores □Capítulo 3: Uso de suelo □ Capítulo 4: Normas de desarrollo y diseño □ Capítulo 5: Circulación y transporte □ Capítulo 6: Infraestructura □ Capítulo 7: Salud y prosperidad de la comunidad □ Capítulo 8: Implementación	que la empresa este limpia. queremos una empresa no corrupta, caminos bien hechos. camiones que ballan al campo!

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Comentario para el Plan Especifico del Valle de Litio

Fecha: 3/24/2025

Nombre completo:	Manuel Ramirez
Correo electrónico:	Manuel.Ramirez.Engineer@Gmail.com
Ciudad/estado de residencia:	EL CENTRO

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
□ Capítulo 1: Introducción y proceso	HIGH END JOBS Going to Valley Residents, Research, Engineering, ect.
□ Capítulo 2: Visión y principios rectores	What Investments into infrastructure will be made?
□Capítulo 3: Uso de suelo	Enviromental health and safety Plans?
□ Capítulo 4: Normas de desarrollo y diseño	
□ Capítulo 5: Circulación y transporte	JOB trainings!
□ Capítulo 6: Infraestructura	
□ Capítulo 7: Salud y prosperidad de la comunidad	
□ Capítulo 8: Implementación	

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Comentario para el Plan Especifico del Valle de Litio

Fecha: 03-24-25

Nombre completo:	Margarita Madrid.
Correo electrónico:	margaritam@live.com.
Ciudad/estado de residencia:	Imperial. CA. 1001 Morningside Dr.

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
X Capítulo 1: Introducción y proceso □ Capítulo 2: Visión y principios rectores □Capítulo 3: Uso de suelo □ Capítulo 4: Normas de desarrollo y diseño □ Capítulo 5: Circulación y transporte □ Capítulo 6: Infraestructura □ Capítulo 7: Salud y prosperidad de la comunidad □ Capítulo 8: Implementación	Apoyo el desarrollo responsable Ya que me preocupa el impacto en mi salud y en el medio ambiente en el que vivo. Me gustaria que los empleos que se brindaran sean para nuestro recidentes del Valle Imperial Me gustaria que Un Cientifico local nos explicara en que afectara a nuestra Salud a corto y largo plazo. Abra un departamento de salud encargado especificamente en problemas ~~Re~~ relacionados con los trabajadores "en caso de presentar algun problema de Salud".

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Comentario para el Plan Especifico del Valle de Litio

Fecha:	03-24-25

Nombre completo:	Leticia Arias
Correo electrónico:	rafa.letystaclara@hotmail.com
Ciudad/estado de residencia:	Imperial. Ca.

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
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Comentario para el Plan Especifico del Valle de Litio | Fecha: 3/24/2025

Nombre completo:	Claudia Villa
Correo electrónico:	
Ciudad/estado de residencia:	Calexico

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

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Comentario para el Plan Especifico del Valle de Litio

Fecha: 3-24-2025

Nombre completo:	Jose Luis Mendoza
Correo electrónico:	Tatagmendoza72@gmail.com
Ciudad/estado de residencia:	Heber, Ca.

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
□ Capítulo 1: Introducción y proceso	Que sea un proceso en el cual nos lleve a un futuro mejor para el el Valle Imperial.
□ Capítulo 2: Visión y principios rectores	Tienen que ver que Todo lo que se valla a construir sea productivo y libre de enfermedades.
□Capítulo 3: Uso de suelo	EL uso del suelo Tiene que ser muy importante Porque Tienen que saber las sircunstancias de esa area.
□ Capítulo 4: Normas de desarrollo y diseño	
□ Capítulo 5: Circulación y transporte	Deberian pensar en como karia la gente para ir a sus Trabajos
□ Capítulo 6: Infraestructura	
□ Capítulo 7: Salud y prosperidad de la comunidad	Tambien deben pensar en que la gente Tenga plan de salud y buenos salarios.
□ Capítulo 8: Implementación	

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Comentario para el Plan Especifico del Valle de Litio

Fecha: 3/24/25

Nombre completo:	Ma Oliva Gonzalez
Correo electrónico:	antonio3440@icloud.com
Ciudad/estado de residencia:	2664 Olivente st Imperial

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
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Comentario para el Plan Especifico del Valle de Litio

Fecha: 3/24/25

Nombre completo:	Amalia Ruiz
Correo electrónico:	
Ciudad/estado de residencia:	Imperial

¿Sobre qué sección del Plan Específico del Valle del Litio le gustaría comentar?

Puede comentar en todas las categorias.	Comentarios:
□ Capítulo 1: Introducción y proceso □ Capítulo 2: Visión y principios rectores □Capítulo 3: Uso de suelo □ Capítulo 4: Normas de desarrollo y diseño □ Capítulo 5: Circulación y transporte □ Capítulo 6: Infraestructura □ Capítulo 7: Salud y prosperidad de la comunidad □ Capítulo 8: Implementación	Espero que la gente de este Condado puedan agarrar los trabajos que vengan. Que los trabajos sean para gente del valle imperial especialmente la gente del campo agricola que es la mas perjudicada.

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Lithium Valley Specific Plan Comment

Date: 4/30/25

Full Name:	Cynthia Blazovic
Email address:	daysin144@gmail.com
City/state of residence:	Westmorland, Ca

Which section(s) of the Lithium Valley Specific Plan would you like to comment on?

You can comment on as many as you want.

- ☐ Chapter 1: Introduction and Intent
- ☐ Chapter 2: Vision and Guiding Principles
- ☐ Chapter 3: Land Use
- ☐ Chapter 4: Development and Design Standards
- ☐ Chapter 5: Circulation and Transportation
- ☐ Chapter 6: Infrastructure
- ☐ Chapter 7: Community Health and Prosperity
- ☐ Chapter 8: Implementation

Comments:

My #1 Concern is, Come this August 2025 I planed on Enrolling in the Litium Program at I.V.C. I'm Surprized to Learn that People who are taking the Course are not hired. I think This is a really Big & Great opportunity for the Imperial County & The residents of Should have priority Hiring once we take the yr long Course, & pass as well as get Cirtificates Should be or have Priority Hiring's for these positions. Thnx

We're making this form available to residents simply as a template! If you would like to send your public comments directly to the County government, go to www.imperialcounty.org/lvsp/ scroll to the bottom, and fill out the form. Don't forget to click the "Submit Comment" button!

Last day to submit your public comment is April 1, 2025!

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Water Usage & Quality
Resident Name: Kayla Murguia
Resident City/Town:

Comments:

I am Kayla Murguia from San Diego State University, and I'm concerned about how Lithium can impact the water resources in the Imperial Valley. The consumption of water that will be used for the lithium project would affect the community because we, as citizens of the Imperial Valley, are aware of the lack of water we have to go into marketing and being processed by huge manufacturing, which would cause a lot of issues.

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Water Usage & Quality, Toxic Waste
Resident Name: Fernando Márquez Duarte
Resident City/Town:

I'm Fernando Márquez Duarte PhD, I'm a policy researcher in Environmental Justice issues.

- For the first stage (2025-2035) they estimate water usage of 48,023 Acre-Feet per Year (AFY) (p.116).

According to The Berkeley Lab Research on Lithium Valley, by 2050, the total water projected to use in the Lithium Valley megaproject could range from 62500 to 250000 acre-feet of water, depending on the expansion of the project and extraction, which is equivalent to 308370000 cubic meters of water (over 300 million) (Berkeley Lab, 2024). Moreover, according to the Berkeley Lab, it is estimated with the lithium extraction facilities projected in the Lithium Valley that per ton of Lithium equivalent, almost 5,000 cubic meters of water will be used (Berkeley Lab, 2024).
For reference, 1 cubic meter of water is equivalent to 1000 liters.

- They don't even have a plan for water usage, it says "It is anticipated that a Water Master Plan (WMP) will be prepared in collaboration with IID" (p.117) When? Who knows…

Regarding water waste, they want to discharge water waste with heavy metals content from the Niland water treatment plant again to the Salton Sea, which is unacceptable: "Importantly, the County is preserving the existing discharge infrastructure, ensuring flexibility to accommodate future growth. Should demand warrant an expansion beyond 0.15 MGD, capacity could be increased back to 0.5 MGD through additional land acquisition and/or reactivating the existing NPDES infrastructure". Water discharge was stopped by the Regional Water Quality Control Board (RWQCB). For the Calipatria water treatment plant they also want to discharge more water than the actual capacity: "Capacity improvements will be necessary when the average daily demand exceeds 80 percent of the peak permitted capacity of 1.73 MGD [million gallons per day] " (p.119).
-For the first stage, LV will generate 18 MGD of waste water and the current capacity to manage wastewater is less than 4 MGD (p.120). They are going to use 5 times the amount of energy they produce (p.131).

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Air Quality, Water Usage & Quality, Job Opportunities & Benefits, Prioritize Local Residents
Resident Name: Anonymous Community Member
Resident City/Town:

Comments:

Our community and it's environment SAFETY should be a #1 priority in this plan. We already struggled enough with the bad air quality and drought problems. WE DON'T NEED MORE.

Our people in the valley already struggled with bad air quality. If this project puts their profits before the people here, it shouldn't be allowed in the first place. If this plan has good, beneficial and healthy procedures for it; if it's going to provide more jobs for OUR locals, then I'll support it. If this is just for profit and greed, I won't support any of it and I'm sure I'm not alone in that thought.

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Water Usage & Quality, Damage to Local Ecosystem, Environmental Impacts
Resident Name: Anonymous Community Member
Resident City/Town:

Comments:

I was raised in Imperial Valley to be proud of my roots but as I have been educated on how human intervention has severely impacted the Salton Sea, Alamo River and the New River I have been so ashamed of how much water is used for agriculture. 95% of riparian ecosystems were destroyed in California because of agriculture and now many species are at risk of extinction. Most locals do not know we have rivers and that they were mainly fed by the Colorado watershed which then fed into the Salton Sea. If we had not diverted so much water to Agriculture, our Alamo River and New River would be beautiful riparian ecosystems supporting Least bell's vireos and Southern Willow flycatchers as well as a beautiful recreational area to enjoy wildlife and nature. Nobody cares to feed our rivers with clean/filtered water and that is a HUGE concern for me. Algae blooms could be a huge hazard for wildlife. I fear for the little riparian habitat we have left in Imperial Valley.

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Depletion of Natural Resources
Resident Name: Gerardo Guerrero
Resident City/Town:

Comments:

Concern and worry about how our valley’s resources are being used.

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Depletion of Natural Resources, Job Opportunities & Benefits, Environmental Impacts, Prioritize Local Residents
Resident Name: Gabriela Garcia
Resident City/Town: Brawley, CA

Comments:

I am Gabriela Garcia, I am from Brawley California. I have lived here my whole life and the LSVP is not a plan I feel confident in. The LSVP will affect residents on the north end by depleting resources while not benefiting the community. There are other countless reasons why I am not in support of this plan such as the lack of guarantee for jobs and lack of security in the environment.

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Air Quality, Land Use, Water Usage & Quality, Rising Costs, Infrastructure
Resident Name: Anonymous Community Member
Resident City/Town:

Comments:

My purpose is to leave a comment and hope it weighs more.The idea of lithium in the valley would harm our already terrible air quality and cause problems for some locals. Air quality going down when schools reports bad air quality most of the time. Having a lithium mine would not make it better, the soil in the land would be ruined, the water supply to the locals would be affected as well as living costs and the county doesn't seem to want to do anything around here cuz most roads are cracked and broken and we have more things we don't need around here.

