

**MINUTES OF THE  
PLANNING COMMISSION MEETING  
December 18, 2025**

The Imperial County Planning Commission convened a Meeting on Thursday, December 18, 2025, at 9:00 a.m. in the Board of Supervisors Chambers, El Centro, California.

**Staff present:** Director, Jim Minnick; Assistant Director, Michael Abraham; Planner II, Alan Molina; Planner II, Luis Bejarano; Planner II, Luis Valenzuela; Planner II, Rocio Yee; Clerks – Aimee Trujillo & Adriana Ceballos

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

**I. Roll Call: Commissioners present:** Schaffner, Kalin, Roben, Cabañas, Gallegos, Wright, Gutierrez, Dunn

**II. Pledge of Allegiance:**

**III. Public Hearings**

**1. Approval of Minutes:** Chairman Schaffner entertained a motion to approve the Planning Commission Minutes for the **November 12, 2025**, meeting as submitted by staff; Commissioner Cabañas made motion to approve minutes seconded by Commissioner Gallegos and carried on the affirmative vote by the Commissioners present Schaffner (yes), Roben (yes), Cabañas (yes), Gallegos (yes), Wright (yes), Gutierrez (yes), Dunn (yes).

**Jim Minnick, Director:** Good Morning Commissioners, in anticipation of such a large group of people today, I wanted to make sure we have a clear understanding of what this commission does.

**Jim Minnick, Director:** Read through power point slide.

**Geoff Holbrook, County Counsel:** Introduced himself. Good morning, before we begin, the public comment portion of any part of this meeting, I wanted to review the rules that govern public comment. And due to the number of public speakers today and based on disruptions that have occurred at previous meetings, it is necessary to restate these requirements. Under California's Brown Act, Government Code Section 54954.3, "Legislative bodies, such as the Planning Commission, may adopt reasonable regulations on public comment to ensure meetings are conducted efficiently and in an orderly manner. The Brown Act further provides, under Government Code Section 54957.9, that if a meeting is willfully interrupted in a way that makes the orderly conduct unfeasible and order may not be restored by removing individuals causing the disruption, the legislative body may clear the meeting and continue with its business. The chair, Mr. Schaffner, is responsible for preserving order and a quorum. If public comment becomes disruptive or prevents the orderly conduct of the meeting, the chair will provide a warning to the speaker and if the disruption continues the chair will order the individual to be removed and recess the meeting until the disruption has ended. These rules are content neutral and are intended solely to ensure that everyone has a fair opportunity to be heard and that the meeting can proceed efficiently and respectfully. Failure to follow these rules may result in loss of speaking privileges and removal from the meeting. Thank you.

**Chairman Schaffner:** Again, we have an overflow room available, if anyone gets tired of standing, we have TV's and audio available you can watch and hear everything.

**1. Approval of Minutes:** Chairman Schaffner entertained a motion to approve the Planning Commission Minutes for the **November 12, 2025**, meeting as submitted by staff; Commissioner Kalin made motion to approve minutes seconded by Commissioner Cabañas and carried on the affirmative vote by the Commissioners present Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Gallegos (yes), Wright (yes), Gutierrez (yes), Dunn (yes).

2. **Consideration of Lot Merger #00191** as submitted by Imperial Valley Computer Manufacturing, LLC seeking approval for a comprehensive Lot Merger to consolidate five (5) individual parcels and Leimgruber Road into a single  $\approx \pm 75.39$ -acre site for the future construction and development of a Data Center Complex. The proposed project site is located at 2304 Clark Road, Imperial, CA 92251, on property identified as Assessor's Parcel Numbers 044-220-007, 044-220-042, 044-220-044, 044-220-045, and 044-220-046; legally described as The West 5 Acres of the South Half of the South Half of Tract 57; That Portion of Tract 57 as Shown and Delineated as Parcel 1 and A on Parcel Map #546; That Portion of Tract 57 as Shown and Designated as Parcel 2 on Parcel Map #653; That Portion of Tract 57 as Shown and Designated as Parcel 3 on Parcel Map #653; and, That Portion of Tract 57 as Shown and Designated as Parcel 1 of Parcel Map #653, respectively; Township 15 South, Range 14 East of the San Bernardino Base & Meridian (S.B.B.M.), County of Imperial; State of California (Supervisory District #5), [Gerardo A. Quero, Planner II at 442-265-1736, or via email at [gerardoquero@co.imperial.ca.us](mailto:gerardoquero@co.imperial.ca.us)]

**Actions:**

1. Find that Lot Merger #00191 is categorically exempt from CEQA per Article 19, Section 15305 (Minor Alterations in Land Use Limitations) and that no further environmental documentation is necessary;
2. Find that Lot Merger #00191 is consistent with applicable Zoning and Building Ordinances; and
3. Approve Lot Merger #00191, subject to the attached conditions.

**Jim Minnick, Director:** Before we give this presentation, on behalf of the County, I would like to acknowledge the many emails, calls and comments we have received from members of the public regarding the proposed Data Center project. We hear your concerns and understand the desire for response and dialogue. However, it is important to note that in anticipation of any administrative permit that may come before a decision-making body, regardless of the project, we have an obligation to remain neutral and unbiased in our consideration of the matter. This includes both our Planning Commissioners and members of our Board of Supervisors. Today's hearing is a forum for further comments from the public as well as a time for responses and questions from our Planning Commissioners. In addition, because there is current litigation related to this project, the County is unable to respond to or comment on specific comments directly related to said litigation. This is not a reflection of the importance of any particular concern raised but a necessary legal limitation. Please know that your comments, both during this hearing and outside this hearing, are being received and reviewed. Thank you.

**Jim Minnick, Director:** Introduced Planner II, Luis Valenzuela, to read the project into the record.

**Luis Valenzuela, Planner II:** Read the PowerPoint presentation of the project into the record.

**Chairman Schaffner:** Asked if there was a representative for the project to approach the podium.

**Tom Dubose, Representative:** Introduced himself.

**Chairman Schaffner:** Asked if he read and agreed with everything in the project.

**Tom Dubose, Representative:** Yes.

**Chairman Schaffner:** Asked if he had any questions or comments regarding the project.

**Tom Dubose, Representative:** Just a couple, and then I would also like to invite my client, Sebastian Rucchi of Imperial Valley Computer Manufacturing, to make some comments so you can meet him as well. You know, in some of the presentations that I made here recently, I had a gentleman at the El Centro Rotary come up at

the end of the presentation at the meeting, and he said, "I just retired from the Imperial County Prison facilities, enjoyed a great career, I remember how loud and ugly it was, many of us didn't want those prisons, not all of us, most of us, some of us did, and many didn't. And today we're hoping they don't cut that from the budget; we can't afford to lose those jobs." So, the other comment I would like to say is that there seems to be a trampling over of one's property rights. Property rights of those property owners my clients seek to merge these lots for and purchase those lots that have sat idle for decades, trampling over their rights with the current zoning that's been there, going back into the seventies and refreshed many times by the County and recently substantiated by the City of Imperial with its approval of their service aerial plan showing their overlay zoning. So, we hope that you are able to review the information that has been presented by staff. Further, we have great appreciation for the County staff in following the law. Also, we would like to have the ability, if you allow us, to make some responding comments. I also have a thumb drive with more information about the project if you choose to see that now or later. Calls over, applicant Sebastian Rucchi.

**Sebastian Rucchi, Applicant:** Mr. Chairman, members, thank you. My name is Sebastian Rucchi. I'm behind this project. I've been here for about a year and a half to put this together. A few things I want to tell you: first off, I completely agree with what the Planning staff has stated. Some of the people are very disturbed by ministerial. Ministerial is where you check boxes. I intentionally looked for land where you can check boxes because I didn't want to get into a discretionary process where a lot of emotions would come out. Ministerial does not mean you don't take a look at the environment. Number one, you find land that's probably zoned for it, and the County, unlike a lot of the others, fourteen (14) years ago, you've added Data Centers that are a permitted use and in Industrial zone. This land will comprise about seventy-five (75) acres; ninety-three (93) percent of it is zoned M-1 and M-2. Five (5) acres, or seven (7) percent, is zoned A-2; that's been a huge issue for a lot of people that focus on the A-2 and what can't happen there. On the A-2 is where we put the retention pond, that's a hole that collects water that's permitted. In the other zones, everything else is permitted within the Data Center. The Substation is a permitted use in M-1. And one of the things that you're doing in the lot merger is you're not changing the zones; they stay exactly as they are. There's a rule that you have: if you have forty (40) acres or lower and you do a merger, then you pick the most relevant zone; in this case, it would be the M-1. However, if you're above forty (40) acres, it keeps it the same. So that's a big issue in the contention about rezoning; there's no rezoning. Back to ministerial: ministerial does not mean you don't look at the environment. Let me tell you the studies we have done and submitted to the County. First, we did a traffic study. A Data Center, in comparison to all the other uses that are permitted in the industrial zone, is very low-level traffic; it has no retail traffic, just the workers. Second, we did a biological study; there is no endangered species on the site. We also did an air study, and that air study showed that the backup generators, which are only operated during emergency times and then, when they're done for testing, is really low; it complied with all the ACPD requirements. Then we were also asked to do a health risk assessment over cancer risks; that also came back negative. Throughout this, we also did a soil report that showed you that the soil can handle this. We also did two water studies to try to get reclaimed water from Imperial and El Centro. Also, the grading plan shows you this is the desert; not a lot of dirt is being moved, and it's compliant. Then we also made a site plan that showed you how all the components are put together. Then we did the Lot Merger Plans. The point is this process will go on for a long time. I will be happy to meet with residents over time; this will go on for a long time. During construction and post-construction, there will always be issues. I think the things that are most relevant because this is a ministerial process are: what are the things you want in the wall? Part of the County's code is six (6) feet. Do you want eight (8)? Do you want ten (10)? We can talk about that. The landscaping: we have palm trees that are separated by ten (10) feet. Do you want it five (5)? There are a lot of things that can be addressed in a more non-combative way that's going to be there. However, I fully respect the fact that the County, because I've been through a lot of processes in the past year and a half, is following what the rules are, because part of the idea is to change it. If you look at the Lot Merger, you do little checkboxes; all those checkboxes are met, so therefore it would be approved. But that doesn't mean we can't listen to the residents but also doesn't mean I give up the right to have a ministerial process; that was intentional. Last thing, we didn't select that site because we wanted to be near the residences. If you look at your county zoning code, which I did deeply, it doesn't have a lot of industrial uses. You have pockets in Mesquite Lake and now some future ones, but there weren't a lot. We looked for all the ones that would be near the high voltage lines. This area is

