

**MINUTES OF THE
PLANNING COMMISSION MEETING
OCTOBER 27, 2021**

The Imperial County Planning Commission convened a Meeting on Wednesday, October 27, 2021 at 9:00 a.m. in the Board of Supervisors Chambers, El Centro, California.

Staff present: Director, Jim Minnick/Assistant Director, Michael Abraham/Planner IV, David Black, Clerks-Valerie Grijalva and Carina Gomez.

Chairman Rudy Schaffner called meeting to order at 9:00 a.m.

- I. **Roll Call: Commissioners present:** Schaffner, Bergh, Cabañas and Pacheco in attendance (commissioner Pacheco arrived after roll call and approval of minutes).

Zoom Call: Kalin, Wright, Medina, Roben and Castillo.

Absent: Dunn

- II. **Pledge of Allegiance:**

- III. **Approval of Minutes:** Chairman Schaffner entertained a motion to approve the Planning Commission Minutes for the **September 22, 2021** meeting as submitted by staff. Motion was made by Commissioner **Kalin** seconded by Commissioner **Cabañas** and carried on the affirmative vote by the Commissioners present Schaffner (yes), Kalin (yes), Bergh (yes), Cabanas (yes), Wright (yes), Castillo (yes), Roben (yes), Medina (yes), and Schaffner (yes) to approve minutes as they stand.

1. Consideration of **Brown Act Resolution** to "Adopt resolution authorizing remote teleconference meetings in accordance with Assembly Bill 361." The Commission took the following actions:

Jim Minnick, Director, gave a brief description of the project; As you know we have been in COVID for the past 18 months or so, and when the state first went through the process they did an emergency action which allowed for the boards and hearing to be done virtually. As of June of this year, that now requires the approval of the health officer and it's called a resolution or what we would call a roll in resolution; So every month if this commission chooses to continue to have a hybrid hearing process, where half of your staff or certain number of your commissioners are remote; they must continue to approve this resolution. Short of that, you will be required by the Brown Act to be in person all 10 members. So, what is your direction?

Chairman, Schaffner, asked, We need to vote on it?

Jim Minnick, Director, answered, You do need to vote on it.

Chairman, Schaffner, entertained a motion

Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas**, on the affirmative vote by the Commissioners present as follow Kalin (yes), Bergh (yes), Cabañas (yes), Wright (yes), Wright (yes), Roben (yes), Medina (yes), and Schaffner (yes), to recommend to the Board of Supervisors to "Adopt resolution authorizing remote teleconference meetings in accordance with Assembly Bill 361 with findings for the Brown Act Resolution.

Jim Minnick, Director stated that **Brown Act Resolution** stands approved by the Planning Commission and would have to be reapproved monthly.

- 2a. Consideration of **Water Supply Assessment (WSA)** as submitted by Consolidated Edison Development Inc. (CED) proposing a Water Supply Assessment for the Westside Canal Battery Storage Project (Project). The foreseeable planned demands for the sources of water for the Project have been noted in this Water Supply Assessment. The project Applicant is proposing to develop, design, construct, own, operate, and maintain, and eventually

decommission the CED Westside Canal Battery Storage Project, a utility-scale energy storage complex with the capacity of up to 2,000 Megawatts (MW) at full build-out. The proposed Project would store energy generated from the electrical grid, and optimally discharge that energy back into the grid as a firm, dispatchable resource. The project is generally located on approximately 163 acres of land in the unincorporated Mount Signal area of the County, approximately eight miles southwest of the City of El Centro and approximately 5 miles north of the U.S.-Mexico border. Assessor Parcel Numbers: 051-350-010, 051-350-011, 051-350-009, 051-350-019, 051-350-018. (Supervisorial District #2). The Commission took the following actions:

Jim Minnick, Director, gave a brief description of the project, and introduced David Black, Planner IV, to read the project into the record.