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Prioritize Local Residents, Support Local Economy, No Empty Promises
Resident Name: Aileen Otero
Resident City/Town: Brawley, CA

Comments:

My name is Aileen Otero. I am from Brawley and currently live there along with most of my family. I’m writing a public comment advocating for the promise of funds to the underserved communities of North Imperial County. The current plan, while public, uses vague language that risks undeserving our local businesses and our economy. We need full transparency.

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Health Risks, Air Quality, Water Usage & Quality, Resource Depletion, Prioritize Local Residents, Industry Transparency, Environmental Impacts,
Resident Name: Sonya Martinez
Resident City/Town:

Comments:

I am concerned about the health disparities found in my community. Specifically, the high rates of lung disease, cancer, asthma hospitalizations, air pollution and poor water quality. I am also concerned about corporations profiting by our resources without sharing those profits with the community. I would like to see a profit share agreement that invests into improving the air and water quality, and ensures clear transparency into whatever ramifications of mining for lithium may arise. The last thing I want is another case of known adverse health and environmental impacts of mining. I'm talking about Flint Michigan. I'm talking about the Radium Girls. I'm talking about Erin Brockovich. I want scientific and unbiased data to measure the air, and water quality before and during mining. I want investments into our healthcare infrastructure since we only have 2 poorly rated hospitals in the county. I want assurances that my backyard, my community will also gain from this.

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Prioritize Local Residents, Air Quality
Resident Name: Anonymous Community Member
Resident City/Town:

Comments:

I was born and raised in the Imperial Valley and I have several concerns regarding lithium mining. If a plan will be made, it has to ensure the safety of the community will be placed before profit. The imperial valley already struggles with poor air quality and side effects from pesticide usage. We need to seriously contemplate the possible consequences of lithium mining.

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Environmental Impacts, Health Risks, Toxic Waste, Air Quality, Water Usage & Quality, Enforceable CBA, Job Opportunities & Benefits, Prioritize Local Residents, Infrastructure,
Resident Name: Jocelyne Garcia
Resident City/Town:

Comments:
I am a community member with concerns about the benefits to this plan and the damage it will have to our environment and health. I'm deeply concerned that the Lithium Valley Specific Plan lacks enforceable protections for our communities while fast-tracking environmental rollbacks. Recent efforts to weaken waste disposal regulations and lower cleanup standards for "green energy" projects set a dangerous precedent - we can't allow lithium extraction to become another polluting industry that sacrifices our health for corporate profits. This plan must include mandatory air/water monitoring, strict toxic waste handling rules, and real penalties for violations, not loopholes disguised as "streamlining."
We need legally binding Community Benefits Agreements with teeth - not vague promises. These CBAs must guarantee local hiring at living wages, healthcare monitoring near extraction sites, and direct funding for community infrastructure. Most importantly, Imperial County must center frontline voices by providing Spanish and Indigenous language resources, establishing resident-led oversight committees with decision-making power, and releasing all environmental data publicly in accessible formats.
The choice is clear: either this plan prioritizes Imperial County's people and environment through concrete protections, or it becomes another extractive failure. We're done being told to trade our health for jobs - that's a false choice. I demand you rewrite this plan with enforceable environmental standards and community benefits before moving forward. Our families deserve nothing less.

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Environmental Impacts, Health Risks, Air Quality, Water Usage & Quality, Industry Transparency, Prioritize Local Residents, Job Opportunities & Benefits, Infrastructure, Depletion of Natural Resources
Resident Name: Lissbeth Garcia
Resident City/Town:

Comments:

I am a resident of the Imperial Valley and I want to voice my growing concerns about the lithium mining projects being proposed and implemented in our region. While I understand the national importance of securing a domestic supply of critical minerals like lithium, we cannot ignore the long-term impacts on our local community, environment, and public health.

The Imperial Valley has long borne the burden of environmental exploitation. Our region already faces high rates of asthma and other health problems due to air and water quality issues. Any industrial operation, particularly one on the scale of lithium extraction, must be evaluated with utmost scrutiny. I am concerned about how these projects may affect the Salton Sea, groundwater resources, seismic activity, and local ecosystems. We need transparency in the environmental review process and robust safeguards that prioritize our health and well-being over corporate profit. Furthermore, meaningful community engagement must be central to the process. Our voices need to be included in every phase, from planning to operation to reclamation. We also deserve concrete commitments about job creation for local residents, protections for agricultural lands, and long-term investments in infrastructure, education, and healthcare. We are not just a resource to be extracted, we are a community that deserves respect, clean air, safe water, and a say in our future. Thank you for considering these concerns. I urge decision-makers to approach lithium development in Imperial Valley with caution, responsibility, and a true partnership with the community.

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Water Usage & Quality, Indigenous Communities, Depletion of Natural Resources
Resident Name: Emmanuel Zavala
Resident City/Town:

Member of the Cucapá tribe of San Luis Rio Colorado, Sonora, Mexico. Traditional Counselor in the Instituto Nacional de Personas Indígenas (INPI)

My name is Emmanuel Zavala. I am a member of the Cucapa community located in the valley of San Luis Rio Colorado in Sonora, Mexico. Currently my position in my village is as a Traditional Counselor in the Instituto Nacional de Personas Indígenas, “INPI”.

My opinion on the issue of the Colorado River water use for the “Lithium Valley” project, which poses great threats to its already drying waters, is the following:

Throughout history, the United States has always extracted and diverted water from the river with dams for the benefit of U.S. companies. They have never looked after the indigenous people who live from fishing and the water of the river in Mexico and who have done so since time immemorial. Many families in my community suffer greatly from hunger and drought, which is why the tradition of fishing in the river is being lost. Many families even leave our reservations to find a more prosperous place, which has fractured our communities, who used to be very united. The water was taken away from us years ago, and now with this project it will be taken away even more, perhaps all of it...the river water is our life and essence...they not only take away our water, they take away everything that the water and the river provided us to survive as a people and to be united.

We have to find other alternatives. The massive use of water for this project is extremely concerning to us and presents a great danger to the lives of the people who have always lived off the Colorado River. I fear that this project could even mean the end for my people and my culture.

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Water Usage & Quality, Environmental Impacts, Air Quality, Industry Transparency, Prioritize Local Residents
Resident Name: Juan Valencia
Resident City/Town:

Comments:

I am a Calexico resident, and I want to voice my opinion on the environmental and water use concerns around the LVSP.

Back in March of 2024, the Imperial County Board of Supervisors rejected a gold exploration project being proposed by Canadian company, SMP Gold, on the grounds that the water use that such a project would require was unclear and posed a threat to our already water-scarce desert community. However, before communities from Imperial Valley rose up in opposition, the Board of Supervisors and associated administrators were fully ready to fast-track and allow for the project to move forward. This should demonstrate to us all a very clear thing: Our leadership has shown itself to be completely inept at making decisions on these supposedly “prosperous” and “green energy” projects. They do not care about the environment or the specifics on how such “grand” developments could come to fruition. There is a clear need to stop and think about what these projects will entail and be realistic about their overwhelming requirements. The Board of Supervisors and all associated parties need to get it through their skulls that these “grandiose” Valley developments cannot be simply guided by money signs. There are serious threats being posed to our Valley, which could even turn destructive. I urge for slower, more careful, and realistic considerations of what exactly “Lithium Valley” can even be in a community plagued by toxic air, water scarcity, and governmental administrations that clearly cannot use their heads properly unless they face community pressure and scrutiny, as the failed SMP Gold project clearly showed.

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Water Usage & Quality, Land Use, Prioritize Local Residents
Resident Name: Sandy Sierra
Resident City/Town: El Centro, CA (lived in Niland prior)

Comments:

I'm writing to express both an enthusiasm and concern for the emerging "Lithium Valley"!! I have been hearing a lot of ruble and noise regarding a new exciting project emerging in the north end of the Imperial Valley.

I grew up in Niland, started school there up until 8th grade (the cap in Niland at the time) and my dad is a farmer there still. His company relies heavily on the soil and irrigation water of that area. Because of this. I am familiar with this community. I am invested in this community's well-being. Because of this, I am urging you to provide clarification on the particulars of your plan of using the land that surrounds Niland.

The residents of Niland and Calipatria merit further information on the plans that will directly impact their community. I urge you to be transparent and keep the people of Niland and Calipatria in your mind when you continue to lay out your plans.

Respectfully,

Sandy Sierra

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Toxic Waste, Job Opportunities & Benefits,
Resident Name: Jared Davis
Resident City/Town:

Comments:

What waste products come from lithium mining?

What % of native Imperial Valley workers will be hired to perform jobs associated with lithium mining?

Will a board of directors be appointed to oversee the $lb grant?

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Environmental Impacts, Health Risks
Resident Name: Giovanni Garcia
Resident City/Town: El Centro, CA

Comments:

How much lithium are we working with?

What do you want to do with it?

What challenges are expected with regards to how we use the lithium?

I heard that we cannot make batteries with lithium unless we have cobalt, with China has the majority amount?

How will you counteract the environmental effects these projects will have?

Please make a video that answers the questions in a digestible fashion.

How long will this industry last?

Tell us how it affects us. (:

Will you make sure people’s health are respected?

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Air Quality, Land Use
Resident Name: Cory Fitzsimmons
Resident City/Town: El Centro, CA

Comments:

Please don’t dig without consent.

Save the Valley. NO MINES!!! WE NEED CLEAN AIR! (:

THANK YOU!!

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Prioritize Local Residents, Water Usage & Quality
Resident Name: Marissa Ruby Bovie
Resident City/Town: Calexico, CA

Comments:

With such an important plan having to come to my town. I worry how it may affect my family and others who stay in this land. So I urge Imperial Valley to keep our water from actions that would pollute it more.

May 2nd, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Air Quality Issues, Water Usage & Quality, Health Risks, Worker Safety, Environmental Impact
Resident Name: Nataly Vasquez
Resident City/Town:
Many Lithium Valley advocates repeatedly say that the Lithium Valley Industry will bring jobs, bring industry, bring development, and bring a lot of things to the region.

Yes, it will bring jobs, but at what risk?

The Salton Sea already releases chemicals causing poor quality in the region. Imagine the health risk of even extracting lithium, it will release more dust and heavy pollutants that will only contribute to the on-going respiratory problems in the Imperial Valley. We already have a high rate of asthma, including myself. Eventually, we will just become another number to add to the American Lung Association data.

Yes, it will bring industry, but who benefits from it, the big corporations or our small city?

The big corporations will take what they need for electric vehicle batteries, phones, and renewable energy storage. These corporations will offer huge benefits, specifically great health insurance for when these workers put themselves at risk and expose their families to the airborne dust and water contamination. It is the perfect capitalistic plan -- to take over the poorest county with the least resources with the greatest Latino population. They make the money and we the people get affected by it.

Yes, it will bring development, but who will suffer the environmental damage? Lithium plants demand a certain amount of freshwater. Our freshwater comes from The Colorado River and that is the ONLY water resource we have. Let me remind you that we live in a desert and that we are surrounded by agricultural life that also depends on The Colorado River. If you simply Google, "how has lithium affected other countries in the world," It will show you that Northern Chile is already going through a tremendous water crisis. The Imperial Valley is not as big as Chile, we are only a small dot compared to Chile, so now imagine how quickly our resources will run out. What is happening to Chile, can and will happen to us.