zoned as it is: high voltage, railroad, and industrial for those uses. We actually started in the City of Imperial, which would have been much further from the residences, and after spending well over a lot of studies and seven (7) to eight (8) months' time, we moved to the County. I found the County to be respectful of the rules as they apply. For the residents, there's plenty of time to get a hold of me and meet. I'll be happy to do it. We could have coffee; we could meet at different places; we could discuss things; we could walk the land; we can make changes to it. The Data Center that's proposed right now will be the biggest in California by a big factor. This is the only place it could happen. This is the only place where you have that level of load. The idea that you're going to have a hyperscale with a ten-billion-dollar investment for one or two of these, for me, that is something to be really proud of, and in time I think you will. So, I stand receptive to listening to comments. I will address them as they happen, but I believe, in your job, in my opinion, with the checkboxes that we set for all the checkboxes have been met. Thank you.

**Chairman Schaffner:** Opened the public portion of the meeting.

**Peter Rodriguez, Public Speaker:** Good morning members of the Planning Commission and also the audience that's present here. I have a statement I would like to read. Planning Commissioners, please hear the communities you come from. You are the leaders in the room here. Save the board yet another doom project that is punctuated for failure. For sure, by some extreme and shady background and dangerous project proponent, ask yourself: why would I be Team Kelley? I'll probably vet this guy and keep the board out of harm's way, as Tim and the board are a runaway train to danger. Please, Planning Commissioners, be the leaders of this room again. Stop, or at least put the brake on, this strategic pause that is needed. I think it's deplorable the way we use prisoners as an example. As Tom Dubose said they are going to close; he doesn't sit at any boards with the State of California regarding that matter, and for sure Governor Newsom will not be happy with that statement. I am not happy with the attacks that they made on State Senator Padilla. You guys are gifted, knowledgeable individuals with knowledge. We've been down this road before with projects presented before you with high hopes and job creation, and yet zero (0) home runs, zero (0) grand slams. It's like, why did we go down this road before? Why are we repeating the same mistakes of the past? If it's anything we know about history, if you study history, a lot of world leaders are gone because they made mistakes; they always go to war. This committee is in a war that's not needed. It doesn't have to go down this road. You guys know the rules. I trust and respect each and every one of you that's up here. It takes courage to show up to a room full of people. I'm pretty sure you've never had this kind of audience before, and I understand that. But we are talking about members of our community. We have homes here. We have kids going to school here, and others who cannot attend because of the timing of the meeting. Close your eyes and put yourself in their eyes for a minute. Would you be for it? Ask your heart. And in closing, it's a moment for you guys to do the right thing. Take pride in your work. Take pride in your committee, because these are the people that live in this community, not for someone who is outside of this committee. Thank you.

**Michelle Hollinger, Public Speaker:** Good morning, Planning Commission. I'm Michelle Hollinger with Victoria Homes. This project greatly affects my business, my father's legacy, and the residents that live in Victoria Ranch Legacy as well. This Lot Merger is illegal because the parcels are not under common ownership. State law requires single ownership before approval. You cannot approve first and fix ownership later. The Planning Commission does not have authority to approve this merger; only the Board of Supervisors can vote. Leimgruber Road, the approval of re-zoning, the Commission cannot assume those actions will happen. A public road legally blocks this merger. Public roads cannot merge into private property without a formal vote by the Board. The proposed data center is not allowed under current zoning. Data centers, battery storage, and generators are not permitted uses on this land without re-zoning the CUP's have not been approved. This project is not CEQA exempt and requires full environmental review, and a 950,000 square foot AI data center with generators and batteries is not a minor alteration. CEQA requires review of the entire project, including an EIR. I've also done some research. I've been to several presentations with Tom Dubose, and it was stated that data centers were looked at in 2011 to put in that M-1 zoning. Well, in 2011, AI data centers weren't around; it was called facilities. So you really need to take a look at what an AI data center is versus a data center; there is a difference, and it needs to be taken a look at. I know that a review was done in 2023; well, that's still two

years prior, and AI data centers were definitely different then than they are today. So, I implore you to take a look at this zoning and vote this merger a no. Thank you.

**Xavier Mendez, Public Speaker:** Good morning, everyone. My name is Xavier Mendez. I'm a union member with the Imperial County Labor Union Local Eleven Eighty-Four (1184). The unemployment rate here in Imperial County is 21.5%. The unemployment rate in Riverside County is 6.3%. The only reason that I'm bringing this up is that for the past two years I've been having to commute to Riverside County for work to be able to pay for my mortgage here. When companies come here to Imperial Valley and want to establish their business here in Imperial County, it's a good thing because they are offering good-paying, skilled labor jobs, and it's a good thing because they are investing in Imperial County and its citizens.

**Christopher Scurries, Public Speaker:** Good morning members of the Planning Commission first and foremost our pro data center opponents have been telling us that this land has been zoned since 1974 for industrial use I ask you what was the intended industry in 1974 in this corner of the world because it wasn't a data center the environmental impact and design of such facility was far from the minds of the people in specifically in farmers who lived here is it the opinion of this Commission that zoning from fifty (50) years ago gives developers cart blanche to build whatever they want without due diligence fast-forward to the late nineties (90's) and something starts to fundamentally change the landscape of the area suburbs the surrounding area has changed a lot since the seventies (70's) and the proximity of this facility will have a major impact on the community that now lives there including me, speaking of proximity the report completely neglects to mention the homes east of the proposed Merger, my home page four of the report specifically identifies the border patrol station but it neglects to acknowledge the existing residential housing right behind it, our homes that have sat there for over twenty (20) years now that omission matters under CEQA especially when relying on a categorical exemption the environmental setting must be described accurately you have failed to do that selectively identifying non-residential uses while admitting nearby homes intentionally distorts the reality of this so called Merger I ask you does the County believe it is obligated to approve every project in an urban general plan area regardless of scale or impact. does the county acknowledge that modern data centers produce environmental impacts far beyond the agricultural industry of the 20<sup>th</sup> century. If the zoning is fifty (50) years old, why is the county using that as a justification for approving a 2025 industrial mega-project without an EIR? Is the county willingly going to publicly state that it has no authority to deny a harmful project on industrial zone land? This facility is set to be seventy-five (75) acres. The developer has publicly stated that parcels that were forty (40) acres may contain multiple zoning districts, but the exception does not convert a complex development into a ministerial act. It does not eliminate the County's obligation to evaluate consistency with the general plan, land use intensity, or environmental impacts. The scale of this proposed merger does not fit the spirit of Article Nineteen (19), Section 15305 as a minor change. Taking together, these are not small errors. This Commission is being asked to rely on a CEQA exemption supported by an incomplete project description, selective land use characterization, unresolved zoning conflicts, and conclusory findings without evidence. The only rational decision is for you to stop this merger. I thank you for giving me my time. Thank you.

**Francisco Leal, Public Speaker:** Chairman, commissioners, good morning. Thank you. I'm going to read some questions into the record. I'm not here to argue. I'm here to name what it feels like for the people that have to live with it. For the record, when you say ministerial, do you mean automatic? Because if it's automatic, call it automatic. And if it's automatic, then tonight isn't a hearing. It's a formality. For the record, if the public speaks, can it change the outcome? Because if a hearing can't change the outcome, it's not a hearing. It's public performance for the record. What exact standards are being used tonight, code sections, criteria, findings, written specifics? Because if the standards can't be clearly stated, then we're not voting on rules. We are voting on trust. Now, why is this merger happening now? Is it because it's harmless, or because it's helpful to move a bigger project forward faster? Because this isn't paperwork. It's permission. Here's another plain-English question that matters. Who carries the risk if this goes wrong? Not the applicant, not the consultants, not the people who can pack up and leave. It's the families nearby, it's the schools, it's the first responders, it's the ratepayers. So, if the risk lands on the public, why is the public being offered the smallest level of review? If there's a question the community keeps asking, is this merger being treated like it has no connection to what

it enables? Because if it enables the next approval, then it's not just lines on a map. It's the first domino. And if you approve dominoes one at a time, merger now, grading next, utilities later, how is that not peeling the public out of the full picture? How is that not asking residents to react after the path is already clear? Now, the City of Imperial sent you a letter yesterday. So, for the record, are the city's concerns being answered in this decision, or postponed into thin air? And if they are postponed, where exactly does the public get the real review, and what guarantees do we have it won't be waived again? Here's my accountability question. What evidence in your records proves this should be treated as ministerial despite foreseeable impacts and formal warnings? If the evidence is strong, point it out. If it's not strong, then this vote becomes a leap of faith, and the community is the one forced to live with the consequences. I'll close with this, commissioners. Years from now, when people ask, "How did this get enabled?" will the records show you demanded clarity and safeguards, or will it show you accepted the work as ministerial and moved it forward anyway? That's the question. Thank you.

**Hector Baez, Public speaker:** Good morning, my name is Hector Baez, I've been a lifelong resident in imperial county I've also been forced to go up as far as Bakersfield looking for work so I can pay my bills here where I do spend my money that goes into taxes infrastructure; I strongly urge that we move this project forward opening the door for future project planting a seed for growth technology and innovation should be welcome and a new industry the people behind me my union brothers were all in support of this we all been in the same position we all pay our taxes here pretty much we would like to come home and be with our families instead of being on the road the whole time so behalf of all of us were all in support definitely 100%.