David Black, Planner IV, read the PowerPoint presentation of the project into the record, and presented consultant Robert Prohaska from Stantec to present their PowerPoint presentation.

Robert Prohaska, Consultant, read the PowerPoint presentation of the project into the record.

Chairman Schaffner, opened the public portion of the meeting.

Jim Minnick, Director, stated, I would just like the record to reflect that commissioner Pacheco arrived just in time to hear this project in it's entirety.

Chairman, Schaffner, asked, Ok. Does he have all the paperwork for the project?

Commissioner, Pacheco, answered, Yes.

Chairman, Schaffner, responded, Ok, very good.

Jim Minnick, Director, explained, It is important when you do your voting to understand you have added another person, he was physically observed to come in as the hearing started.

Chairman, Schaffner, asked, Ok. Any comments from the public? Come forward.

Antoinette Abatti, stated, I am here on behalf of Abatti companies, and I'm not entirely familiar with this but what I heard is about the main Westside canal, and I wanted to know if there is any water impacted decreasing the water out there on this project?

Tom Dubose, stated, from Dubose Design Group, There will be a bridge built over the Westside main canal it will be a free span bridge. So there will be no piles on's or any obstruction with inside the water. The concept of the bridge the plans were submitted to the Imperial Irrigation District, and their engineering staff reviewed and approved those concepts. So there should be no effect on the delivery on the water on the Westside main.

Antoinette Abatti, inquired, Ok, May I ask a question now?

Chairman, Schaffner, answered, Yes.

Antoinette Abatti, asked, Ok, so just for clarification, so no usage from this plant of the water?

Tom Dubose, responded, There is some usage. I am going to let Curtis Keeler respond to that.

Curtis Keeler, Director of Commercial Development for Con Edison, elaborated, There will be some water usage for the project, during construction, primarily for dust control, so there will be. It is contemplated that the project will be developed over a 10-year period. I'd have to confirm the number, but I think its about 210 acre feet cumulative over that period.

Commissioner Bergh, asked, The whole period?

Curtis Keeler, answered, Over the 10-year period.

Commissioner Bergh, stated, Yeah, we know water will be used at the project.

Curtis Keeler, added, And at the project, during operations, over like a 20-year period I think about 50 acre feet. So pretty small quantity of water.

Commissioner Bergh, questioned, How will you recycle that?

Curtis Keeler, answered, It's going to be stored in tanks and then there will be periodic recycling of the tanks for, just for chemical control inside the water tanks.

Commissioner Bergh, asked, Where will the water go after that? If it's cleaned.

Curtis Keeler, responded, It is going to be trucked offsite.

Commissioner Cabañas, asked, The water stored will be for fire protection, correct?

Curtis Keeler, answered, That is correct.

Commissioner, Cabañas, asked, You said how many over 10 years?

Curtis Keeler, replied, I think it is 210 acre feet over the 10-year construction period. We are contemplating the project would be built in phases so, and the phases could be as small as 25 megawatt or as large a several hundred megawatt. So depending on the size of the phase, then the water needs for the construction for the project would be dictated by that. And again, primarily for dust control.

Commissioner Cabañas, asked, and you have a water agreement with IID?

Curtis Keeler, replied, We will be doing a water supply agreement with IID as part of the project. And the IID, of course, reviewed the water supply assessment that was done as part of the whole CEQA process.

Commissioner Cabañas, asked, And they didn't have no problems?

Curtis Keeler, answered, They provided a number of comments, and we worked back and forth with them quite extensively. So, Tom Dubose Design group did the water supply assessment and work very closely with the IID on all aspects of that analysis.

Commissioner Cabanas, stated, Ok, thank you,

Antoinette Abatti, stated, Thank you.

Curtis Keeler, stated, Sure.

Chairman Schaffner, asked, Any other comments from the public? Is there any public online? Ok, we will bring this back to the commissioners, any questions or comments by the commissioners?