The only thing that the Lithium Valley industry will bring is problems and destruction of our environment in the short term and long term. It is up to the local people of the Imperial Valley to stop this if we want a better life for our future. Your so-called plan for

a "clean energy economy" does not mean it will actually contribute to a clean environment.

April 30th, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits, Prioritize Local Residents
Resident Name: Cynthia Blazovic
Resident City/Town: Westmorland, CA

Comments:

My #1 concern is, come this August 2025 I planned on enrolling in the Lithium program at IVC. I’m surprised to learn that people who are taking the course are not hired. I think this is a really big and great opportunity for Imperial County and the residents should have priority hiring once we take the year long course and pass as well as get a certificate should be or have priority hirings for these positions.

April 17th, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Water Usage & Quality, Environmental Impact, Sustainability, Air Quality Issues
Resident Name: Paedrin Fusco
Resident City/Town: Bombay Beach, CA

Comments:

I am concerned about the fast-tracking of heavy water-usage projects. Lithium extraction already requires more water than we may be able to manage and I am concerned about the environmental impact that rapid shrinkage of the Salton Sea is sure to cause.

If companies want to go forward with such projects, then they should absolutely be required to go through the full permitting process, to ensure sustainability long-term.

I am also concerned about issues with air quality that the LVSP may cause, especially with regards to projects such as anaerobic digestion facilities. I believe that any new industry in Lithium Valley should be required to provide public reporting and take measures to offset air and water quality issues.

April 17th, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits, Lack of Industry Transparency, Health Risks
Resident Name: Kim Branham
Resident City/Town: Bombay Beach, CA

Comments:

Language in the plan is vague, not specific to guarantee jobs go to locals. Industries not related to lithium should not be fast tracked to bypass environmental studies affecting the health of communities.

April 17th, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Sustainability, Environmental Impact, Prioritize Local Residents
Resident Name: Vaughn Ivan Fosmo
Resident City/Town: Tehachapi, CA

Comments:

I support sustainable, safe progress.
Environmental degradation must be prevented.
Sustainable growth is important.
Conservation is needed.
Logical engineering is important.
Climate change must be considered.
Improving health and prosperity is important.
Social conscience is needed.

April 13, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Support Local Economy, Expand Retail Landscape
Resident Name: Jose Mendivil
Resident City/Town: Salton City, CA

Comments:

Hi my name is Jose. I'm 13 years old and I'm a 7th grader in WSHS and my goal is to have my own restaurant. I would like for the plan to force the companies to support local businesses. I would also like more stores like Walmart for groceries and more so we don't have to drive for them. This is what I want.

April 13, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Damage to Local Ecosystem, Prioritize Local Residents
Resident Name: Alejandra Mendivil
Resident City/Town: Salton City, CA

Comments:

My name is Alejandra and I am an 8th grader from Salton City. I'm worried about the lithium valley coming into our communities because Salton City can be harmed. My dream is to be part of law enforcement. We need to make sure that all communities are protected from the harms of the lithium valley.

April 13, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Transportation, Expand Retail Landscape, Job Opportunities & Benefits
Resident Name: Kris Flores
Resident City/Town: Salton City, CA

Comments:

The main issue I keep hearing about is transportation especially at work for those who want to change location but can’t due to transportation. I think that’s something that would really help the people here.

Something like a gym or some place that would be ideal to work out, exercise, or at least walk around.

More job opportunities would be great. I know a lot of people that are young that move out of Salton City due to lack of jobs around here which personally I think it’s a huge problem for many young people such as me.

March 20, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Support Local Economy, Job Opportunities & Benefits, Environmental Impact, Prioritize Local Residents, Infrastructure, Damage to Local Ecosystem, Air Quality, Parks and Recreation
Resident Name: Manuel Romero
Resident City/Town: Heber, CA

Comments:

Yo como residente del condado de imperial, apoyó el desarrollo de un proyecto industrial en nuestra región ya que es una excelente oportunidad para impulsar la economía local y generar nuevas fuentes de empleo. Considero que las oportunidades laborales que se pueden crear son solares y tendrían un impacto positivo en nuestra comunidad, brindando estabilidad y crecimiento a muchas familias.
Sin embargo es fundamental que se tenga en cuenta el impacto ambiental que este nuevo proyecto podría generar. Es importante que nuestro condado realice un buen plan específico donde quede bien asentado todas las responsabilidades y beneficios que las compañías deben cumplir para poder realizar la extracción de litio y todas las actividades que se lleven a cabo por esta.
Este documento debe ser concreto con todas las peticiones las cuales está exigiendo la comunidad.

- Trabajos para las personas de la comunidad
- Buenos salarios para trabajadores
- Mejorar infraestructura de las comunidades cercanas (escuelas, calles, parques, iluminación)
- Cuidado de los recursos naturales (fauna, tierra, agua, calidad de aire, disposición de residuos)

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Prioritize Local Residents, Job Opportunities & Benefits, Environmental Impacts, Transportation
Resident Name: Jose Villa
Resident City/Town: Calexico

Comments:

Para los trabajadores
Pienso que deberían apoyar y contratar gente del Valle Imperial principalmente para cubrir los puestos de trabajo y darles entrenamiento para desarrollar su trabajo. Darles buenos salarios y garantizar seguridad en sus sitios de trabajo. Ofrecerles un buen servicio médico para ellos y su familia.

Para las Empresas
Exigirles implementar formas de mantener un medio ambiente seguro. Construir y facilitar transporte y carreteras accesibles para llegar al lugar de trabajo.

Buscar medios para no contaminar el medio ambiente.

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Transportation, Job Opportunities & Benefits
Resident Name: Manuel de la Torre Rodriguez
Resident City/Town: Calexico, CA

Comments:

Me gustaría comentar el transporte y la falta de empleo en este Valle Imperial. El empleo es muy escaso y el trabajo no se siempre para la capacidad de uno o de otro deben de ubicar donde se desenvuelve más cada persona.

Thanks.

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Prioritize Local Residents
Resident Name: Miguel de la Torre
Resident City/Town: Imperial, CA

Comments:

Es una buena introducción sobre este sistema. Creo que se necesita revisar más las consecuencias sobre todos los riesgos a la comunidad.

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern:
Resident Name: Victor de la Torre
Resident City/Town: Calexico, CA

Comments:

Yo creo que en la introducción se fuera ver explicado el proceso y resultado de lithium. Estando más informados sobre cómo sirve esta forma de energía nos ayuda a entender con lo que estamos trabajando. También entendemos lo positivo y negativo sobre el lithium.

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Lack of Industry Transparency, Environmental Impacts, Prioritize Local Residents, Support Local Economy, Job Opportunities & Benefits
Resident Name: Sonia Velazquez
Resident City/Town: Calexico, CA

Comments:

Apoyo el desarrollo responsable de litio, pero me preocupa que el LVSP sea una puerta abierta que permita industrias que serán carga para nuestros recursos sin beneficios a nuestro recursos. El Condado de Imperial merece un plan que proteja a los trabajadores, el medio ambiente y la economía, no uno que beneficia a corporaciones externas a nuestra costa. Si se puede nosotros trabajadores del campo si podemos seguir muchas indicaciones ya que si podemos trabajar largas turnados en el ambiente frío y calor.

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Industries Unrelated to Lithium, Job Opportunities & Benefits, Prioritize Local Residents
Resident Name: Maritza Valentina Pena de Rios
Resident City/Town: Holtville, CA

Comments:

El LVSP debe concentrarse en las industrias geotérmicas y del litio que proporcione buenos empleos y se alineen con las necesidades de la comunidad. Una visión para el valle de litio que ponga a los residentes en primer lugar garantizando que las empresas se comprometan con empleos locales y sostenibles.

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Industries Unrelated to Lithium, Job Opportunities & Benefits, Toxic Waste, Prioritize Local Residents, Health Risks
Resident Name: Agustina Gutierrez
Resident City/Town: Holtville, CA

Comments:

El LVSP debe concentrarse en las industrias geotérmicas del litio que proporcionan buenos empleos. Me gustaría saber como se soluciona el problema de desechos tóxicos.

Los empleos que se proporcionaron me gustaría que fueran para nuestros residentes del Valle Imperial.

Me gustaría que un científico local me explique que problemas de salud va a presentar. Siendo una persona de 60 años, ¿Tendré oportunidad de trabajar?

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Water Usage & Quality, Air Quality
Resident Name: Martina Soto
Resident City/Town: Calexico, CA

Comments:

Me preocupa que no hay detalles del agua. Soy trabajadora de campo y me preocupa. También me preocupa la posibilidad de contaminación del aire.

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Water Usage & Quality, Impact on Farmworker Jobs
Resident Name: Jorge Avila
Resident City/Town: Calexico, CA

Comments:

Mi preocupación es el agua. No hay manera de que reciclen el agua del Salton Sea? Sin agua o sin detalles de cómo usarán el agua, nos dejan a los trabajadores de campo fuera.

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Environmental Impact, Impact on Farmworker Jobs, Water Usage & Quality, Transportation, Infrastructure, Job Opportunities & Benefits, Parks and Recreation
Resident Name: Alonso Gonzalez
Resident City/Town: Imperial, CA

Comments:

1) No contaminar el ambiente y si contamina sean responsable del daño.
2) Que no se acabe la agricultura en este valle de eso depende mucha gente.
3) Empresas de litio construirlas hacia abajo de lo que está parejo
4) No acabarse el agua para la gente de hogares de familia.
5) Camiones que vayan directo al trabajo o su destino final
6) Mejores carreteras, recreación parques, promover debates para la juventud.
7) Mejorar beneficios para trabajadores en todo tipo de trabajo no importa el monto de gente que trabaje.

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Infrastructure, Transportation, Industry Transparency
Resident Name: Arturo Avalos
Resident City/Town: El Centro, CA

Comments:

Que la empresa esté limpia. Queremos una empresa no corrupta. Caminos bien hechos. Camiones que vayan al campo.

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits, Prioritize Local Residents, Infrastructure, Environmental Impacts
Resident Name: Manuel Ramirez
Resident City/Town: El Centro, CA

Comments:

High end jobs going to valley residents, research, engineering, etc.

What investments into infrastructure will be made?

Environmental health and safety plans?

Job training?

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Health Risks, Environmental Impacts, Prioritize Local Residents, Job Opportunities & Benefits, Worker Safety
Resident Name: Margarita Madrid
Resident City/Town: Imperial, CA

Comments:

Apoyo el desarrollo responsable. Ya que me preocupa el impacto en mi salud y en el medio ambiente en el que vivo.

Me gustaría que los empleos que se brindaran sean para nuestro residentes del Valle Imperial.

Me gustaría que un científico local nos explicará en qué afectará a nuestra salud a corto y largo plazo.

¿Habrá un departamento de salud encargado específicamente en problemas relacionados con los trabajadores “en caso de presentar algún problema de salud”?

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits, Prioritize Local Residents
Resident Name: Leticia Arias
Resident City/Town: Imperial, CA

Comments:

Yo Leticia Arias me gustaría que la comunidad esté más unida y que se den más oportunidades de trabajo para nosotros los campesinos que piensen en las personas locales y no traigan de fuera.

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits, Water Usage & Quality, Health Risks
Resident Name: Claudia Villa
Resident City/Town: Calexico, CA

Comments:

Si me interesa que se haga este proyecto para tener más empleo. Que vemos más trabajo aquí en el Valle. Que vemos que salga bien el proyecto que no nos vaya afectar sobretodo el agua para nós enfermedades.