**Kristian Salgado, Public Speaker:** Good morning Planning Commission my name is Kristian Salgado I'm a resident of Calexico before I get into my comment I would like to share that I have experience sitting on advisory boards like this I sat on for three (3) years at the Imperial County Pollution Control District hearing committee I understand the bureaucratic process the staff recommendations the need to do your due diligence it's usually boring and not this exciting and you have to draw your own conclusions it's tough it's part of the checks and balances of democracy and I do appreciate all the residents you're not elected officials that take on this huge civic engagement even at a young age I've done it with the hearing board for some time and I also want to emphasize that today's meeting is not a conversation about wanting jobs the hard working individuals the ones that uphold the Imperial County industry the tough jobs, the dirty jobs I actually got a chance to speak to some of them earlier and I'm actually glad that they're here today because I do think that their concerns echo a bigger issue in our county around economic restoration and true economic justice so I do appreciate all the individuals that are speaking up on that topic of jobs but really what my comment is here today is straightforward it's really wanting the county and the Planning Commission to uphold policy the Subdivision Map Act I can go on about that I can go on about CEQA I can go on about the state planning and zoning regulations and I can go on about the county municipal codes about approving this merger I think it's important that this commission upholds all of these components and does not approve this merger because it does set I think a very dangerous precedent moving forward on how we're allowing today is just one data center but any other data center that wants to take up shop in Imperial County so I also want to say with my last time I'm in absolute awe of Imperial County residents the CEQA knowledge now that the county residents have is quite phenomenal and their ability to come up here and speak on behalf of what their concerns are I also want to end that this is a clear exploitation of loopholes on behalf of the developer this is a playbook being used across the United States it's very detrimental it is requiring local reform because the state and federal government is not catching up thank you for your time and have a great day.

**Ryan Dickerson, Public Speaker:** Good morning. I'm Ryan Dickerson. I'm a landowner. I'm in support of the data center. As a landowner, we have property rights. I want to make sure that they're not overlooked. This property has been zoned heavy industrial for more than forty years. We purchased this property means it's zoned the way it is. The data center is going to bring millions of dollars to our schools. The data center is going to bring tens of millions to our community. The data center will be the best possible neighbor for this property could offer. And in contrast, would those opposing this project prefer a truck parking there? Hundreds of trucks starting up their trucks day and night, exhaust fumes, lights, very low tax dollar generated, heavy local traffic to the roads, and not a good neighbor. Again, this is probably the best outcome for this property. I would like

something better for our community. In my opinion, we should be discussing how to spend the tens of millions of tax dollars that is going to be brought in. We need to be discussing how we should be spending these tax dollars, not up here fighting that we shouldn't be having this place here. This is a very large tax base coming into our community that we deserve, that we need, and that's what we should be discussing about how we're going to spend this money, how we're going to improve our lives, how we're going to improve our infrastructure, not that we don't want to.

**Blanca Cardenas, Public Speaker:** Good morning, everyone. To all the citizens, my respect to everyone. I feel so proud to belong to this community, and I know that your work is there. I live in Imperial, very close to the construction. I respect the construction people because they are looking for work. Everyone on the board needs work, and I'm here because my granddaughter told me, "Nana, can you please go and speak out regarding this because it's against our youngest in the future." And I said, "Can you explain something to me?" because I work in the medical area for twenty-four (24) years, and I know every single people here. I'm sorry, I worked twelve (12) hours last night, and I'm here speaking extra, and I'm sorry if sometimes I lose my words. The point is, everyone will be sick one day in a hospital bed. My point here is that there's a few people here that will get money from this construction. I don't think so. I live in Imperial. I pay double property taxes. I work really hard, and I don't want to sell my house because I will lose too much money in case this construction continues in the valley. The valley is beautiful. The people are beautiful. Our community is beautiful. And when you decide to work in this position, I don't know any of you guys. I just saw in my mailbox a picture of you and my votes, and I voted for these people. I voted for you sitting in the chair. It's the first time I'm here, and I appreciate your work. And I really pray that you use your brain, use your heart, since the beginning when you're supposed to sit and protect our community for our benefit. Thank you so much for your time and thank you again. I will pray for everyone.

**William Cooper, Public Speaker:** Good morning, Commissioners. I am William Cooper. I'm the Executive Director at The Becoming Project in Calipatria, California. Today I'm here on behalf of the Power Coalition, that's People Organizing for Wellness and Resilience. There hasn't been a lot of things said about development in Imperial County. There were questions about jurisdictions and who gets to decide what for the residents and who gets to decide what for the developers. What we all should focus on in Imperial County is something called probative value, how much good is this going to do against how much harm it could do if not done properly. What the residents are most concerned about is the process in which you're taking to decide this project. A lot of this information is being done in secrecy. I continually hear that, "Oh, this has been known since the beginning of January." Not to the residents. We just found out about this in the last two weeks. So, you get this intense response when people feel like they're being lied to and left in the dark. The next thing is about precedent. The County Board of Supervisors has proven that they are willing to sell any piece of land that a resident is not squatting on. It doesn't leave the resident with any protection. So, we look to our commissioners to offer us that protection when people attempt to do developments. The truth about data centers is that it requires a lot of water, a lot of energy, and it produces very little amount of jobs. I understand the union and their needs for jobs. I live in Imperial County. We always need jobs, but this is not a long-term solution to our long-term problem. You talk about school and impact fees, that's a one-term thing. This data center will be there for fifty (50) years. You talk about the jobs that will be available. Those jobs will be available for two (2) years. Then you have twenty (20). What does that do for the thirty-three thousand (33,000) people that are out of work in Imperial County? Probative value. I heard that this is the best possible use for that area. I challenge that. There's a million different things that we are doing in Imperial County that can have a larger and greater effect on this community. In IVC, everyone is taking graphic design. There's no production studios, but that's the fastest growing place inside Imperial County. So why aren't you building that? I heard checking boxes. This is checking boxes. This is our county doing what they always do. They sell out all of our long-term interests for short-term gain for a very small amount of people. I'm asking you to not approve this development today because that's not what you stand for, that's not what you're elected for, and that's not what we need you for. Thank you and have a great day.

**April Ochoa, Public Speaker:** Good morning. My name is April Ochoa. I'm part of Comité Cívico del Valle, Inc. I'm also a Niland resident, and I'm here to raise concerns about the proposed data center being proposed

near the City of Imperial. First, CEQA must be fully and properly followed. The community has not received clear, complete, or accessible information regarding environmental impacts, mitigation measures, or alternatives. A rushed and incomplete review puts our residents and environment at risk. Second, water use remains a major and unresolved issue. Data centers are highly water intensive, yet the documents fail to clearly explain how much water will be used, where it will come from, or how impacts to agriculture and vulnerable communities will be addressed. Approving projects without this clarity is irresponsible. Third, impacts on nearby residents and community protections have not been adequately addressed. There are no enforceable safeguards, health protections, or community benefits. I urge the Planning Commission to pause approval until a full CEQA compliant review is completed, require transparent water use limits, meaningfully engage the community, and ensure enforceable benefits. Thank you.

**Diana Salcedo, Public Speaker:** Good morning, everyone. I normally don't do this, but I am Diana Salcedo. I reside in Posada del Sol. I've been there approximately three years. I had no idea that an AI center would be proposed to be built across the way. I knew it was industrial, but I was thinking maybe of a warehouse, but never an AI data center. The county recently, not too long ago, had us restricted in water and had us restricted in electricity. And all of a sudden, an AI center comes in and we have enough water? We have enough electricity? What happened? My plants died because I couldn't give them water, and now we have an abundance. I don't think so. This data center hogs enough electricity and water to supply electricity to an entire city. How on God's earth is this okay? Furthermore, because this facility would hog so much water and electricity, our electricity and water bills are going to go up. And you can't tell me it's not, because supply and demand makes a difference. The affected homes, Victoria Ranch, Posada del Sol, Courtyard Condominiums, that are still being constructed. Victoria Ranch is still constructing; an elementary school is still being constructed. Still, you have Cross Elementary. You guys have to remember these are our homes. You are taking this away from us. Please, the largest facility AI data center in Virginia, the residents there constantly, twenty-four seven, hear humming, loud noises. This is every day. That's not including the generators that have to be kicked in. These generators are huge and imagine the humming on top of the generators. Come on, you know I'm telling you this because these people, this is what they're suffering through right now in Virginia. The residents there are experiencing loud humming, which restricts their sleep, walls vibrating. Let me close with this. Remember when you bought your first home, how it felt to hold that key. I leave you with that. I ask you to reach in your hearts and remember that.

**Idell Burden, Public Speaker:** Good morning. The thing that really jumped out at me is the CEQA exemption. Now, how you can say that the land use is not going to be any different than what it was before, I just don't get it. I mean, it's been fallow for years, right? It's been what it is. It's not been a problem. It's not been an issue. Whatever you zoned it before, this is, that is been, it's not been anything different. The environmental concerns are extensive. The record of electrical increase is thirteen percent (13 percent) across the country. There are approximately five thousand four hundred (5,400) AI data centers in this country. It's not like there's a shortage. The environmental concerns we have are getting worse by the second. Okay, I drove in here today. You drove in here today. When you look at the air that you're breathing nine days out of ten, I mean, look at the air you're breathing, you can't see the hill, you can't see Mount Signal. I drove up to the fountain a few days ago. Horrific. My mother knows a place at the Fountain of Youth that she stays. It is abysmal. The air quality that we're dealing with. I got a son that has asthma, got migraines as a result of it, and been lifelong. Basically, everybody knows what we've been dealing with in our environmental concerns. You cannot tell me that this is an absolute thing. I feel for the union guys. My husband is an electrician. The reason you don't have work in this valley is because they don't want to pay you wages. My husband was trained by the union. IBEW is a good thing. Unions are a good thing, but the people who don't want to cooperate with the union and the benefits you need and need to have employment in this valley are not helping you. Okay, I googled it, the platform, the mainframe behind this whole organization. I googled about an overview of what the AI data center does to the communities that have been dealt with. Well, it ain't good. I guarantee the problems that they have are standard environmental, the power, the water, the pollution, the absolute degradation of the area that's around them. You got the one in Memphis. They chose the poorest community, the Black community, and set it up. And what are they going to do? It's already done. There's not anything that's working in the favor of this community after it's built. You're talking employment. Yeah, maybe two (2) years of good employment, and they're going to

import most of it down here. Locals are locals, unions are unions. They bring them in from wherever they need. It's what it is. Okay, so you got this problem. So how many jobs are we going to have afterwards? I heard, and like I said, I googled it, AI got overview of this project after it occurred. The jobs that will be permanent are maybe several dozen. I'm so upset with this. It's been pushed through.