Commissioner Bergh, asked, I do. I'd like to know why this project is being built here. That might be a stupid question. But why is it? Land value? Water value?

Curtis Keeler, responded, Yeah, that's a very good question. And it happens to be located on land that was follow farmland. It hadn't been farmed in about 17 years. And the site itself is about 148 acres and is located about a third of a mile north of the Imperial Valley substation. Which is a really large substation; it connects with 500 kv lines that extend back to the Arizona, and connect with the Arizona Public Service Commission system. Out of that same IV substation there are two 30 kv lines that connect to Mexico, there's a two KV 30 line out of the substation that connects to the IID system. Then there's two 500 kv line that come out of the substation one going into the south part of San Diego County and one into the north part of San Diego County. In terms of location, having such a critical

piece of infrastructure there, with a lot of lines connecting to a lot of different systems and having a large battery complex. Essentially adjacent to that substation, we think it is really going to provide benefits from a reliability point of view, in terms of having additional capacity value there. Also in terms of supporting the transmission system because of the multiple systems that connect at that location. And also just in terms of integrating renewable energy; battery storage is really going to be a critical piece of California's, achieving California's climate goals. And having a large stand-alone battery project, in that location, will help to integrate all the of the solar power that comes in the middle of the day, where we just got too much solar, can't absorb all that solar. There's not enough demand on the system to take all that solar, so that excess solar that's produce during the middle of the day can be injected into this battery storage project. And then when sun the goes down and demand actually peaks after the sun goes down then the batteries can be discharged to serve load. So it provides really a lot of benefits in terms of reliability and capacity and renewable integration.

Commissioner Bergh, asked, Ok, who's the beneficiary?

Curtis Keeler, responded, Really the ratepayers in the system.

Commissioner Bergh, asked, But not us? Not anything in Imperial Valley?

Curtis Keeler, answered, Oh, Certainly benefits to Imperial, in terms, like the workforce, and again it's going to be built out in phases. So, the first phase will involve that bridge.

Commissioner Bergh, asked, All this power will be transported out of the valley?

Curtis Keeler, stated, Well, it will, it largely will serve California customers. It will go out of the valley but the revenues from the property tax revenue associated with building the project will be significant. The workforce benefits. The initial phase of workforce, peak workforce of maybe 200 employees. Then again it is a 10 year construction period, so each phase that comes along there will be workforce benefits associated with those. In addition, to the sales tax benefit with each phase of the project.

Commissioner Bergh, asked, My question, so why isn't it being built in San Diego, or Riverside County, or San Bernardino?

Curtis Keeler, answered, This happens to be property acquired by Con Edison for the purpose of energy infrastructure development. And again, it is really optimally located from again, the prospect of that large substation connected to multiple systems; Arizona, Mexico, Imperial Valley and San Diego. And so, it is really centrally located, it is giant substation, and having a big battery complex adjacent to it will allow energy to flow in and out of that in an optimal way, and provide reliability benefits in addition.

Commissioner Castillo, asked, Excuse me, is it correct, that, this project is not exempt from property taxes?

Curtis Keeler, confirmed, It is not exempt from property taxes. So, it will pay property taxes.

Commissioner Castillo, asked, Can you give us an estimate of what that value might be over 10 years?

Curtis Keeler, The way that property taxes, what we committed to do as part of the development agreement, it is hard to give a precise estimate because each project is going to be built in phases and what we committed to as part of the development agreement, as each phase comes along and we determine the size of that phase then we would provide an estimate to the county of the property tax revenue associated with the project. So let's say for example, the first phase was a hundred million dollar project, essentially what the county would is look at the hundred million dollar investment, that's the increase in the property value associated with the new project, and then there's a depreciation schedule associated with it, and it's pretty elaborate form, it's got inflation adjustments and so forth, but there's a schedule and that schedule will specify what the estimated property tax contribution is from that size of project over say a 10 year life of the project for deprecation purposes. So each phase will be individual and there will is a requirement that Con Edison provide an estimate of what those property tax revenue will be.