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Health Risks, Transportation, Job Opportunities & Benefits
Resident Name: Jose Luis Mendoza
Resident City/Town: Heber, CA

Comments:

Que sea un proceso en el cual nos lleve a un futuro mejor para el Valle Imperial.

Tienen que ver que todo lo que se vaya a construir sea productivo y libre de enfermedades.

El uso del suelo tiene que ser muy importante porque tiene que saber las circunstancias de esa área.

Deberían pensar en cómo haría la gente para ir a sus trabajos.

También deben pensar en que la gente tenga planes de salud y buenos salarios.

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Prioritize Local Residents, Job Opportunities & Benefits, Impact on Farmworker Jobs
Resident Name: Oliva Gonzalez
Resident City/Town: Imperial, CA

Comments:

Propongo que los trabajos sean más y únicamente para la gente local y que los capaciten. Especialmente la gente del campo que es la más perjudicada tanto ambiental como que está perdiendo su trabajo por pérdida de terrenos y reducción de agua. Queremos justicia.

March 24, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Prioritize Local Residents, Job Opportunities & Benefits
Resident Name: Amalia Ruiz
Resident City/Town: Imperial, CA

Comments:

Espero que la gente de este condado pueda agarrar los trabajos que vengan. Que los trabajos sean para gente del Valle Imperial especialmente la gente del campo agrícola que es la más perjudicada.

March 25, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Prioritize Local Residents, Water Contamination, Infrastructure, Job Opportunities & Benefits, Air Quality
Resident Name: Margaret Greene
Resident City/Town: Niland, CA

Comments:

I don’t support anything that does not support this community. WE DESERVE BETTER.

If you roll out the red carpet for industries, the red carpet has to roll for our community FIRST.

SAVE OUR POLLUTED WATER HERE. WE DON’T HAVE A DROP TO WASTE. NO APPROVAL ON ANYTHING THAT HARMS US MORE. WE NEED IMPROVED CONDITIONS.

INVEST IN OUR ROADS AND INFRASTRUCTURE WE ALREADY DEAL WITH ONE WAY IN AND ONE WAY OUT.

LOCAL HIRING. BENEFITS AND FAIR WAGES. THE PEOPLE HERE DESERVE IT. MEDICAL CARE IS A MUST.

I REALLY CARE ABOUT THE AIR I BREATHE. I WANT, NEED, AND DESERVE TO BREATHE CLEAN AIR.

March 25, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Damage to Local Ecosystem
Resident Name: George Brown
Resident City/Town: Bombay Beach, CA

Comments:

I’m not excited about any land development. My vision is to bring the sea back to its former glory. The land should remain in its natural form as a wildlife habitat. I urge Imperial County to stop all plans for development and start plans of land restoration. We need to fill the sea back up to previous levels by taking water from the gulf and the Colorado River. Hopefully you listen.

March 25, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Environmental Impacts, Air Quality, Water Contamination, Prioritize Local Residents
Resident Name: Graciela Ramos
Resident City/Town: Salton City, CA

Comments:

Primeramente el Estado de California debe de tener el compromiso con nuestras comunidades. Que va a afectar directamente todo el Valle de Imperial. Que nuestro ambiente sea un ambiente con aire limpio no nos merecemos más de lo que ya tenemos, con las tormentas de aire y la contaminación de la laguna.

March 26, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Industry Transparency, Prioritize Local Residents
Resident Name: Lonnell Willis
Resident City/Town: Niland

Comments:

I am concerned that the current plan allows industries that will burden our resources without benefiting residents.

Imperial County needs to train and protect their workers, not just create new ways to make random industries richer.

March 26, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits, Prioritize Local Residents, Environmental Impact, Worker Safety, Water Usage & Quality, Rising Costs
Resident Name: Monica Ibarra
Resident City/Town: Niland

Comments:

El condado debería de enfocarse más en saber si los trabajos serán locales. El valle Imperial tiene mucha necesidad y tienen mucho talento, el plan dice que es “posible” que va ver beneficios al talento local pero ocupas tener un confirmación en ver si nos van a dar esos empleos. También protecciones ambientales para la comunidad y los trabajadores, saber que va ver como empleado el peligro que está presente. Los centros de datos se ven igual que pueden aumentar el uso de agua y energía, sería bueno saber si eso va afectar el precio de agua y energía para la comunidad ya que pagamos mucho dinero para agua y energía.

March 26, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Health Risks, Job Opportunities & Benefits, Prioritize Local Residents, Industry Transparency, Infrastructure, Expand Retail Landscape
Resident Name: Darlene Perez
Resident City/Town: Niland, CA 92257

Comments:

My concerns include what pollutants are being kicked up by excavating the ground at on-site location. From Bronchitis to Cancer, the North end is exposed to major health concerns affecting our lives and community. Do not use the vague word “may” and please replace it with “must”. Also guarantee that Niland residents have a fair shot with applications and employment/hiring opportunities. Concerns also lie within the capacity of the sewer sustaining the new lithium facilities. Any profits should also be funnelled into clean up efforts around Niland, updating light fixtures, streets, need for sidewalks, etc. We need businesses here because we are so far from civilization having to drive ½ hour away for anything really. The plant is in Niland. Our town is suffering and has for years, decades. The money and jobs and improvements and economic growth belong to us!

March 26, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Infrastructure, Sustainability
Resident Name: Delores Perez
Resident City/Town: Calipatria / Niland

Comments:

I would like to see the lithium valley specific plan include road repair and the addition of sidewalks to all the streets in Niland for senior citizens safety and abatement of all the dry brush, to avoid fire hazards and ensure sustainability.

March 26, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits, Prioritize Local Residents
Resident Name: Edna Santos
Resident City/Town: Niland, CA

Comments:

I am a resident of Niland CA currently enrolled at Imperial Valley College and I'm concerned that there is no training or plan for a career advancement in the lithium field. I need guarantees that 40% of the future lithium work force will come from the surrounding communities of Niland, Calipatria, Bombay Beach, and the town Slab City.

March 26, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits, Prioritize Local Residents, Parks and Recreation
Resident Name: Ana Laura Baltazaro
Resident City/Town: Niland, CA

Comments:

Que hubiera más maestros. Un parque para los niños. Que si baber trabajo. Contracte contre local.

March 19, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Environmental Impact, Prioritize Local Residents, Job Opportunities & Benefits
Resident Name: Amalia Diaz
Resident City/Town: Niland

Comments:

Yo Amalia Diaz como madre de 3 hijos asmáticos me preocupa demasiado la planta de litio siento que va ser mas contaminacion ambiental, no trae nada de beneficios a la ciudad dicen que va ver trabajo y no se sabe si van a agarrar a gente local hay demasiados niños que van a ser afectados con eso.

March 19, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Health Risks
Resident Name: Andrea Cebreros
Resident City/Town: Niland

Comments:

Mi nombre es Andrea Cebreros, quisiera comentar sobre la planta de litio y las consecuencias negativas hacia la salud de mis hijos que puede traer, mis hijos que puede traer, mis hijos sufren alergias y creo que esto les empeora la salud.

March 19, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Water Usage & Quality, Transportation, Infrastructure, Prioritize Local Residents, Industry Transparency, Health Risks, Environmental Impacts
Resident Name: James R Phipps
Resident City/Town: Niland, CA - Fountain of Youth

Comments:

CH 1 - IMPERATIVE to have accountability

CH 2 - Water resources so limited…ENLIST the state for help. There must be support for citizens' transportation and infrastructure.

CH 3 - Land use issue is based on permitting and the awful "pre-approved-permit-once-and-build-forever" concept pollution and water-use are key issues which must be properly addressed with citizens in mind.

CH 4 - If a company wants to improve or build a facility it must go through a permitting process.

CH 5 - Local people hired first, then a transportation system provided for the rest of the roads.

CH 6 - Large amounts of water and power must be provided by the companies building the facilities

CH 7 - Health and pollution must be properly addressed

CH 8 - No "should" or "may" can be allowed in contract, get it in writing, enforce it.

March 19, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits, Prioritize Local Residents, Industry Transparency
Resident Name: Adam Michael Cook
Resident City/Town: Niland, CA

Comments:

Where is the land at for proposed project

Why do they need more than 1 environmental study

Is there plans for on-site power plants or more solar fields

Will the projects be union

Are they going to hire local people

What is green hydrogen used for

March 19, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Industries Unrelated to Lithium, Prioritize Local Jobs, Water Usage & Quality, Transportation, Air Quality, Electricity
Resident Name: Jim Blair
Resident City/Town: Niland, CA @ Fountain of Youth

Comments:

Yes - reject harmful industries - 100%
- There should be lithium ONLY
- Require guaranteed local hiring as % of total

No water intensive industries
Not ever!
Must be enforceable - Must disclose usage
- *Provide transportation to/from lithium center*
- *NO data centers - not ever!*
- *Come to FOY*
- *Air quality - must be monitored, more specific, and meet specified standards*

Where will electricity to support lithium come from?
- *Will electric towns be needed*

March 19, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Water Usage & Quality, Support Local Economy, Job Opportunities & Benefits, Prioritize Local Residents, Infrastructure
Resident Name: Victoria L Russell
Resident City/Town: Slab City, CA & Niland, CA

Comments:

Water rights should be prioritizing farms and farmland and prioritizing the local economy to support the plan.

We need education for local communities to allow them to work as part of the project.

Road upgrades have worsened traffic as well as made some vehicles unable to drive.

Support local communities to boost the surrounding area's workforce.

We need health care & health care workers.

March 19, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Air Quality, Water Usage & Quality, Industry Transparency
Resident Name: Ry R
Resident City/Town: Niland, CA

Comments:

Protecting our air and water should be a priority. Any new industry in lithium valley should be required to prevent pollution and provide public reporting.

March 19, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits, Transportation, Air Quality, Health Risks
Resident Name: Patrice Sullivan
Resident City/Town: Niland, CA 92257

Comments:

More job opportunities

Public transportation should be practiced more than every 2 hours a day

Provides more air quality to protect from getting ill.

March 19, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits
Resident Name: Carlos Rivera Garcia
Resident City/Town: Niland, CA 92257

Comments:

Trabajo para campesino inmigrante in Niland.

March 19, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Infrastructure, Prioritize Local Residents
Resident Name: Mayra Munoz
Resident City/Town: Niland, CA 92257

Comments:

Repair roads where the trucks are going to be using heavy material.

Not giving opportunity to citizens and giving them all the lithium benefits.

March 19, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits
Resident Name: Heather Wright
Resident City/Town: El Centro, CA

Comments:

I support the cause of getting help with getting jobs and the movement of the Lithium Valley Plan.

March 19, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Air Quality, Water Usage & Quality
Resident Name: Kelle
Resident City/Town: Niland, CA

Comments:

I am hoping for a change in the way the sea is handled. Air quality, clean water-fishing quality, all the above! Thank you!

March 19, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Prioritize Local Residents
Resident Name: Anthony M Soto
Resident City/Town: Niland, CA

Comments:

I feel a lot of us are struggling.

March 19, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits
Resident Name: Ahkeem R Wharton Jr
Resident City/Town: Niland, CA

Comments:

We need more jobs.

March 19, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits, Prioritize Local Residents
Resident Name: Dane Gene Holcomb Jr
Resident City/Town: Niland, CA

Comments:

At least give the people of Niland a fair work opportunity.

Signatures in black and white need to mean something.