**Shelby Trimm, Public Speaker:** Good morning, Chairman and Planning Commission. My name is Shelby Trimm, and I'm the Executive Director of the Coalition of Labor, Ag, and Business in Imperial County, where we are a nonprofit organization that represents about two hundred (200) local businesses here in the county. I'm here today to express Collab's strong support of the proposed lot merger. We view this merger as a responsible and necessary planning step that helps consolidate parcels into a unified site, providing clarity and consistency for responsible future development. This action supports economic growth, job creation, and infrastructure investment in Imperial County that we so desperately need. It also reflects sound land use planning by allowing property to be developed efficiently and in alignment with existing regulations. Collab also strongly supports private landowner rights and the ability of landowners to improve and develop their property in a responsible manner. Lot mergers like this respect those rights while also ensuring orderly planning and long-term benefit. Thank you for your time and consideration.

**Reyna Adame, Public Speaker:** Good morning, department members. My name is Reyna Adame. I live right across Aten Road where the data center is proposed to be built. My main thought for you guys, especially since it was you guys, from my understanding, that approved this, if that is this plan to build a data center next to our homes in the middle of Imperial is one of the most short-sighted endeavors you guys could engage in. You guys called this economic development, but the IID's own data shows us the dangers. The district's total summer peaking capacity is about one thousand one hundred seventy-seven (1,177) megawatts, yet this data center that you guys are entertaining will request alone one thousand (1,000) megawatts. So, you are willing to risk great strain and potential higher electric rates for us residents just to please an outside corporation. I can speak for myself on a personal level that when this data center, if it's built — I hope it's not — every time I pass by it, I'll be reminded of the selfishness and complicity of my local government and their willingness to sell out our community. It will be a giant concrete symbol of your weakness, of your carelessness about the public's health, and your willingness to allow the blessings of the Imperial Valley to be exploited by the highest bidder. This valley has many blessings, the land and the water, right? So, the reason why this data center is being built here is the exact same reason why the Abatti family and twenty (20) other farming entities consume half of the IID's water allotment. The Abatti's use enough water for all of Las Vegas, that city, right? And when you grow crops, you look at the agricultural reports. The main crops you grow are hay and alfalfa, right? Water-intensive crops. So, we already have a water-guzzling economy here. And on top of that, from the QSA, we determine wastewater. We call it conserved water, and we start selling that to San Diego for seven hundred thirty (730) dollars per acre for water, and right here for the farmers, it is artificially cut low at twenty (20) dollars. And this data center is going to be a new example, a new form of this rentier economy that we have here, which is rentier economy. That means an economy based on extracting value from public resources, water and land, well water specifically. It's holding the public trust, right? And you're going to allow private individuals to accumulate wealth from this public resource that should be benefitting the community, right? This economic set-up that we have in the valley is somewhat hidden. Not everyone knows about the full extent of the agricultural economy here, that I believe, and many of us believe, keeps the valley artificially poor while a few stays rich. But I fear for all. You all state that the data center will be the catalyst for people to start doing their research and learn about the political economy of the valley and why so many people in this county and the whole valley feel that they're being screwed over, right? You guys are screwing us all over right now by attempting to build this data center the way you're trying to do so right behind our backs, but there's no more hiding now. The people in the valley have the right to know about the data center, its risks, its benefits if there are any, right? And with that knowledge, they have the right to say no to the data center. The people of the valley deserve more than this. Thank you.

**Timothy Kelley, Public Speaker:** Good morning commissioners Timothy Kelley Imperial Valley Economic Development Corporation first of all I would like to make a comment I'd like to thank Mr. Sebastian Rucci this is the first time I ever seen him in public the first time I ever met him the first time I ever talked to him was

yesterday on the phone , I've been working on this project for over a year and he didn't even know about it I started off by working with the County of Imperial to develop an economic development strategic plan in which data centers weren't identified finding the right locations that were suitable for data centers because of the zoning because of the infrastructure that was in place the transmission the natural gas we went out and we marketed those properties across the nation and across the globe people are looking at the imperial county the industry clusters that were identified were agrobusiness? Manufacturing warehouse logistics there is actually a plan the county adopted that plan my job is to go out and actually market that plan This is a plan that was put in place with the public sector and private sector together that said this is what we want go out and bring it here and then we bring it here and this is what we hear people that were participating were our union members.

**Chairman Schaffner:** Calls for 5-minute break, then calls speaker to podium to continue.

**Timothy Kelley, Public Speaker:** Thank you for giving me time for being here today. I started with my presentation, and I think it's just fair to say what we hear today is to approve the lot line adjustment. I've worked with the county planning department for over twenty-five (25) years, starting with Jurg Heuberger and Jim Minnick. I have learned the process and procedures. One of the things that makes Imperial County very unique is the way that we can get projects through correctly, not making mistakes, and over time I think we really have perfected that. I've never seen the county planning department or any department in the county try to sidestep what the rules are and the regulations. One thing they do is they assist in making sure the companies know what the rules are and they follow those rules to get these projects to the finish line and get them over the finish line. I think that's where we are today. So, with that being said, I think there's still a lot of misinformation out there that I think that others can address. With the amount of time I have, I think what we need to do is follow the rules. You know what your job is. You can tell by the proponent that he has really done his due diligence, and we look forward to moving forward, and I support this. Thank you very much.

**Jose Radillo, Public Speaker:** Good morning, everyone. Thank you for this opportunity to speak. My name is Jose Radillo. I am a union member of the Laborers International Union of North America, and on behalf of my brothers and sisters, we're all here to support this project one hundred percent (100%). This project will create jobs for our union brothers and sisters here that reside here. It will pay fair wages with great benefits. This project will keep our members working close to home, avoiding long commutes, and we fully support this project. Please support this project. This project will give us our apprentices of working hours that they need to become journeymen. With that, I respectfully ask you to support this item to move forward. Thank you for your time.

**Frank Burquez, Public Speaker:** Good morning, Commissioners. I had a speech on my phone that I was going to say, but I'll speak from my heart. I've been a union member since nineteen eighty-eight (1988), most of my time in the union, and I'm a local here. I was born and raised in the Imperial Valley. My father also was another union member. He's also from here, born and raised here. Most of our life we had to work out of town. I've been here, probably working down here in Imperial Valley, maybe two or three (2-3) years out of thirty-something years that I worked in construction. This job, this plant, would bring a lot of jobs down here, especially now that Speckle has closed down. The truckers, all that we do have a lot of unemployed employees. The kids, right? We need to think of the future of our kids and not be so selfish. Your kids, our kids, they need their parents here. You know what I mean? Us working out of town, being weekend fathers, that's hard. That's hard on us. It's hard on our kids. It's hard on our family. At the start, I was a little league coach. I had to stop because I had to go to LA because there was no work down here. There's no construction work down here in the valley. The little bit that there is, obviously, people work it out. Again, we need work down here in the valley, and we need it for all of us, not just for the union members. We need it for our kids, for our future kids. They can have a better life. There are a lot of homeless here, Calexico, Imperial, El Centro, Brawley, and parents and fathers not being there, able to raise their kids. That's what I'm for, and this project here will bring a lot of work like that. I understand that you guys say that once this project is done and developed, there will be no work down here, very little for us. That's a lie. There could be more projects coming down here, bringing more people down here to get more work for us, so we can continue working in the union and benefit everybody. That's all I really got to say. And let's really think about the decision we are making and the pros and cons, and let's

weigh it all out and not be selfish because your backyard is going to have these towers and it's going to be ugly looking. Come on, guys, let's not do that. Let's do it for the future of our kids. Yeah, we're probably going to have to put up with a little bit of whatever, right, but then in the end, you'll see we'll prosper. Guys, we have been and continue to be strong Imperial Valley people. It's all I got to say. Thank you.

**Kelly Jordan, Public Speaker:** Good morning, Commissioners. My name is Kelly Jordan, and I'm a resident and mother in Imperial, and I respectfully request clarification on why a CEQA exemption has been granted for this lot merger. From a public safety perspective, it's important to clarify that data centers are not ordinary industrial buildings, and it's not just real estate with servers. Data centers concentrate multiple high energy hazards in one place, housing large electrical systems, high voltage equipment, battery energy storage systems, significant on-site fuel storage, and cooling systems that must operate continuously. These facilities generate substantial heat, operate twenty-four (24) hours a day, and are typically staffed at very low levels. These hazards interact, meaning failure in one system increases the likelihood of failure in others. Locating this high hazard facility near residential neighborhoods, schools, and public roadways amplifies the consequence. Emergency response to a data center incident is not the same as a typical structure fire. These buildings have complex layouts, highly secure perimeters, and equipment that react poorly to traditional firefighting methods. Potential emergency scenarios can include electrical fires, battery thermal runaway, generator fuel fires, and cooling system failures during extreme heat or power outages occurring at the same time. Some of these incidents can be long-lasting and require specialized response, extended staffing, and regional coordination. Conditions can become more serious when they occur in close proximity to residential neighborhoods and schools. Because this site is located near homes and schools, the consequences of an emergency are amplified. Smoke exposure, evacuation complexity, traffic interference, potential school shelter-in-place or lockdown scenarios must be considered as part of responsible planning. Even a low probability becomes unacceptable when population exposure is high. Because of the CEQA exemption, there's no requirement to evaluate this. There's no requirement to evaluate cumulative strain on the emergency services, and when hazards like a data center move forward without a CEQA review, risk is not eliminated. It's shifted to us, and the only one who benefits is the developer.