Chairman Schaffner, stated Give us a wild guess.

Curtis Keeler, responded I'm sorry?

Commissioner Castillo, stated, I know there was a report done. An economic impact to the valley. I think there were some estimated property tax values there, I don't seem to recall exactly what they were, but they were significant.

Curtis Keeler, responded, Yeah, then again those estimates are based on sort of assumptions about the build out of the project. We at Con Edison, sort of the business model that we have is, when we get a contract of the party that wants a battery storage project whether it's IID or San Diego Gas & Electric, or Southern California Edison, once they enter into a contract with us then we will build the project. And sometimes we will do it under a long term power purchase agreement, like a 20-year agreement, sometimes it will be what we refer to as a build and transfer agreement, where if a utility wants own the asset themselves then Con Edison would design and construct and commission and then turn over the asset at end of the useful life. So, each of those models is different and the value of the property tax and so forth are different for each phase. But that was evaluated by the consultant I think that you are referring to.

Commissioner Castillo, stated, Thank you,

Chairman Schaffner, stated, Ok so a hundred million dollar project I'll bet you have a pretty good idea what is going to be. Just give me a wild guess. I won't hold you to it.

Curtis Keeler, replied, Yeah, I probably shouldn't

Chairman Schaffner, stated, Doesn't matter you're not being held to it.

Curtis Keeler, answered, I would say property taxes, call it, because property taxes are a little over one percent, so on a hundred million, you know, it's maybe one million, one and half a million dollars something like that, on the property tax side. And then it has that depreciation schedule over time, so the actual value of the asset declines as it depreciates adjusted for inflation. Sales tax is more of a one-time thing so that would happen, you know there's a sales tax associated with all the comp-, not every component of the project would be eligible for sales tax but certainly the battery modules, and transformers and all those types of things would be, and that's probably another million to million and half. And so on a hundred million project, call it 3 million in year one in revenues to the county, in addition to the jobs and other sort of secondary benefits it brings.

Chairman Schaffner, stated, I bet the county take that money and fix the roads.

Commissioner Castillo, asked, Mr. Chairman, Max Castillo, I would like to ask the gentleman a question. Is that estimate agreed on by all parties? I saw the estimate prepared by the firm, but the ultimately agreement is that agreed by all parties?

Curtis Keeler, stated, So Jim, I think that under the development agreement the estimates are, I think sort of collaboratively done where we share the project size and the estimates of the sales tax or property tax revenues that would be derived, and I think through the development agreement work with the county to establish what that agreed upon value is.

Jim Minnick, Director, responded, Yes, that is my understanding. So, to answer your question, yes it would be agreed upon that the Board of supervisors level when they approve developer's agreement and keep in mind when he's referring to a hundred million dollar project he's talking about one part of the project. It's a ten year thing, so you can multiple that value as it grows along. We are talking 2000 MW of storage which is a significant amount compared to the IID over here which is 20MW.

Chairman Schaffner, asked, any other questions or comments from the commissioners?

Commissioner Pacheco, asked, So minimal use of water is being utilize by this project?

Curtis Keeler, confirmed, That's correct, both during construction and operation.

Jim Minnick, Director, asked, Now Curtis, you won't actually use water with regards to lithium issue?

Curtis Keeler, answered, No.

Jim Minnick, Director, replied, There was a fire within a building, just like the IID one over here off of Dogwood. It doesn't use water for suppression, in terms of fire suppression, so there's not a major water usage on this type of operation.

Commissioner Cabañas, stated, Over there at the fire department request you to have a couple of things with water and so forth.

Curtis Keeler, confirmed, They did.

Jim Minnick, Director, stated, Yes sir and you'll have offices and there will be other uses, but the actual, should the lithium catch on fire water isn't going to do anything.