March 19, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern:
Resident Name: Henneth Henry
Resident City/Town: Niland, CA

Comments:

I support the cause Valle Unido

March 12, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits, Prioritize Local Residents, Sustainability, Infrastructure, Transportation
Resident Name: Darlene Berber
Resident City/Town: Westmorland, CA

Comments:

I support responsible lithium development, but I am concerned the verbiage of the LVSP to actually obtain jobs or create jobs for current and long time residents without current health conditions.

The county definitely needs to insure and provide adequate notices to and for public participation. “Accountability” Transparency requires specifics.

We need enforceable rules to insure sustainable development, not just voluntary guidelines but community and city approval guidelines. Mandatory community benefits.

Roads and Transportation need more details and attention to more needs.

March 12, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Prioritize Local Residents, No Empty Promises, Enforceable CBA
Resident Name: Michael Antonio Morales
Resident City/Town: El Centro, CA

Comments:

Chp #1: Draft plan needs to be more specific and transparent, the master plan needs to be incorporated into the LVSP.

Chp #7: Community oversight committee with enforcement and appeal power needs to be developed - community oversight committee composed of citizens from each community.

Chp #7: Corporation coming into the Imperial Valley must allocate direct annual funding to North Community [Funding to be negotiated between community and corporations]

Chp #8: County needs to extend comment period and review period.

March 12, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Worker Safety, Infrastructure, Health Risks
Resident Name: Jaime Torres
Resident City/Town: Westmorland, CA

Comments:

Who will regulate construction of buildings and insure all safeguards are mandated and enforced.

How and who will be paying for all the construction of roads and upkeep needed for Lithium Valley.

What protection for people who live and have respiratory illnesses in the valley.

March 12, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Water Usage & Quality, Prioritize Local Residents, Worker Safety, Health Risks
Resident Name: Maria De Jesus Arizez
Resident City/Town:

Comments:

No deberían de aprobar el uso de agua por la cual no saben de donde viene.

Las empresas deberían enseñar de donde viene el agua.

Los empleos deben ser para los residentes del Valle Imperial.

Las industrias deben incluir protecciones para la salud pública y de los trabajadores.

March 12, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits
Resident Name: Dipak R Patel
Resident City/Town: Calipatria, CA

Comments:

How many people get jobs in California?

March 12, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Environmental Impact, Infrastructure, Prioritize Local Residents
Resident Name: The Becoming Project
Resident City/Town: Calipatria

Comments:

Development infrastructure should be equally protected. Road damage, environmental impact and infrastructure maintenance can all be reasonably anticipated. We’re against any development that doesn't have basic consideration for the frontline communities they will most negatively affect.

March 12, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Electricity, Water Usage & Quality, Land Use, Infrastructure, Prioritize Local Residents
Resident Name: Latha Reiling
Resident City/Town: Fountain of Youth - Niland, CA

Comments:

1. Electricity needs - which California citizens will go without.
2. Water - already short supply - who will go without.
3. No “mays” - need definites
4. Taking too much good farmland
5. Would this even be taking place if there weren’t government incentives.
6. Community incentives and infrastructure .

March 12, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Industries Unrelated to Lithium, Enforceable CBA, Sustainability, Water Usage & Quality, Prioritize Local Residents, Infrastructure, Air Quality, Environmental Impact
Resident Name: Debbie Salas
Resident City/Town: Niland, CA

Comments:

Do not allow the LVSP to be a backdoor for industries unrelated to lithium, data centers, green hydrogen, anaerobic digesters.

Commit to community benefits in writing. Plan for sustainability - make sure there is enough water. Ther plan should require companies to reinvest in our communities.

Reject water-intensive and polluting industries. It will affect us in the community. Invest in local infrastructure. Protect workers and community health. Protecting our air and water should be a priority. Any new industry in Lithium Valley should be required to prevent pollution and provide public reporting.

March 12, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Support Local Economy, Infrastructure
Resident Name: Bryan Vega
Resident City/Town: Holtville, CA

Comments:

Can the Lithium Valley Specific Plan include provisions to uplift and invest in the existing economies of Niland and Calipatria?

Specifically, can the plan mandate that a significant portion of the county investments be directed towards revitalizing infrastructure in these cities? And just continue with investing into Lithium Valley infrastructure.

March 12, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits, Environmental Impacts, Water Usage & Quality, Prioritize Local Residents, Electricity, Air Quality, Enforceable CBA
Resident Name: Karolina Castaneda Rodriguez
Resident City/Town: Westmorland, CA

Comments:

The LVSP should guarantee jobs for local residents, prioritizing those who live in the north end. I'm concerned about the detrimental environmental impacts that the data centers will have. There is no concrete plan for where we will obtain the amount of water required for these centers to run and function properly. I want to see Imperial County thrive, our community deserves an industry that cares about the residents that live here. I'm demanding plans that outline where we will obtain the necessary water and electricity required to extract lithium. I am demanding that the county protects workers and the community by ensuring pollution is kept at a minimum. I'm demanding that concrete language is written to promise that these companies put our people over the profit that will line their pockets. I am demanding better from this industry. I am demanding an enforceable Community Benefits Agreement.

March 12, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Enforceable CBA, Job Opportunities & Benefits, Environmental Impact, Housing
Resident Name: Cesar Hernandez
Resident City/Town: Oxnard, CA

Comments:

“An injury to one is an injury to all!” I am here in solidarity with the Imperial County community. As Californians, we must work together to ensure a healthy and prosperous future for EVERYONE!

I am concerned that the LVSP is lacking important details that are necessary to fully understand the impact of all of the proposed industrial development land uses.

I believe that any “economic development” that gets public $$ needs to include a legally binding Community Benefits Agreement that truly provides tangible “gains and benefits” in the form of jobs, investments in youth and education, helping reduce the housing crisis and guarantee a clean and healthy environment.

March 12, 2025

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Health Risks, Environmental Impacts, Water Usage & Quality, Job Opportunities & Benefits, Housing, Additional Outreach
Resident Name: Cynthia Wayne Harvie
Resident City/Town: Brawley, CA

Comments:

1) Security - Safety - Very Important. Especially for those adults who have asthma (like me) (not just children)
2) Environmental Cares - we are already known as allergy valley - we need to be careful of toxins.
3) Where will water come from?
4) We need a percentage for the whole Valley. How will our community get benefits money wise - we need to benefit. How many local people will be able to work for companies? How many jobs will be available?
5) What benefits for people coming in to buy houses?
6) We need more town halls to discuss what is going to happen.

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Industries Unrelated to Lithium, Indigenous Communities, Job Opportunities & Benefits, Prioritize Local Residents
Resident Name: William Cooper
Resident City/Town: Calipatria, CA

Comments:

This Lithium Valley Specific Plan has huge ideas but no details for execution. I object to the adding of [non lithium related projects) such as; hydrogen production, data centers and wrecking yards. I object to the harm that will be done to indigenous communities without mitigation and I request all employment training and tax promises be defined in writing for the cities of Calipatria, Niland, Slab City, Bombay Beach, and Westmorland.

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Post Office, Parks and Recreation
Resident Name: Albaro Tinoco Chavez
Resident City/Town: Niland, CA

Comments:

El correo, un parque, alumbrado en las calles.

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Parks and Recreation, Expand Retail Landscape
Resident Name: Angela Limon
Resident City/Town: Calipatria, CA

Comments:

For Niland sidewalks, park. For Calipatria, Walmart, a fast food place other than a donut shop.

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Post Office, Infrastructure
Resident Name: Jeanette Roach
Resident City/Town: Niland, CA

Comments:

Post office, sidewalks, light posts.

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Parks and Recreation, Post Office, Expand Retail Landscape
Resident Name: Karina Reyes
Resident City/Town: Niland, CA

Comments:

Un parque. El correo. Más tiendas de comida. Más alumbrado en las calles. Reabastecimiento de las calles.

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Parks and Recreation
Resident Name: Ruben Hernandez
Resident City/Town: Niland, CA

Comments:

A park for the kids in Niland would be great! Niland has never had a park before and would be greatly beneficial for the kids in town.

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Infrastructure
Resident Name: Jenna Hernandez
Resident City/Town: Niland, CA

Comments:

Would like to see the town of Niland cleaned up. Make it safer for the kids.

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Damage to Local Ecosystem, Prioritize Local Residents
Resident Name: Gary Snider
Resident City/Town: Slab CIty

Comments:

I oppose the mining of lithium in this region and the possible destruction and displacement of regional residents.

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits, Prioritize Local Residents
Resident Name: Eduardo Gutierrez
Resident City/Town: Imperial, CA

Comments:

You planning to get jobs for the people from this area? If not, I don’t see a benefit for the people in this area.

Regards,

EG

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Prioritize Local Residents
Resident Name: Juan Sanchez
Resident City/Town: Brawley, CA

Comments:

I would like to see more recreational activities for young teenagers. I would like to see more programs to help kids.

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits, Prioritize Local Residents
Resident Name: Barbara Burleson
Resident City/Town: Niland, CA

Comments:

Lithium as long as it's safe and brings jobs this community needs good paying jobs.

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Job Opportunities & Benefits
Resident Name: Charles Guy
Resident City/Town: Indio, CA

Comments:

I’m all for mining. There is a need to start training programs. Equipment operators, truck divers, etc. To fill the new jobs.

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Infrastructure, Job Opportunities & Benefits, Environmental Impacts, Infrastructure, Enforceable CBA, Niland City Formation
Resident Name: Debbie Salas
Resident City/Town: Niland, CA

Comments:

Weatherization training, infrastructure, new employment, creation of an independent economic district, details of environmental mitigation, transparency, recreation center, chamber with paid staff, community benefit agreement in writing, make Niland a city, deforce station.

Planning and Development Services Department
801 Main Street
El Centro, CA 92243

RE: DRAFT Lithium Valley Specific Plan

Topics of concern: Environmental Impacts, Job Opportunities & Benefits, Niland City Formation, Infrastructure, Parks and Recreation, Enforceable CBA
Resident Name: Lennita Ozier
Resident City/Town: Niland, CA

Comments:

Deforestation
Job-training and placement services.
Creation of independent economic district
Niland CIty formation - from township
Rebuild the city chamber by electing paid workers that actually work to build infrastructure without bias.
Park and Rec center with paid staff for youth.
Enforceable community agreement in writing.

From:	Valle Unido
To:	Bari Bean
Cc:	Lithium Valley; Diana Robinson; Jim Minnick
Subject:	Re: Submission of Valle Unido"s Public Comment Collection on the Lithium Valley Specific Plan
Date:	Tuesday, May 6, 2025 4:47:15 PM
Attachments:	image001.png VUBC LVSP Public Comment .pdf

CAUTION: This email originated outside our organization; please use caution.

Thank you for confirming receipt of our previous submission.

We wanted to let you know that there were a few additional public comments on the Lithium Valley Specific Plan that were submitted to our coalition right before the public comment deadline closed yesterday, May 5th, at 5:00 PM.

You can find these late submissions at the end of the "VUBC LVSP Public Comment" document. There are three submissions with timestamps that indicate they were received just before the deadline.

Please ensure these final comments are also included in the public record and given full consideration alongside the others we sent.

Thank you again for your attention to this important matter.