**Robert Powell, Public Speaker:** Good morning, members of the commission. My name is Robert Powell. I live at two hundred seventy-seven (277) West La Paz Drive in a neighborhood right across the street from this planned development. I'd like to chat with you just for a minute about the potential impacts of this and also just remind you of some of the provisions of CEQA. My main concern about this project is not the project itself, it's where it's to be sited, and I think you can probably find that to be true for most of the people that are opposing it. So, the power requirement for this project is equivalent to the need of over three hundred thousand (300,000) households, and these data centers can't do it without electricity, so they're going to have a generator farm there. And they're going to tell you, well, the generators are off most of the time, but these generators by permit need to be tested periodically. They're going to crank them up, and they're going to have a lot of fossil fuel emissions right on top of our neighborhoods and two (2) schools. Now the proponents are going to tell you that these generators are going to be fired by natural gas, which will mitigate that, and that will not mitigate the significant amount of fossil fuel emissions into our neighborhood. The other thing is the planning department's responsibilities are to be neutral in projects like that, and that's well understood, but to exempt a project like this with these potential impacts in this area from CEQA, that's just irresponsible. I used to be a CEQA practitioner. I wrote many CEQA documents for IID in a previous life, so I know a little bit about it. The planning department does have the discretion to require an EIR, and the EIR process is intended to disclose government decision making to the public, examine alternatives, look at the impacts from those alternatives, disclose how those impacts are going to be mitigated, and also take into account public comments and address those comments. So, there is an orderly process to do that. Now Mr. Rucci talked about settling this in a noncombative way, and he's right, and that's called CEQA, and that's called doing an EIR. Really, to exempt this from CEQA using a ministerial exemption for a project like this, come on, shame on you. Really. Mr. Dickerson brought up the potential for a more detrimental project to be sited on the property. I suppose that's true, but we would require a CEQA analysis for that too if we're being responsible. Anyway, I appreciate your time, appreciate your consideration. I have all confidence that you guys are going to do what's right for the citizens of this county. Thank you.

**Rene Felix Jr. Public Speaker:** Good morning, my name is Rene Felix Gutierrez Jr., and I'm here today as a representative of the Imperial County Building Trades and Raising of the Imperial County. I urge you to vote no on this item until there is a full local higher building trades agreement that guarantees local hiring, apprenticeship access, and high road labor standards. I respectfully urge you to vote no on this item. Thank you for your time and consideration.

**Hector Meza, Public Speaker:** Good morning, my name is Hector Meza. I'm from the City of Brawley. I'm an apprentice graduate, journeyman electrician, business agent for IBEW 569, and a building trades delegate. I'm here to speak against the project, but first I want to say the first thing we learn is that we work ourselves out of a job and move to the next one, so I take it personally when comments like the ones from the Becoming Project talk down on construction workers. The Imperial Valley Construction Trades Council has no project labor agreement for the data center in place, meaning that the protections to have the project built by local hands are not there to protect part of the community that works here locally and spends their money locally. No offense to LA UNA, but they don't represent the building trades as a whole. Just like most geothermal projects of the past, it will be built with people from outside the county. If we don't have protections of the PLA, the local skilled and trained workforce are going to lose out, and locals wanting to join the trades are going to lose out. The IBEW Local 569 just started an intake for twenty (20) new apprentices, bringing the current total in the Imperial Valley to eighty-six (86) apprentices. On top of that, all the journeymen stay certified level electricians that we have. The building trades recently started the MC3 pre-apprenticeship program at Imperial Valley College. It was well received. Eighteen (18) new members of the community completed the program. They learned about the different trades and got a taste to see which career or trade they would like to pursue. The passion and necessity is here in the valley to work, to learn a trade, and provide a living for their family. I got into a trade because I had that passion and the necessity to provide for my family. A full bill of trades, BLA, opens opportunities for locals to find that passion and learn a career through the different apprenticeships and the nineteen (19) different trade unions, ranging from iron workers, operators, cement masons, sheet metal, installers, plasters, bricklayers, pipefitters, electricians, and so on. The International Brotherhood of Electrical Workers 569 opposes the data center.

**Kelilah Federman, Public Speaker:** Good morning honorable Commissioners. My name is Kelilah Federman. On behalf of Citizens for Responsible Industry, ours is a coalition of individuals and labor organizations with members who live and work in Imperial County and may be adversely affected by the potential public health and safety hazards of the project. The lot merger proposed today is part of a larger project proposed by the applicant to construct nearly a million square foot data center, battery energy storage, generators, and a wastewater treatment plant. The County is engaging in separate piecemeal approvals of the project's individual entitlements in violation of CEQA and without considering the major environmental and public health impacts that construction and operation of the data center project will have on the County and its residents. The lot merger is not categorically exempt under a classified CEQA exemption because the lot merger would result in a change in land use from agricultural zoning to industrial zoning, from agricultural use to data center use, and from the abandonment of Lime Group Road. The project is not subject to an exemption as advanced manufacturing because the project site is not zoned exclusively for industrial use and the record does not demonstrate that the project is a qualifying use. The project is not subject to any of these exemptions because the project is on the State Water Resources Control Board Cortese List of hazardous waste sites. Grading or any development is not allowed without prior state approval, which we do not have here. Citizens provided the Commission comments supported by expert consultant reports that demonstrate that the project will result in significant environmental impacts like hazardous air pollution and battery explosions and fires, which must be analyzed in an EIR as required by CEQA. The County cannot approve the project until it complies with CEQA and all applicable land use laws to ensure that the project proceeds safely and mitigates its significant environmental and public health impacts. Citizens respectfully request that the Planning Commission postpone this hearing and remand the project to staff to prepare an EIR which discloses and mitigates the project's significant environmental and public health impacts and addresses the project's nonconformance with the zoning code. Thank you.

**Stephanie Sanders, Public Speaker:** Good morning Chair and members of the Planning Commission. My name is Stephanie Sanders. I am a lifelong resident of Imperial County, and I am one of the property owners for the proposed project. I am here in support of the lot merger. I ask that you evaluate this project based on the facts, the zoning, and what is legally allowed on the site. We have been in possession of this property for over twenty years. It has been zoned for industrial use the entire time. If residential development was later approved adjacent to our property, that decision was made through a separate process, and it did not remove our lawful rights as industrial property owners. We did not create zoning, and we did not choose where future residential growth would occur, but we have always had the right to sell, lease, or develop our land consistent with the zoning that exists. It is not reasonable or lawful to expect an industrial property owner to forfeit permitted developmental rights simply because residential was later built nearby. It is not a fair standard to apply. Please judge this project on its actual operational impacts, its compliance with the code, and the conditions you can impose to ensure it remains compatible with the surroundings. Please do not use the existence of nearby housing approved after the fact as a reason to deny a project that is fully consistent with long established industrial zoning. In closing, I am in support of this project, and I support the lot merger. This project is good for the Imperial Valley. Thank you.

**Alvis Herrington, Public Speaker:** Good morning, my name is Alvis Herrington. I live on Alejandro Street, basically in Victoria Homes. I am here because my family and other people's families matter about what we are doing. I have been in the trades, and I know that they keep saying we are going to have more jobs, which is a lie. Eventually that will be about fifteen (15) jobs in the end. If you are going to be doing that and you are willing to destroy a whole community just for these type of little temporary things, it is devastating because I have to look in my daughter's eyes and tell her, dad, what is going on with our neighborhood. Why are we having these weird noises, all this pollution going on, and everything going on here, and I did not stand up for you. I have to look at my kids every day and know that these parents have to look at their kids every day and do that. Every place this has gone to has destroyed communities. I have not seen anybody say yes, we got one of these in our city, come here and work, come here and do this, come here and do that. Nowhere. It is just devastation. It is a cancer. I get it, people want to use their properties and do this, and construction, yes, for two (2) years, and then what. The rest of society dies off for fifteen (15) jobs and temporary money we are not going to get. We have a lot of better things going on in this valley. We are an agriculture powerhouse. I just cannot see it as coming along as the trades, and they say oh it is going to be built up two (2) years, two (2) years for a lifetime of negativity, downfall, pollution, and disgrace. I mean especially schools, schools being built right next to me and another one, and as educators we come across this. How do you think it is going to affect the kids that are in school knowing that the sound can pass. I do not care how big the wall you build; it is going to carry sound no matter what, simple as that. I worked in that type of industry; it carries no matter what. It is the same thing. So, these kids who are in school, they are twenty-four (24) seven, are going to be hearing this sound coming from there. Also, across school, this is also going to go into McKinley and Kennedy School. You really think more people are going to want to develop around this place. You have development next to Target that is supposed to be houses coming across there. They are not going to want to live next to this thing. You are just going to destroy people's lives for a temporary little bit of money and that is it. We are going to lose water, and now if this is the case, you say check boxes out by the Ormats, there is no land that can be properly used as agriculture or anything. They can build it there. Infrastructure from light electricals is there, and they can use the river for water if they really want that. There you go. You have all that type of infrastructure out in the middle of nowhere and leave us residents alone and let us thrive. Thank you.