Commissioner Cabañas, replied, Very familiar.

Chairman, Schaffner stated, Ok, if there's no further comments I'll entertain a motion.

Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas**, on the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), Roben (yes), and Pacheco (yes), to recommend to the Board of Supervisors to approve the resolution with findings for the Water Supply Assessment (WSA)..

- 2b.** Consideration of Final Environmental Impact Report (SCH 2020040122), for the environmental review of the CED Westside Canal Battery Storage Project (Project), a utility-scale energy storage complex with the capacity of up to 2,000 Megawatts (MW) at full build-out. The proposed Project would store energy generated from the electrical grid, and optimally discharge that energy back into the grid as a firm, dispatchable resource. The project is generally located on approximately 163 acres of land in the unincorporated Mount Signal area of the County, approximately eight miles southwest of the City of El Centro and approximately 5 miles north of the U.S.-Mexico border. Assessor Parcel Numbers: 051-350-010, 051-350-011, 051-350-009, 051-350-019, 051-350-018. (Supervisory District #2). The commission took the following action:

Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas**, on the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), Roben (yes), and Pacheco (yes), to recommend to Board of Supervisors to approve the resolution with findings for the Final Environmental Impact Report (FEIR & DEIR) (SCH #2020040122); and to recommend to the Board of Supervisors to approve the Findings of Fact for Final Environmental Impact Report SCH #2020040122.

- 2c.** Consideration of **Mitigation Monitoring & Reporting Program (MM&RP)**. A mitigation monitoring and reporting program (MM&RP) will be required pre-construction, during construction and during operational phases of the Westside Canal Battery Storage Project (Project) to ensure that the mitigation measures identified in the EIR are implemented. The Project is generally located on approximately 163 acres of land in the unincorporated Mount Signal area of the County, approximately eight miles southwest of the City of El Centro and approximately 5 miles north of the U.S.-Mexico border. Assessor Parcel Numbers: 051-350-010, 051-350-011, 051-350-009, 051-350-019, 051-350-018. (Supervisory District #2). The commission took the following action:

Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas**, on the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes) Roben (yes), and Pacheco (yes), to recommend to Board of Supervisors to approve the resolution with Findings for the Mitigation Monitoring and Reporting Program (MM&RP).

- 2d.** Consideration of **Development Agreement (DA)**. Consolidated Edison Development Inc. (Permittee) submitted a

proposal for a Development Agreement on the Westside Canal Battery Storage Project. Permittee is proposing to develop, design, construct, own, operate, and maintain, and eventually decommission the CED Westside Canal Battery Storage Project (Project), a utility-scale energy storage complex with the capacity of up to 2,000 Megawatts (MW) at full build-out. The proposed Project would store energy generated from the electrical grid, and optimally discharge that energy back into the grid as a firm, dispatchable resource. The Project is generally located on approximately 163 acres of land in the unincorporated Mount Signal area of the County, approximately eight miles southwest of the City of El Centro and approximately 5 miles north of the U.S.-Mexico border. Assessor Parcel Numbers: 051-350-010, 051-350-011, 051-350-009, 051-350-019, 051-350-018. (Supervisorial District #2) The commission took the following action:

Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas**, on the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes) Roben (yes), and Pacheco (yes), to recommend to Board of Supervisors to approve the resolution for the certification of the Codified Ordinance for the Westside Canal Battery Storage Development Agreement (DA).