On Tue, May 6, 2025 at 8:23 AM Bari Bean <baribean@co.imperial.ca.us> wrote:

> Hello Jacob,
>
> Thank you for providing comments on the Lithium Valley Specific Plan. This email is to confirm that your comments have been received.
>
> Thank you,
>
> ***Bari Bean***
>
> Deputy CEO – Natural Resources
>
> County of Imperial
>
> **Direct:** (442) 265-1011
>
> **Mobile:** (760) 604-1956
>
> 940 West Main Street, Suite 208

Timestamp	Email Address	First and Last Name (if you don't enter a name, your comment will be sent anonymously) / Nombre y apellido (si no incluye su nombre, su comentario sera anónimo)	Introduce yourself and state your writing purpose --- Preséntese e indique el propósito de su comentario	Choose the LVSP section and/or topic that best represents your concern. Select all that apply. / Seleccione la sección del Plan Específico o el tema de su comentario que mejor represente su preocupaciones. No hay un limite en el numero de capítulos o temas que puede seleccionar.	Share your comments / Comparta sus comentarios:
3/11/2025 17:19:32	kmurguia4150@sdsu.edu	Kayla Murguia	I am Kayla Murguia from San Deigo State University, and I'm concerned about how Lithium can impact the water resources in the Imperial Valley.	Section 3: Land Use / Sección 3: Uso de la tierra, Section 4: Development Standards / Sección 4: Normas de desarrollo, Section 6: Infrastructure / Sección 6: Infraestructura, Section 7: Community Health and Prosperity, Section 8: Implementation / Sección 8: Implementación	The consumption of water that will be used for the lithium project would affect the community because we, as citizens of the Imperial Valley, are aware of the lack of water we have to go into marketing and being processed by huge manufacturing, which would cause a lot of issues. -Fort the first stage (2025-2035) they estimate water usage of 48,023 Acre-Feet per Year (AFY) (p.116). According to The Berkeley Lab Research on Lithium Valley, by 2050, the total water projected to use in the Lithium Valley megaproject could range from 62500 to 250000 acre-feet of water, depending on the expansion of the project and extraction, which is equivalent to 308370000 cubic meters of water (over 300 million) (Berkeley Lab, 2024). Moreover, according to the Berkeley Lab, it is estimated with the lithium extraction facilities projected in the Lithium Valley that per ton of Lithium equivalent, almost 5,000 cubic meters of water will be used (Berkeley Lab, 2024). For references, 1 cubic meter of water is equivalent to 1000 liters. -They don't even have a plan for water usage, it says "It is anticipated that a Water Master Plan (WMP) will be prepared in collaboration with IID" (p.117) When? Who knows... -Regarding water waste, they want to discharge water waste with heavy metals content from the Niland water treatment plant again to the Salton Sea, which is unacceptable: "Importantly, the County is preserving the existing discharge infrastructure, ensuring flexibility to accommodate future growth. Should demand warrant an expansion beyond 0.15 MGD, capacity could be increased back to 0.5 MGD through additional land acquisition and/or reactivating the existing NPDES infrastructure". Water discharge was stopped by the Regional Water Quality Control Board (RWQCB). For the Calipatria water treatment plant they also want to discharge more water than the actual capacity: "Capacity improvements will be necessary when the average daily demand exceeds 80 percent of the peak permitted capacity of 1.73 MGD [million gallons per day] " (p.119). -For the first stage, LV will generate 18 MGD of waste water and the current capacity to manage wastewater is less than 4 MGD (p.120). They are going to use 5 times the amount of energy they produce (p.131).
3/18/2025 13:10:51	fernando@pc4ej.org	Fernando Márquez Duarte	I'm Fernando Márquez Duarte PhD, I'm a policy researcher in Environmental Justice issues.	Section 6: Infrastructure / Sección 6: Infraestructura, Section 7: Community Health and Prosperity	
3/28/2025 10:45:12	anadany001@hotmail.com		Our community and it's environment SAFETY should be a #1 priority in this plan. We already struggled enough with the bad air quality and drought problems. WE DON'T NEED MORE.	Section 2: Vision and Guiding Principles / Sección 2: Visión y principios, Section 7: Community Health and Prosperity	Our people in the valley already struggled with bad air quality. If this project put their profits before the people here, it shouldn't be allowed in the first place. If this plan have good, beneficial and healthy procedures for it; if it's going to provide more jobs for OUR locals, then I'll support it. If this is just for profit and greed, I won't support any of it and I'm sure I'm not alone in that thought.

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4/10/2025 18:23:12	samantha.licona00@gmail.com		I was raised in Imperial Valley to be proud of my roots but as I have been educated on how human intervention has severely impacted the Salton Sea, Alamo River and the New River I have been so ashamed of how much water is used for agriculture. 95% of riparian ecosystems were destroyed in California because of agriculture and now many species are at risk of extinction. Most locals do not know we have rivers and that they were mainly fed by the Colorado watershed which then fed into the Salton Sea. If we had not diverted so much water to Agriculture, our Alamo River and New River would be beautiful riparian ecosystems supporting Least bell's vireos and Southern Willow flycatchers as well as a beautiful recreational area to enjoy wildlife and nature. Nobody cares to feed our rivers with clean/filtered water and that is a HUGE concern for me. Algae blooms could be a huge hazard for wildlife. I fear for the little riparian habitat we have left in Imperial Valley.	Section 3: Land Use / Sección 3: Uso de la tierra	
5/2/2025 21:52:39	ggbig50@gmail.com	Gerardo Guerrero	Concern and worry about how our valley's resources are being used.	Section 2: Vision and Guiding Principles / Sección 2: Visión y principios, Section 3: Land Use / Sección 3: Uso de la tierra, Section 7: Community Health and Prosperity	
5/2/2025 22:31:16	gabbygarcia8896@yahoo.com	Gabriela Garcia	I am Gabriela Garcia, I am from Brawley California. I have lived here my whole life and the LSVP is not a plan I feel confident in.	Section 1: Introduction and Intent / Sección 1: Introducción e intención	The LSVP will affect residents on the north end by depleting resources while not benefiting the community. There are other countless reasons why I am not in support of this plan such as the lack of guarantee for jobs and lack of security in the environment.
5/2/2025 22:33:53	isacponce64@gmail.com	Concerned citizen	My purpose is to leave a comment and hope it weighs more. The idea of lithium in the valley would harm our already terrible air quality and cause problems for some locals	Section 3: Land Use / Sección 3: Uso de la tierra, Section 6: Infrastructure / Sección 6: Infraestructura, Section 7: Community Health and Prosperity	Air quality going down when schools reports bad air quality most of the time. Having a lithium mine would not make it better, the soil in the land would be ruined, the water supply to the locals would be affected as well as living costs and the county doesn't seem to want to do anything around here cuz most roads are cracked and broken and we have more things we don't need around here.
5/2/2025 22:40:57	aileenotero02@gmail.com	Aileen Otero	My name is Aileen Otero. I am from Brawley and currently live there along with most of my family.	Section 1: Introduction and Intent / Sección 1: Introducción e intención, Section 2: Vision and Guiding Principles / Sección 2: Visión y principios, Section 3: Land Use / Sección 3: Uso de la tierra, Section 4: Development Standards / Sección 4: Normas de desarrollo, Section 5: Circulation & Transportation / Sección 5: Circulación y Transporte, Section 6: Infrastructure / Sección 6: Infraestructura, Section 7: Community Health and Prosperity, Section 8: Implementation / Sección 8: Implementación	I'm writing a public comment advocating for the promise of funds to the underserved communities of the North Imperial County. The current plan, while public, uses vague language that risks underserving our local businesses and our economy. We need full transparency.

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5/3/2025 23:32:48	martisony@yahoo.com		My name is Sonya Martinez	Section 4: Development Standards / Sección 4: Normas de desarrollo, Section 5: Circulation & Transportation / Sección 5: Circulación y Transporte, Section 6: Infrastructure / Sección 6: Infraestructura, Section 7: Community Health and Prosperity	I am concerned about the health disparities found in my community. Specifically, the high rates of lung disease, cancer, asthma hospitalizations, air pollution and poor water quality. I am also concerned about corporations profiting by our resources without sharing those profits with the community. I would like to see a profit share agreement that invests into improving the air and water quality, and ensures clear transparency into whatever ramifications of mining for lithium may arise. The last thing I want is another case of known adverse health and environmental impacts of mining. I'm talking about Flint Michigan. I'm talking about the Radium Girls. I'm talking about Erin Brockovich. I want scientific and unbiased data to measure the air, and water quality before and during mining. I want investments into our healthcare infrastructure since we only have 2 poorly rated hospitals in the county. I want assurances that my backyard, my community will also gain in this.
5/4/2025 7:53:44	nicole.a.granados@gmail.com		I was born and raised in the Imperial Valley and I have several concerns regarding lithium mining.	Section 7: Community Health and Prosperity	If a plan will be made, it has to ensure the safety of the community will be placed before profit. The imperial valley already struggles with poor air quality and side effects from pesticide usage. We need to seriously contemplate the possible consequences of lithium mining.

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5/4/2025 23:27:33	iamjocelyne8@gmail.com	Jocelyne Garcia	I am a community member with concerns the benefits to this plan and the damage it will have to our environment and health.	Section 1: Introduction and Intent / Sección 1: Introducción e intención, Section 2: Vision and Guiding Principles / Sección 2: Visión y principios, Section 3: Land Use / Sección 3: Uso de la tierra, Section 4: Development Standards / Sección 4: Normas de desarrollo, Section 5: Circulation & Transportation / Sección 5: Circulación y Transporte, Section 6: Infrastructure / Sección 6: Infraestructura, Section 7: Community Health and Prosperity, Section 8: Implementation / Sección 8: Implementación	I'm deeply concerned that the Lithium Valley Specific Plan lacks enforceable protections for our communities while fast-tracking environmental rollbacks. Recent efforts to weaken waste disposal regulations and lower cleanup standards for "green energy" projects set a dangerous precedent - we can't allow lithium extraction to become another polluting industry that sacrifices our health for corporate profits. This plan must include mandatory air/water monitoring, strict toxic waste handling rules, and real penalties for violations, not loopholes disguised as "streamlining." We need legally binding Community Benefits Agreements with teeth - not vague promises. These CBAs must guarantee local hiring at living wages, healthcare monitoring near extraction sites, and direct funding for community infrastructure. Most importantly, Imperial County must center frontline voices by providing Spanish and Indigenous language resources, establishing resident-led oversight committees with decision-making power, and releasing all environmental data publicly in accessible formats. The choice is clear: either this plan prioritizes Imperial County's people and environment through concrete protections, or it becomes another extractive failure. We're done being told to trade our health for jobs - that's a false choice. I demand you rewrite this plan with enforceable environmental standards and community benefits before moving forward. Our families deserve nothing less. Jocelyne Garcia

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5/5/2025 10:11:48	lissbeth@ccvhealth.org	Lissbeth Garcia	I am a resident of the Imperial Valley and I want to voice my growing concerns about the lithium mining projects being proposed and implemented in our region. While I understand the national importance of securing a domestic supply of critical minerals like lithium, we cannot ignore the long-term impacts on our local community, environment, and public health.	Section 1: Introduction and Intent / Sección 1: Introducción e intención, Section 2: Vision and Guiding Principles / Sección 2: Visión y principios, Section 3: Land Use / Sección 3: Uso de la tierra, Section 4: Development Standards / Sección 4: Normas de desarrollo, Section 5: Circulation & Transportation / Sección 5: Circulación y Transporte, Section 6: Infrastructure / Sección 6: Infraestructura, Section 7: Community Health and Prosperity, Section 8: Implementation / Sección 8: Implementación	The Imperial Valley has long borne the burden of environmental exploitation. Our region already faces high rates of asthma and other health problems due to air and water quality issues. Any industrial operation, particularly one on the scale of lithium extraction, must be evaluated with utmost scrutiny. I am concerned about how these projects may affect the Salton Sea, groundwater resources, seismic activity, and local ecosystems. We need transparency in the environmental review process and robust safeguards that prioritize our health and well-being over corporate profit. Furthermore, meaningful community engagement must be central to the process. Our voices need to be included in every phase, from planning to operation to reclamation. We also deserve concrete commitments about job creation for local residents, protections for agricultural lands, and long-term investments in infrastructure, education, and healthcare. We are not just a resource to be extracted, we are a community that deserves respect, clean air, safe water, and a say in our future. Thank you for considering these concerns. I urge decision-makers to approach lithium development in Imperial Valley with caution, responsibility, and a true partnership with the community.