**Fabiola Moreno, Public Speaker:** Good morning Commissioners and thank you everyone for being here. My name is Fabiola Moreno and I am the renewable and energy manufacturing organizer for IBEW Local 569 and I live in El Centro. I urge you to please vote no on this item. If this project moves forward, we must ensure that local skilled trades people are the ones building it. At this moment there is no such guarantee because there is no full local hiring building trades agreement in place. Local hiring building trades agreements are critical because they create real opportunities for local community members to enter state-approved electrical apprenticeship programs. These programs ensure safety, quality work, and long-term career pathways. Many of our members have already worked on renewable energy projects here in Imperial Valley. These jobs are needed, desired, and supported by the community. The skills required for renewable energy work are the skills

IBEW electricians have been trained in for decades here in the valley. Until there is a full local hiring building trades agreement that guarantees local hiring, apprenticeship access, and quality jobs, and ensures that other people from other states and cities do not come in and take the jobs, I respectfully urge you to vote no on this site. Thank you.

**Hector Casas, Public Speaker:** Thank you, Board, for allowing me an opportunity to speak. I'm Hector Casas. I have lived in the valley quite some time. My wife is from El Centro. I am a partner with Sebastian. I've known Sebastian since we were in law school thirty-five (35) years ago. I am listening to everybody speak about the project and how they are against it. When we were looking for a place, number one, I went with it because I live in the valley and I see a lot of projects fail because of people against it who are not well informed of what's going on. I actually found that location because it is manufacturing, one, industrial. We couldn't do it anywhere else and we want to bring work and improve the economy here in the valley. We want jobs. I want to talk about the jobs. Number one, jobs. People talk about the water. The water is going to be reclaimed water. It is not going to be potable water. We are going to pay for infrastructure to improve the El Centro facility and bring a pipeline of water directly to the site. That's job one. There's natural gas already there. There are going to be jobs of retrofitting that pipeline. Energy is abundant here. You guys are talking about renewable jobs. I followed the grid in November 2025. There were three thousand ninety-one point three (3,091.3) megawatts generated in the valley. The average in high peak is eleven thousand (11,000). Yes, it is exported. This is going to stay here. So, getting back to the jobs, I was talking to a friend of mine who also works here in the valley for Ormat, and he is training people to learn about HVAC, electrical, and mechanical. He said that a lot of these kids are disappointed because Lithium Valley is no longer a dream. These kids, your kids, we are concerned about the future of the valley in jobs, and your kids don't have anything else other than the government jobs, working in the prisons, working in the border, because when I had a business here, most of the guys would leave to work for the Border Patrol, for Customs, or got a job doing something else in the government. So, what I am saying is this is going to create a new industry for the valley that is going to allow training people. We are going to reach out to the IVC and the San Diego State University deans to bring in a curriculum to train people.

**Ralph Velador, Public Speaker:** Good morning. My name is Ralph Velador. I'm here on behalf of these laborers, these folks here today, because they're not working, and we would have a room full of members, but just like my other partner had talked about, they had to go to other places in Los Angeles and San Diego to go to work. We partnered with this developer because their ideals mirror ours: good wages, pensions, being able to help these people retire with a dignified pension. That's important, and that's things we don't have here in the valley. This gentleman that spoke, he's absolutely right. If you don't work for the post office, you're not a fireman, you're not a sheriff, or work for the Border Patrol, another government job, you're in despair. So many people have to leave the valley, the place they love, because they have to seek employment. My wife's family just lived down the road from here, and just like so many people here in this room, I bet if they look in their heart, they'll tell you their parents and grandparents were agricultural workers. They would box up their house, close their doors, put sheets on their furniture, and go up to Arosie, Cutler, Fresno, Salinas, and go to work for half of the year. They come back, and their kids got a meager education and had to fall in their footsteps because they weren't able to get a better one because their parents couldn't work here in the valley. Every time we get an opportunity, it gets stepped on, it gets trampled on because people don't want to build here. Why? Because people don't want to accept it here. Let's break the insanity. Let's build here so we can live here, so we can have dignified jobs here. They're saying there's no jobs. In the data center, it will produce about one hundred (100) permanent jobs. I don't know if anybody in this room has been out of a job. I don't know if people are going to go to work after this, or they're just here to vote to be against this. But a good job, or any job, is a good job if you don't have it. You can go down the road and see the potholes that are in the road, and the reason why they can't be filled is because there's not enough money coming into the county to fill those potholes, right? But just because we're union workers and there are some unions against it, and just because there's no PLA, do we not build this? Do we not put people to work? One hundred (100) jobs that will be produced will be good-paying jobs. After the construction is done, this is an excellent chance to build the infrastructure. Coming in will help other companies. Other companies would want to build because the infrastructure will be in place, the roads will be in place. So, let's build it so it can bring more companies here, so we can raise our community and make sure that it will raise wages, and our future will be bright.

**Sean Wilcock, Public Speaker:** Good morning commissioners, my name is Sean Wilcock with Imperial Valley Economic Development Incorporation. I'd like to start with a few questions for everyone. Do we have several dilapidated roads? Absolutely. Do we have condemned bridges throughout the county? Absolutely. Do we have infrastructure in place to fully support industrial areas, industrial parks, or even unlock the opportunities that are coming with Lithium Valley? We do not have that infrastructure. We do not have the infrastructure that we need to grow this economy. Our public works department has done a great job with the resources that they've been given, but the reality is simple: our current tax base cannot support the infrastructure that we have within this county. And here's what concerns me most: too many of our young people don't see a future. They're looking for high-tech, well-paying jobs, and it's not here, so they leave; they go elsewhere to look for jobs. If we want to change, we have to support responsible investments, and this is a responsible investment that expands our tax base, investments that help fund our schools, public safety, and essential community services. I also want to acknowledge the nearby residents who have concerns. I respect their concerns, but they are grossly exaggerated by misinformation. But we also need to be honest about land planning. When housing is built right next to industrial zoned land without meaningful setbacks or buffers, conflicts are guaranteed to happen, and those conflicts are what we're facing today. This is a direct result of those mistakes, but that is not a reason to stop the industrial project in the correctly designated location. It's a reason to do things better moving forward, not make those mistakes again. A ten billion (10,000,000,000) dollar investment is a game-changer, and it's how we change the story of Imperial Valley. It can generate substantial property tax revenue year after year that helps repair our roads, fix our bridges, improve our water and wastewater systems, support public services that we all deserve, and strengthen our schools. This project will also create over one hundred (100) direct full-time jobs and one thousand five hundred (1,500) construction jobs that will put La Una back to work. We must look at the greater good of Imperial Valley and improve this lot merger today so that this project can move forward. Thank you.

**James Tison, Public Speaker:** Hi there, my name is James Tison. I'm a third generation Imperial Valley. My grandpa was a pioneer. These gentlemen here were talking about working out of town. My dad worked out of town all the time in Salinas. He was on the ground farmer. I work out all the time too. I just got back from Kentucky. You know, I've been to every state in this country, and it's just what I have to do. I have to leave to get to work. Approval of combining these lots while this project is under investigation and being sued by the City of Imperial opposes not only environmental and health risk but also financial and legal exposure to the public. The City of Imperial has filed the suit against the County Board of Supervisors asserting that required procedures and environmental review standards were not properly followed approving this project. That is not routine. This process is not routine. It's a warning sign. Under CEQA, projects of the scale must fully analyze impacts to air quality, water use, energy demand, and public health. Ignoring CEQA doesn't speed up progress. It shifts risks onto residents and taxpayers, all of us. Until a lawful comprehensive environmental review is completed, advancing this project at any AI data center is reckless, unlawful, and unfair to the people of Imperial Valley. Proceeding prematurely risks invalid approvals, legal liability, and erosion of public trust, like we have now. It's real obvious. The responsible course is to resolve these legal issues fully before committing public resources, rate payer dollars, and long-term infrastructure to project that is now under dispute. It is prudent and responsible to pause further action until the legal process is resolved. Ok, so a side note. They are talking about the generators, and they're talking about the water and stuff. The developer says, oh, we're going to invest in renewable energy, you know, here in the Imperial Valley. But on their website, they have an order form for one hundred thirty-two (132) generators. I don't know if there are thirty-two (32) megawatts or thirty two (32) kilowatt or three point five (3.5) megawatts. I don't know. But one of those generators is size of a local motor motive, and it will fill this room. And it will spew if it's run on full load eight thousand plus (8,000+) hours a day. Just one of these, it has the capacity of putting over twenty-six thousand (26,000) tons.

**Thomas Topuzes, Public Speaker:** Good morning. Some things never change. Let me introduce myself. I'm Thomas Topazes. I'm a businessman, banker, and educator. I've lived in El Centro since nineteen ninety-one (1991). Raised our kids here. Very, very fond of the Valley and its people. I'm a little disappointed with some of the reactions that we hear. It's good to voice your opinion in a reasonable fashion, but courtesy is a really important thing too. I think this project is good. I've looked at a lot of projects. There're certainly ways to improve it. What I've seen with the Planning Commission and with the Department of Planning with Imperial County is

that they always follow the rules. They always take the time to do it right, and I think that should be respected too. Unless you have worked it, seen it, or been involved with it, most of the public hasn't, and you don't know that. But these folks are professionals and do a great job. AI is the future. I talked to a gentleman and his company started a semiconductor business in Taiwan. I asked him, what are the requirements that you have locating plants in the U.S., because there's a big push to invest in the U.S. And he said, well, you need education, you need to have water, you need to have a good workforce. I said, what else do you need? He said, that's just about it, and the willingness to do it. And I think that's one of the things that's hindering us a little bit here, is that there seems to be a little bit of a lack of willingness or discussion or explanation to what's going on here. I see the project as being a good project. I see it as being a beacon for the future to bring more business here, to create more jobs and good paying jobs. And so, what we also see is a lot of people want to leave the Valley when they're young or when they're older, and a lot of them don't want to do that. They want to stay. They have families here. This is just a wonderful place to live. So, let's do the right thing and move forward with the project and make it happen. Thank you.