- 2e.** Consideration of **General Plan Amendment (GPA #19-0003)**. Application was submitted by Consolidated Edison Development Inc. (Permittee) proposing a change in the Imperial County's General Plan Designation from Agriculture to Industrial for the Westside Canal Battery Storage Project. Permittee is proposing to develop, design, construct, own, operate, and maintain, and eventually decommission the CED Westside Canal Battery Storage Project (Project), a utility-scale energy storage complex with the capacity of up to 2,000 Megawatts (MW) at full build-out. The Project would store energy generated from the electrical grid, and optimally discharge that energy back into the grid as a firm, dispatchable resource. The Project is generally located on approximately 163 acres of land in the unincorporated Mount Signal area of the County, approximately eight miles southwest of the City of El Centro and approximately 5 miles north of the U.S.-Mexico border. Assessor Parcel Numbers: 051-350-010, 051-350-011. (Supervisorial District #2) The commission took the following action:

Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas**, on the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), Roben (yes), and Pacheco (yes), to recommend to Board of Supervisors to approve the resolution with findings for General Plan Amendment GPA # 19-0003.

- 2f.** Consideration of **Zone Change (ZC #19-0004)**: Application was submitted by Consolidated Edison Development Inc. (Permittee) for a proposed change in the zoning from Heavy Agriculture A-3 to Medium Industrial M-2 zone on the proposed Westside Canal Battery Storage Project site. Permittee is proposing to develop, design, construct, own, operate, and maintain, and eventually decommission the CED Westside Canal Battery Storage Project (Project), a utility-scale energy storage complex with the capacity of up to 2,000 Megawatts (MW) at full build-out. The Project would store energy generated from the electrical grid, and optimally discharge that energy back into the grid as a firm, dispatchable resource. The Project is generally located on approximately 163 acres of land in the unincorporated Mount Signal area of the County, approximately eight miles southwest of the City of El Centro and approximately 5 miles north of the U.S.-Mexico border. Assessor Parcel Numbers: 051-350-010, 051-350-011. (Supervisorial District #2). The commission took the following action:

Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas**, on the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), Roben (yes), and Pacheco (yes), to recommend to Board of Supervisors to approve the resolution with findings for Zone Change ZC #19-0004 and, recommend to the Board of Supervisors to adopt Zone Change Ordinance 92540. (Zone Change Map #40).

- 2g.** Consideration of Conditional Use Permit (CUP #19-0015). Consolidated Edison Development Inc. (Permittee)

submitted a conditional use permit application for the Westside Canal Battery Storage Project. Permittee is proposing to develop, design, construct, own, operate, and maintain, and eventually decommission the CED Westside Canal Battery Storage Project (Project), a utility-scale energy storage complex with the capacity of up to 2,000 Megawatts (MW) at full build-out. The proposed Project would store energy generated from the electrical grid, and optimally discharge that energy back into the grid as a firm, dispatchable resource. The Project is generally located on approximately 163 acres of land in the unincorporated Mount Signal area of the County, approximately eight miles southwest of the City of El Centro and approximately 5 miles north of the U.S.-Mexico border. Assessor Parcel Numbers: 051-350-010, 051-350-011, 051-350-009, 051-350-019, 051-350-018. (Supervisory District #2). The commission took the following action:

Motion made by Commissioner **Kalin** and seconded by Commissioner **Cabañas**, on the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Bergh (yes), Cabañas (yes), Castillo (yes), Wright (yes), Medina (yes), Roben (yes), and Pacheco (yes), to recommend to Board of Supervisors to approve resolution for Conditional Use Permit #19-0015, subject to the conditions of approval.

Jim Minnick, Director stated that **GPA19-0003/ZC19-0004/CUP19-0015** stands approved by the Planning Commission and is moving forward to be present before the Board of Supervisors.

VI. Public Comments, NONE.

VII. Commissioner Comments, NONE.

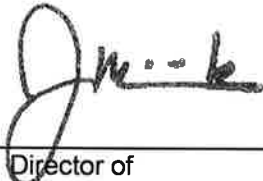
VIII. Director Comments, NONE.

IX. Adjournment: Meeting adjourned at 10:31 a.m.



Submitted by Rudy Schaffner
Chairman of the Planning Commission

Attest:



Jim Minnick, Director of
Imperial County Planning Commission
Valerie Grijalva & Carina A. Gomez PC Recording Clerks

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