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5/5/2025 14:05:17	ivnativeadvocacy@gmail.com	Emmanuel Zavala	Member of the Cucapá tribe of San Luis Rio Colorado, Sonora, Mexico. Traditional Counselor in the Instituto Nacional de Personas Indígenas (INPI)	Section 7: Community Health and Prosperity	My name is Emmanuel Zavala. I am a member of the Cucapa community located in the valley of San Luis Rio Colorado in Sonora, Mexico. Currently my position in my village is as a Traditional Counselor in the Instituto Nacional de Personas Indígenas, "INPI". My opinion on the issue of the Colorado River water use for the "Lithium Valley" project, which poses great threats to its already drying waters, is the following: Throughout history, the United States has always extracted and diverted water from the river with dams for the benefit of U.S. companies. They have never looked after the indigenous people who live from fishing and the water of the river in Mexico and who have done so since time immemorial. Many families in my community suffer greatly from hunger and drought, which is why the tradition of fishing in the river is being lost. Many families even leave our reservations to find a more prosperous place, which has fractured our communities, who used to be very united. The water was taken away from us years ago, and now with this project it will be taken away even more, perhaps all of it...the river water is our life and essence...they not only take away our water, they take away everything that the water and the river provided us to survive as a people and to be united. We have to find other alternatives. The massive use of water for this project is extremely concerning to us and presents a great danger to the lives of the people who have always lived off the Colorado River. I fear that this project could even mean the end for my people and my culture.

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5/5/2025 14:25:02	juanvalencia1392@gmail.com	Juan Valencia	I am a Calexico resident, and I want to voice my opinion on the environmental and water use concerns around the LVSP.	Section 7: Community Health and Prosperity	Back in March of 2024, the Imperial County Board of Supervisors rejected a gold exploration project being proposed by Canadian company, SMP Gold, on the grounds that the water use that such a project would require was unclear and posed a threat to our already water-scarce desert community. However, before communities from Imperial Valley rose up in opposition, the Board of Supervisors and associated administrators were fully ready to fast-track and allow for the project to move forward. This should demonstrate to us all a very clear thing: Our leadership has shown itself to be completely inept at making decisions on these supposedly “prosperous” and “green energy” projects. They do not care about environment or the specifics on how such “grand” developments could come to fruition. There is a clear need to stop and think about what these projects will entail and be realistic about their overwhelming requirements. The Board of Supervisors and all associated parties need to get it through their skulls that these “grandiose” Valley developments cannot be simply guided by money signs. There are serious threats being posed to our Valley, which could even turn destructive. I urge for slower, more careful, and realistic considerations of what exactly “Lithium Valley” can even be in a community plagued by toxic air, water scarcity, and governmental administrations that clearly cannot use their heads properly unless they face community pressure and scrutiny, as the failed SMP Gold project clearly showed.
5/5/2025 15:42:25	annakapennersmith@gmail.com	annaka smith	Hi, my name is Annaka and I'm a lifelong resident of the imperial valley and I think that the lithium plant has great potential to be beneficial to our Bright and thriving community. It could bring jobs and careers for our residents, however it could also be a negative development. We would love to have written promises that the development will hire locally, and be very careful and mindful when working around the salton sea.	Section 1: Introduction and Intent / Sección 1: Introducción e intención, Section 2: Vision and Guiding Principles / Sección 2: Visión y principios, Section 3: Land Use / Sección 3: Uso de la tierra, Section 7: Community Health and Prosperity	Please do take the time to read these public comments.
5/5/2025 16:43:33	mosertogi@gmail.com	Carmina Bosmenier	My name is Victoria, and I am a lifelong resident of the Imperial Valley. I grew up here, live here, and come from a generation of family who have called this land home. I am also a teacher in this community, committed to the well-being and future of our students. I am submitting this comment because I care deeply about protecting our environment, our health, and the communities who will live with the consequences of this plan.	Section 1: Introduction and Intent / Sección 1: Introducción e intención, Section 2: Vision and Guiding Principles / Sección 2: Visión y principios, Section 3: Land Use / Sección 3: Uso de la tierra, Section 4: Development Standards / Sección 4: Normas de desarrollo, Section 5: Circulation & Transportation / Sección 5: Circulación y Transporte, Section 6: Infrastructure / Sección 6: Infraestructura, Section 7: Community Health and Prosperity, Section 8: Implementation / Sección 8: Implementación	As a resident of Imperial Valley, I strongly oppose the rezoning of over 51,000 acres of mostly agricultural land for lithium extraction and industry. This is our land and is home to generations of Indigenous and farmworking communities and we will be directly affected by the pollution, health risks, and environmental destruction this plan brings. The Salton Sea is already a public health crisis. More industrial development will only make it worse. We deserve clean air, safe water, and land that sustains us—not more harm in the name of profit. Listen to our voices. We demand real community input and environmental protections before moving forward.

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5/5/2025 16:44:53	eriksotelo.3@gmail.com	Erik S.	I'm writing today about concerns over the lithium valley plan in hopes of reconsideration of the proposed project.	Section 3: Land Use / Sección 3: Uso de la tierra, Section 7: Community Health and Prosperity	I am writing to express my strong opposition to the proposed Lithium Valley Specific Plan in Imperial Valley. While I understand the importance of transitioning to renewable energy sources, this project raises serious concerns regarding environmental justice, public health, and Indigenous sovereignty. The proposed development threatens the health and well-being of local residents, many of whom already face high rates of respiratory illness and limited access to healthcare. The added industrial activity, air pollution, and potential contamination of water sources will disproportionately impact low-income communities and communities of color in the region. Moreover, the project's location on tribal lands without full, informed, and prior consent from Indigenous communities is a blatant violation of their rights. Tribal nations must have the authority to decide what happens on their ancestral lands, and any disregard for this principle is deeply unjust. Environmental progress cannot come at the cost of the communities most vulnerable to harm. I urge decision-makers to prioritize the voices of local and Indigenous residents, conduct thorough health and environmental impact assessments, and seek truly sustainable alternatives that do not sacrifice human lives or rights.

Timestamp	Email Address	First and Last Name (if you don't enter a name, your comment will be sent anonymously) / Nombre y apellido (si no incluye su nombre, su comentario sera anónimo)	Introduce yourself and state your writing purpose --- Preséntese e indique el propósito de su comentario	Choose the LVSP section and/or topic that best represents your concern. Select all that apply. / Seleccione la sección del Plan Específico o el tema de su comentario que mejor represente su preocupaciones. No hay un limite en el numero de capítulos o temas que puede seleccionar.	Share your comments / Comparta sus comentarios:
5/5/2025 16:58:05	gilbertmanzanarez@gmail.com	Gilberto Manzanarez	Resident of Calexico	Section 3: Land Use / Sección 3: Uso de la tierra	I'm reaching out as a member of the community who has lived through many of the struggles that this county faces daily. I know that many of us are hopeful for new developments and opportunities, but we are also deeply cautious after seeing industries come and go with promises of prosperity that never seemed to reach our families. The Lithium Valley Specific Plan has the potential to change things, but we are asking for transparency and thoughtful planning. One of the biggest concerns in our community right now is water—our most precious resource. This region is already suffering from water scarcity, and the plan does not give us clear answers about how industries, particularly data centers and hydrogen plants, will impact this fragile supply. These industries are notorious for their heavy water usage, and at a time when we are seeing the Salton Sea shrink and our water allocations from the Colorado River dwindle, we cannot afford any missteps. We've already faced the consequences of bad water management, and we need a real plan that will ensure our children and grandchildren have access to this vital resource. We've seen other industries, like solar and wind, come to our county with promises of jobs and economic benefits—yet, after all the hype, we saw very little come through. Too many people in our community are still struggling, with many of those jobs never materializing or paying enough to support families. These past experiences leave us wondering whether this lithium industry will follow the same pattern. We've heard the promises, but we need to see real change, not more empty words. If this project is truly meant to benefit Imperial County, it must prioritize the well-being of the people who live here. That means creating good, local jobs that we can rely on, ensuring that our water resources aren't drained, and that our environment is protected. We need answers, we need accountability, and most importantly, we need to know that the people who've been here—living through the tough times—are going to be the ones who benefit, not just big companies coming in to take from us. I ask that you please consider the voices of the residents here, who just want to see our community thrive without compromising our future. We need a clear, actionable plan for water use, and we need a commitment that this project will create real benefits for the people who live here.

Comments from the Form on Earthworks Website

The County of Imperial received comments that were forwarded from a form that was on Earthworks.org website. As of July 2025, this form is no longer on the website. On two occasions, the County was informed (verbally) that the comments that were emailed to the County on behalf of the individual that submitted them on the Earthworks website, were not accurately represented by the Earthworks organization.

Earthworks Form Details:

- The Earthworks website had available a pre-populated template, which allowed individuals to provide their own contact details as well as update the template.

Comments of Concern Received by the County:

- An individual stated they updated the content in the Earthworks template to express support of the Lithium Valley Specific Plan draft, instead of the content that was pre-populated in the form; however, the message that was sent to the County on their behalf was not what they wrote and was instead the generic form message from the Earthworks site, which stated the opposite of what they were trying to convey to the County.
- A different individual stated they updated the content in the template to be in support of the Lithium Valley Specific Plan draft and filmed the content they wrote and filmed themselves hitting submit. They contacted the County to ensure their comments had been received; however, the County did not receive their comments.

The County has included the form letters that were received, however, since these comments were not provided directly to the County and were instead received and forwarded by a 3rd party, Earthworks, the County cannot verify the validity of the content received including whether the message does or does not accurately reflect what was intended by the sender.

As previously noted on this documents Community Section divider, to avoid unnecessary duplication, in cases of reoccurring comment letters, or “form letters,” we have included a single representative version and listed all submitters of that version. Some form letters included varied introductory statements but shared the same substantive content; these were considered to have the same message.

Form Letter A was received by: Amanda Mendonca, Amanda Simons, Charlotte Kubiak, Christopher Gallo, Cody Orrell, Coryn Vanegmond, David Day, Dulcinée DeGuere, Hannah Wilkinson, Ian Faigh, Irina Kosterina, Ivan DelSol, James R Connelly, Jessica Mullen, Kitty B Green, Kona Morris, Larissa Sinclair, Lauren Rose Scheiner, Lisa Jones, Mark Dziatko, Marlyn Klaarmond, Nes Croft, Phoenix Harlan, Sara L. Patterson, Sarah Larsen, Stephanie Kuykendall, Uwe H. Martin, Wanda Orme, Will Simons.