**Avery Moler, Public Speaker:** Planning Commission, good morning. Thank you very much, Chairman and Commissioners. My name is Avery Moler. I'm a resident of Imperial, a lifelong resident of the Imperial Valley, and third generation. I'm here to speak in favor of this project. I'm in the construction industry, but that's not why I'm here. I'm here because I'm a resident of the Imperial Valley. The truth is, our company won't even be involved in this project, likely because of the sheer scale and size of it. I'm here because I truly believe we, as a community, should embrace projects such as this. I've looked at arguments both ways, and what I've seen is the positives strongly outweigh the negatives. This is the kind of project our Valley needs right now. With the closing of the sugar plant, possibly a prison, and uncertainty of water on the river, this is something the Imperial Valley can really prosper from in a time we desperately need it. I ask that you don't follow or allow yourselves to be swayed by the TikTok attention span of the minority who have been convinced by some anti-development propaganda groups pushing misinformation. Do what's right for Imperial County as a whole. I respect your time and thank you all for this opportunity.

**John Hernandez, Public Speaker:** Good morning everybody. John Hernandez. I'm just lucky that I grew up here and have seen good projects, bad projects, and seen, you know, organized labor and the brothers of organized labor wanting to better themselves. But I've also seen that they have to work to industry standards, and they have to work to labor codes, and they have to work with building codes, and they have to do the best they can to protect themselves and to protect those around them. And all we're asking is the same thing for our communities. Protect those land zoning codes. Protect those environmental codes and laws. I mean, those are laws for certain reasons because we saw what was happening in communities, and it's happening and it's still happening here, and we know we're greatly impacted. We don't have to go into the mitigation of it, but it just doesn't pass the smell test. And I urge you to deny this, vote it down until you have better information. You're in the middle of a lawsuit. You can't jeopardize me as a county taxpayer, and I voted in fifteen (15) presidential elections, even though it hasn't always gone my way. What's gone my way is trying to advocate for health, especially for older people. And as I stand here, I can't help but say it doesn't pass the smell test. The siting of it, come on, it's an island between Imperial, all around Imperial. Imperial is all the way to Dogwood Road, and this is in the middle. And then you have the mitigation, you know, the piecemealing of these changes in zoning. And then you have the environmental concerns, which are real, and the litigation and the logistics and all that. So that's my take on not passing the smell test. I just think that you don't have all the information, and the people are trying to tell you on both sides. That's why you're up here, to sort through everything and come up with what's the requirements in land use and in zoning. The City of Imperial wouldn't have sued you. They talked to their planners. The City of El Centro has concerns. They talked to their planners and attorneys. They said they're onto something. People are going to be impacted around that area. And so, as someone whose dad worked across the street from that for years and was exposed to dangers and pesticides and all that and had cancers when he died, I'm concerned for the future in fifty (50) years. Thank you.

**Victor Zazueta, Public Speaker :** Good morning commissioners. My name is Victor Zazueta. I live at 1603 Farmer Drive. I grew up about half a mile from where this project is going to be built on El Dorado Road when it was still county. My mother still lives on that side, less than half a mile from this Nine Hundred Fifty Thousand

(950,000) square foot data center that's going to be with the community for decades, the largest data center to be built in California. My concern is that it's in the wrong location due to the residential homes that were built in that area. Looking at CEQA, I think this project has potential significant impacts or unusual circumstances given it a ministerial exemption. You must all be feeling pressure to do a discretionary exemption because if you did a discretionary exemption, that would trigger CEQA and an Environmental Impact Report (EIR), which I'm sure all of you don't want to see the county having to deal with. This is going to affect people's lives for decades. It's going to be a scar on our community. You have the power, and if you have the courage, to make a discretionary exemption for this property. To do otherwise, you're missing the whole plan. The whole plan is the data center. I hope you make the decision not to permit this lot merger. Thank you.

**Shleah Edwards, Public Speaker:** Good morning. My name is Shleah Edwards. I am a resident of El Centro. I would not feel right if I did not speak when I had the opportunity. I am clearly against the building of the data center being placed here. My concern is the same as many: the detrimental effects that the data center may bring. Even more concerning is the secretive way in which governing bodies have made deals and agreed to such a project without being transparent with the community. There is legislation in place that requires California public agencies to evaluate and disclose the environmental impacts of such projects, such as an Environmental Impact Report (EIR). To my knowledge, one has not been provided, and if everything was positive as the developer claims, I do not see why they would have an issue sharing it. We are already limited on resources, voltage, and consistency of demand and supply, which are issues every summer when we are asked to limit our air conditioning and power use to prevent rollouts and blackouts. Adding a three hundred thirty (330) megawatt facility to the demand is unsustainable and will not be without risk. Our electrical bills went up not long ago to cover expenses for some of the IID infrastructure that was not maintained, and I can only imagine how much it will increase if a data center is built here. If one must be brought here, at least place it in a location away from residences, regardless of the industrial zone classification made years ago. Look at the humanity aspect of it. The quality of life will be negatively affected for the people here. I have printed out here. Do not let the data center destroy our communities.

**Adrian Gutierrez, Public Speaker:** Good morning, I'm just a local from Imperial. You know, I keep hearing everybody on the pros and cons here. If you really think about it, it doesn't take much to pick up your phone and check every data center that's been in Kentucky, I think even Arlington. Nobody wants that. They have them for like four (4) years, three (3) years, and they came out because you didn't give the data they did, and it just destroyed everything. Their water, it destroys the carbon footprint, it causes pollution. What more pollution do you need here? What is it, the majority, everyone has asthma. We need more? I mean, I get it if you need money, I get it, but why don't you guys make incentives? There're other ways for other businesses to come here. Why don't you make an incentive for businesses to come here as long as they hire local people and not through just temp agencies, directly have them become part of it. You guys can do that. And by the way, you guys can install this too because Kentucky just did it. They've done it actually a couple times. Other places have actually stopped these things. You guys can stop it. It doesn't build jobs for longevity. I feel for you guys. I'm a welder. I have to go to San Diego. I've been laid off. I know how that feels. But it's not data centers that's going to save you. What's that, like a five (5) year? Don't look at the money like that. No, I'm sorry, look, I've made good money, I'm sure you guys have too, but what does it really mean? Five (5) years of really good money just so we can land back to unemployment, and what, you guys aren't going to save us again? I mean, for what? And then you're talking about our future. Well, what the heck does that mean? Because they're just going to get more asthma. What benefits? I'm being serious. I'm looking at you guys because we're the ones that are going to get affected. I know we feel like we're on the good team but look at it for the longevity of it. Why don't you guys create jobs for us? Why don't you guys bring people in? You know what I mean. Why don't you guys put in a bigger hire block for everybody and actually sustain a job, one that's willing to pay? You know that in construction here the minimum is like sixteen (16) or seventeen (17) minimum wage just for you to enter, and unless you actually grandfather in with these guys, they don't really pay you a lot. You know what I mean. I get it, it's real hard to kind of manage things for the good sake of everybody, I get it, but just to do this because it's money, period, it doesn't seem right. You know, in eight (8) years it's already estimated below on average it's going to be an eight (8) percent hike in two thousand thirty (2030) for water and electricity. You guys aren't going to foot the whole bill. You guys aren't. We are. This is like the solar goof. You guys started that solar

goof. It didn't mean anything. And my last point, nobody is on your guys' side. The IID doesn't want it. The IBEW doesn't. The union doesn't want you guys. Even El Centro is still questioning you guys. Nobody is on your side that you need unless you guys are just going to say yes, but for what? Look at it towards everybody, the majority. You're getting sued here. Look at Google.

**Gilbert Manzanrez, Public Speaker:** Good morning, my name is Gilbert Manzanrez. I am a resident from Calexico, and I feel like I am having a really bad episode of *deja vu*. Even though I might be young at thirty-two (32) years old, I remember the exact same arguments when the solar panels took place, and we heard the exact same things from the unions too. They said high employment, okay, let's build it. Okay, they built it. How long ago? Fifteen (15) years ago. Fast forward twenty twenty-five (2025), we still got, as correctly cited, one of the highest unemployment rates in the state. Did it save us? Then I ask, was it worth it? Are our electricity bills lower than before? It did not save us, but I will tell you what did it cost: loss of agricultural land, loss of jobs. That's what it did. And I am hearing the exact same pattern today. This data center almost needs no humans to run by itself, and at one point it will even replace your clerks. That's what they are being trained for, not because we are making TikTok's and everything like that. And I want to ask something. Yes, the City of Imperial, whoever is to blame for the City of Imperial building next to an industrial zone, I get it. I understand it. The City of Imperial is Imperial County's fastest growing city in this county. This development will stifle that. If it reaches that capacity, up to that limit, we should be proud of it, that at least something in this valley grew at that potential. And we should not be stomping on this community that has children in those backyards, one hundred sixteen (116) feet away from this development. I ask, do any of you live in that development? What if it was in your children's backyard? There's a brand new school that hasn't even been completed, and we're already failing those kids. I should be in my classroom with my students today, but I have to be here because their future can be stifled by this development. Let me be very clear: there is a lot of money in this room right now, whether it's landowners, whether it's investors, developers, union labor, coalition nonprofits. There's a lot of money in this room, but listen to your residents, because they're telling you unanimously, we don't want this data center. And I appreciate it if you look at me and not the time, and vote no, or at least table it and send it to the supervisors, because they're the ones to hear from all these people. Thank you.