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Monday, May 5, 2025 9:09:11 AM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Amanda Simons
Email Address:: asimons@sdccd.edu
City of Residence:: San DIego
State of Residence:: CA
Comment:: Dear Imperial County Planning Commission,

I am writing as someone who has visited Bombay Beach and has connected to its residents. I appreciate the County's intention to position Imperial Valley as a hub for clean energy, but I am writing to express serious concerns about the February 2025 Draft of the Lithium Valley Specific Plan (LVSP), particularly the ways it overlooks, endangers, and potentially exploits communities like Bombay Beach.

Historically, changes in the Imperial Valley have neglected the residents, native tribes, and the environment in the interest of commercial gain. I'd hate to see history repeat itself.

Bombay Beach is often seen as peripheral — as a strange outpost, or a tourist destination. Yet Bombay beach is a living community: artists, workers, elders, children, veterans. We live with the daily consequences of environmental degradation, economic abandonment, and infrastructural neglect. The LVSP, as it is currently drafted, risks making those burdens even heavier.

The plan's proposed land use changes and development incentives seem tailored to fast-track large-scale, extractive industries — data centers, anaerobic digesters, hydrogen plants — that are neither clean nor community-serving. These industries consume enormous amounts of water and electricity in a region already suffering from drought, particulate pollution, and toxic dust storms off the drying Salton Sea bed. They do not belong here.

I cautiously support responsible lithium and geothermal development that creates high-road jobs, protects our environment, and directly benefits local communities. But the current LVSP draft lacks enforceable protections to ensure this vision becomes a reality.

I urge Imperial County to:

1. Reject Harmful and Unrelated Industries: Do not allow the LVSP to become a backdoor for polluting, high-resource-use industries. Anaerobic digesters, hydrogen production, and data centers have no place in a water-scarce, already overburdened region.

2. Require Legally Binding Community Benefits Agreements (CBAs): The plan must mandate that all new industries entering Lithium Valley sign enforceable CBAs that include: Guaranteed local hiring (not just vague commitments), Living wages and benefits, Investments in public infrastructure (not just corporate roads), Environmental safeguards, air monitoring, and emissions reduction plans. Bombay Beach deserves to know exactly how these projects will improve our lives — not just the bottom line of external investors.

3. Ensure True Community Participation: We need ongoing and structured participation from

residents in Bombay Beach and surrounding areas, not just one-off public comment windows. Without mechanisms for continued oversight and local input, the LVSP is a plan for us without us — and that is unacceptable.

4. Invest in Local Infrastructure and Transit: Bombay Beach has long suffered from infrastructure abandonment. Medical access is nearly nonexistent, emergency response times are incredibly high, and our drinking water systems are fragile. Meanwhile, the plan promises upgraded freight corridors and industrial access roads. We ask: what about us?
The LVSP must fund community-serving infrastructure, including: public transit access for workers, road and drainage repairs in unincorporated communities, broadband internet, clean drinking water infrastructure.

5. Protect Worker & Community Health: Air quality in Bombay Beach is already compromised by dust from the Salton Sea and regional agricultural operations. The LVSP must ensure: air and water quality monitoring, strict pollution prevention protocols for all approved projects, public disclosure of energy and water usage. Every new project must be required to demonstrate a net benefit to community health — not just promise to "do no harm."

6. Plan for Long-Term Sustainability: If Imperial County truly wishes to lead in the clean energy future, it must commit to long-term sustainability that centers people, not just products. That means: prioritizing geothermal and lithium development over high-pollution alternatives, ensuring resource transparency (how much water, energy, and land is being consumed), building resilience into our towns, not just industry.

In conclusion, I support the vision of a clean energy future. But a just transition must include justice for the communities already here. The residents of Bombay Beach — and all communities around the Salton Sea — must not be forgotten, tokenized, or sacrificed in the name of green growth.

We need binding protections, guaranteed investments, and clear pathways for our voices to shape this plan every step of the way.

Please revise the LVSP to ensure it serves the public — not just private industry.

Form Letter B was received by: Ashley Vega and Robin Booth.

From: WordPress
To: CEO - Lithium Valley Specific Plan
Date: Monday, May 5, 2025 12:36:44 AM

CAUTION: This email originated outside our organization; please use caution.

Full Name:: Ashley Vega
Email Address:: vega.ash12@gmail.com
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State of Residence:: CA
Comment:: 5/4/25
Ashley Vega
vega.ash12@gmail.com
Indio, California

Public Comment RE: February 2025 Draft Lithium Valley Specific Plan

I was born and raised in the Coachella Valley. Being raised in the Eastern part of the Valley and within the Salton Sea Air Basin, I often smelled the odors from the Salton Sea and experienced intense allergies. As I grew older, I began to recognize the historical and prolonged disinvestment in the Eastern Coachella Valley and communities in the Imperial Valley, particularly those near the Salton Sea bearing disproportionate environmental burdens and systemic neglect. While the discovery of lithium in the Salton Sea has brought much attention to the region, touted as an opportunity for economic development and a beacon for the transition toward sustainability, the February 2025 Draft Lithium Valley Specific Plan ("Specific Plan") is alarming in its greenlighting of harmful industrial development, setting the foundations for continued environmental degradation and disregard for existing communities. As such, I urge Imperial County to remove harmful industries, such as data centers, hydrogen facilities, anaerobic digesters, and recycling centers, from the list of land uses allowed by right under the Specific Plan. Moreover, I urge the County to remove Business Industrial Parks as a use permitted by right under green industrial, manufacturing, and logistics zones.

Data centers, hydrogen facilities, anaerobic digesters, recycling centers, and business industrial parks are not sustainable land uses.

Under the Specific Plan, several harmful land uses are permitted by right. Data centers are allowed by right in green industrial, manufacturing, and logistics zones. Data centers require heavy water and energy use, with a large carbon footprint. Additionally, their operation is frequently very noisy, heavily impacting the quality of life of any nearby community. Similarly, anaerobic digesters require intensive water use and impact nearby communities with noxious odors.
Hydrogen facilities also require heavy water use. Hydrogen is highly flammable, which can create explosion risks. Allowing such projects in proximity to other industrial uses creates environmental and safety hazards that must be avoided. As such, it is essential that there is a thorough environmental analysis for the production of hydrogen to identify and mitigate potential co-pollutants, and its transportation to minimize its risks.
Recycling centers are allowed by right under green industrial zones. Under its definition, allowable materials for recycling facilities include "organic waste, battery recycling, construction waste, metal recycling, and material recovery facilities." Given the wide range of materials allowed at a recycling facility, the county must require special use permits for any

proposed development to analyze potential environmental impacts.
Business industrial parks are listed as permitted by right under the green industrial, manufacturing, and logistics. Unlike other land uses, no definition outlines what projects would be considered a 'business industrial park.' Under this vague land use, industrial projects, such as warehouses and distribution centers, can be streamlined into development without consideration of environmental impacts, nor implementation of sustainable operation practices, creating inconsistencies with the vision for "a clear path forward towards an environmentally conscious employment hub…"
Permitted by right, these land uses won't require notification, public engagement, or environmental review, paving the way to catastrophic environmental and human health consequences, worsening existing conditions. Given the known detrimental risks and impacts of these land uses and their excessive demand for resources such as water and energy, the county must remove these land uses from the Specific Plan.

Put your vision into action.

The county's initiative under the Specific Plan aims to "attract significant investment in renewable energy sectors, stimulate local job creation, and foster economic growth while emphasizing sustainable practices to mitigate environmental impacts and ensure public health protection."As such, it is vital that the Specific Plan is redirected away from industries that will burden resources, the environment, and communities without benefiting residents. Under phase 1 alone, which is intended for "initial development stemming from existing infrastructure and geothermal plants…" and "is reflective of foreseeable development projects that can aid the installation of essential infrastructure," the needed water supply is 48,023 acre-feet. The Specific Plan vaguely references this supply as provided by "surface water, groundwater, and reclaimed water," however, it is unclear specifically where, creating significant threats to the water supply, especially as development moves into phases 2 and 3.

Ultimately, the county must be proactive, requiring strong development standards, enforceable rules, and mitigation of potentially harmful and/or risky projects. To do so, the county must not allow projects to be ignorantly streamlined at the cost of surrounding communities.

Form Letter "C" was received by: Amber Sumrall, Ann Bein, Ann Van Alstyne, Anne Lakota, Arax Maksoudian, Behnam Samareh, Bonnie Biddison, Brenda Thompson, Carol McCammon, Carolina Goodman, Edwin Aiken, Elaine Benjamin, Giozannina Fazio, Greg D., Heidi Moschetti, Jana Mariposa Muhar, Karen Hellwig, Linda Elkind, Luz Mangurian, Michael Miller, Michael Sarabia, Patricia Harp, Rachel Narvios, Tem Narvios, Terrance Butler, Terri Decker, Trish Gilbert, and Walter Ramsey. In addition, Form Letter "C" was received by the following email addresses:

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Form Letter "C"

From:	Ann Bein
To:	Jim Minnick
Subject:	Urge Imperial County not to weaken industrial permitting in the name of "Lithium Valley"
Date:	Tuesday, March 11, 2025 1:28:03 PM

CAUTION: This email originated outside our organization; please use caution.

Dear Mr.

I'm writing to comment on the Lithium Valley Specific Plan (LVSP) draft. I support a plan that ensures development in Lithium Valley brings family-sustaining, high-road careers to the people of Imperial County. However, I'm concerned that the current draft plan fast-tracks permitting for industries unrelated to lithium, such as anaerobic digesters, automobile wrecking and recycling, data centers, and green hydrogen.

These industries would create few jobs and carry public health, economic, and other risks that must be thoroughly analyzed and mitigated in stand-alone Environmental Impact Reports and through tribal consultation. Imperial Valley is already dealing with a severe air quality crisis and looming questions about the availability of Colorado River water. Communities have the right to know the impacts of new projects proposed on the shores of the Salton Sea.

In 2022, California passed a bill to guide lithium extraction, providing state funding to prepare a program Environmental Impact Report for "geothermal energy development and lithium extraction, processing, production, and related manufacturing activities within the county." Please remove unrelated industries from the LVSP and focus your efforts on the responsible development of the lithium industry.

Thank you.

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Les escribo para comentar sobre el borrador del Plan Específico del Valle del Litio (LVSP, por sus siglas en inglés). Apoyo un plan que garantice que el desarrollo en el Valle del Litio genere empleos bien remunerados y sostenibles para las familias del Imperial County. Sin embargo, me preocupa que el borrador actual acelere los permisos para industrias no relacionadas con el litio, como las plantas de digestión anaeróbica, el desguace y reciclaje de automóviles, los centros de datos y el hidrógeno verde.

Estas industrias generarían pocos empleos y conllevan riesgos para la salud pública, la economía y el medio ambiente que deben ser analizados y mitigados a través de Informes de Impacto Ambiental independientes y mediante consultas con las tribus. El Imperial Valley ya enfrenta una grave crisis de calidad del aire y serias dudas sobre la disponibilidad de agua del río Colorado. Las comunidades tienen derecho a conocer los impactos de los nuevos proyectos propuestos en las orillas del Mar de Salton.

En 2022, California aprobó una ley para regular la extracción de litio, proporcionando fondos estatales para preparar un Informe de Impacto Ambiental Programático que aborde el desarrollo de la energía geotérmica y la extracción, procesamiento, producción y fabricación de litio en el condado. Les insto a eliminar las industrias no relacionadas del LVSP y a centrar sus esfuerzos en el desarrollo responsable de la industria del litio.

Gracias.

Ann Bein
Los Angeles, CA