**Celeste Aguilar, Public Speaker:** Good morning. So first of all, I would like to say I'm very proud of the multi-generational group that's here today. I came back to the valley a year ago. It is amazing to see a community come together on both sides. And one thing I do want to say quickly is my tata worked for the City of Calexico; my dad's a carpenter. I respect these men right here, but honestly it feels disrespectful because the amount of work that they have will not be with longevity. It feels as if they are being thrown a bone when they deserve a meal for each and every one of their families. And the implications that we are able to see cost this country, especially Virginia. There's a reason why we bring this up. A lot of people talk about the fact that these data centers need water in order to cool themselves, but a lot of people forget about the chemicals that have to be embedded within this water in order for it to do so. Specifically in Virginia, they have to use nitrate. And a little science lesson that I learned because of TikTok and YouTube, because that's where information thankfully is being spread, and factually, if you do your right research, nitrate goes in as a liquid into these cooling systems, but then with the heat it evaporates. Unfortunately, when nitrate becomes the gassiest state, it is much more concentrated, and when that gets into our airborne system, which will hit us directly, and also our water, it can cause cancer. So, we're dealing with asthma now, we're going to deal with rising cancer. And unfortunately, our healthcare doesn't seem to be steady as a country. It doesn't seem like a lot of people are going to be protected. A lot of people are afraid to go to our hospitals because they are fearful, they will not receive the proper care. And I'm so glad that there is so much information that has been spread today that is factual based, and that I don't have to go in circles about sounds. For example, 100 decibels, that's around the average. 100 decibels, just to put that into framework, is the sound of a plane being taken off. How are kids going to be able to function, to grow their brains, to be productive members of society? We have young people coming back to the valley. We see a promise here, but we don't want to be sold out. And another thing that I'm worried about with AI, especially even as a young person, they've shown when it's over abused it can decrease the gray matter in our brains. And unfortunately, for some people, I think a brain without gray matter and without critical thinking skills is convenient. Thank you.

**Ismael Arvizu, Public Speaker:** Good morning board, everyone. Thank you all for coming. I'm glad to see so many people here. In the colonial world we live in, the richest keep the richest by extracting from the poorest. Larry Page and Sergey Brin are the two co-founders of Google. They own over fifty (50) percent of the Class B stock. They can vote to not do this. These people extract their value. We've got Lithium Valley happening, and there are billionaires taking over our valley. We have so many people that have so much money who want to take even more from the ones that don't. I applaud the workers. My dad drives to Long Beach every single day to go to work his whole life. We live in the valley where billionaires can place their money mines while pricing up our energy and water bills. The IID website says that ninety-seven (97) percent of the water that gets transferred by IID goes to the fields. Three (3) percent last year, two (2) percent this year, it says three (3) percent goes to cities or whatnot. Where's the water going to come from? Is it going to take away from the farmers? Is it going to come from our three (3) percent? Are you going to make it like we're the poorest county in the richest state in the richest nation in the world? I'm not saying this is the poorest place on earth because I don't think this place should be anywhere on earth. AI is trash; we don't need it. Google was enough. I work with K through 12 kids. Twelve (12) graders can't function without AI right now; it's crazy. I work with first (1st) graders as well, and they can't play a whole five (5) minutes of soccer because they can't run due to asthma. And you want to make it worse? You might not suffer through what people of color might suffer. Sometimes there are people on the Board of Supervisors who do not represent even seventy (70) percent of the county. The representation is not there. You don't even ask people. You are just putting a mega-billion corporation and a mega-battery factory, which has been in the air for four (4) years according to an article that didn't go through. Nothing of this magnitude should go through. There is already too much negativity in our county. We have pollution. We have micro metals in the air from Lithium Valley. You want to extract more water. We're going to have less water in the Salton Sea. Rich people want people to die; it's so common. If you're going to be living out here with your water, you better put a filter on every faucet in your house. You better have a backup generator for your solar panels. At this point, you're making us try to survive. What's the worst that could happen? We've seen videos of people opening faucets that are just brown, horrible. I work next to the Rio Nuevo, and there are so many things we can fix, and yes, we're just making more problems day by day. Thank you.

**Michael Ramirez, Public Speaker:** I'm not a TikTok influencer, but I am a resident of the affected neighborhood, and I'm also retired from the prison, just like the gentlemen mentioned earlier. I have a question for the company representative who brought up the prison: did that correctional officer you spoke to bother to mention if he actually lives in the proposed area? Because it's remarkably easy to give a thumbs up to a high-risk project when you don't have to sleep five hundred (500) yards from the target. To the supporters who don't live here, holding up your opinion is a luxury my family and my neighbors can't afford. I heard a supporter call us selfish for opposing this—that's rich. You're suggesting that forty (40) potential jobs for a private company outweigh the safety and security of thousands of residents. That's not progress; that's a bad deal. I respect property rights in America, but I respect the lives of my neighbors more. Your team has spent a fortune on studies for traffic and zoning, congratulations on the turn lane, but you completely failed on one thing that really matters: site security. As someone who spent a career in corrections, I know exactly what a hardened facility looks like, and my neighborhood isn't it. You're proposing a soft target in a residential zone. Murphy's Law isn't a theory in my line of work; it's a reality. What can go wrong will go wrong. I'm asking the board: why wasn't this proposed for the state prison grounds? That land, unlike this neighborhood, isn't located in the middle of a residential area, it has existing infrastructure, and it's already secure. It offers a state partnership that actually makes sense for high value infrastructure. It's almost as if a high security project belongs on high security land, that's revolutionary. We should be prioritizing a hardened isolated state partner location over our homes every single time. It's time to stop with the zoning gerrymandering and move this project to a site that was actually built to handle the risk. I also want to add, don't come here asking the county for a favor and insult its residents.

**Sergio Pesqueira, Public Speaker:** Good morning, Commissioners. My name is Dr. Sergio Pesqueira. I am a proud lifelong resident of Imperial County and a second-generation educator. In full disclosure, I am somewhat recently informed of this particular initiative, but that is the reason why I am here. It took me being compelled by my students, who asked for my advocacy, to show up and do the work that you all have been elected to do on behalf of your community. If there is outrage that we are sharing, it should be communal

outrage. We are not against our own priorities, and I am looking at my brothers and sisters in the labor movement. I am a proud member of the labor collective union myself, and my parents were as well. These are the ingredients of oppression when we are fighting for scraps that are only in the best interest of those who already have power. When you stand and speak, I love the solidarity, but we should be standing together because this is a false economy. This is not us against you. This is what is in the best interest of all our communities. For the sole interest of individuals who are millionaires and billionaires, this should be a moment of solidarity. I am going to ask all those who oppose this project to stand with our brothers and sisters who also deserve the dignity of work. We all deserve the dignity of work, and I invite you all because what you are seeking is what I am seeking, and what families are seeking. We are seeking respectable work. We are seeking respectable salaries. We are seeking benefits. We are seeking the dignity of making our lives better, not only for ourselves, but for our neighbors, our communities, and most importantly, for our next generation. In my community, that next generation of people are folks who cannot be here today, not only because they are in session, but also their children. I am talking about Cross Elementary students, TK, Kindergarten, and First Grade. I am here in advocacy. We are here in advocacy for those who deserve the right to be listened to but cannot be. That is what educators are for. We are here in response to their needs, and you, as elected officials and representatives of the Board of Supervisors, also have a civic responsibility, and that is to us the community. We implore you, urge you, and ask you to please respond and vote no on this.

**Kimberly Palacio Public Speaker:** I'm Kimberly Palacio. I'm here as a lifelong resident of the valley, Calexico specifically. I want to touch on something the developer said, who has multiple fraud lawsuits against him in more than one state by the way. "Its public record, look it up. This is the only place in California that it could happen". What is that? Is it because we have a twenty-two (22) percent unemployment rate? Because were a disinvested community made up primarily of people of color? They think we're going to lay down and take what little we can get, settle for the scraps that they design to throw at us. While those three (3) gentlemen sitting over there, Tom, Sebastian, I believe that's Jurg, have been smirking and laughing at residents' concerns, they are sorely mistaken. We're not going to just lay down and take it. They explicitly looked for ministerial land because they wanted to avoid public input. They knew they wouldn't or couldn't meet the environmental or economic needs of the community if forced to go through public scrutiny. I spent fifteen (15) years working in education myself, and I've seen so much talent leave the valley for more opportunities. Some of these speakers are right, we don't have a lot of opportunities here. Is a data center the answer to that? A handful of minimum wage jobs? I'm a union member myself. I have PTE Local seventy (70) here. We heard from members of La Una, the laborer's union. You all can build anything, why a data center? Why don't you advocate for projects that would bring even more union jobs? A grocery store with UFCW employees, a school with union teachers and CSEA staff, even an office building with OPEIU members. My IBEW brother Hector said La Una doesn't speak for the building trades. La Una doesn't speak for labor at all. They are not in solidarity with more than one hundred thirty (130) unions across San Diego and Imperial Counties that make up the Essential Labor Council. I urge you to remember just because a project may be legal and all the boxes are checked doesn't mean its right. Do what's right for the community. No data centers in Imperial, not in Seeley or Calipatria, even in Lithium Valley. No data centers in the Imperial Valley.

**Dennis H Morita, Public Speaker:** Good morning Dennis Morita City Manager in Imperial. I emphasize City Manager because there was a time in a prior life where I might be speaking to you as the City Attorney. I am happy to say that the legal issues can be left to the lawyers. As you know the elephant in the room is the fact that the City of Imperial filed a lawsuit against the County associated with the data center project. I am also mindful that you are in charge today to assess a lot merger and as I listen to the comments you are getting you have gone arguably far beyond that, but I appreciate your patience in listening because that in large measure is what got the City where it is today. My hope is that we can arrive at a process that would properly analyze what potential impacts this development might have and that there can be a reasonable and reasoned discussion. We are speaking about a data center but so far there is a conspicuous absence of data about what it all means. What does a thirty (30) foot tall building mean that is almost one million (1,000,000) square feet. What does a three hundred thirty (330) megawatt substation mean. What do cooling towers mean. What does battery storage mean. The public needed to be engaged in that process, and it appears that the City was helpful in achieving public involvement. At the end of the day, I hope that we can all arrive at a process that

would allow the data to be analyzed and that we can arrive at a reasoned decision. Because my sense is as I sit back and see a grading permit a notice of exemption related to a grading permit, I see this process. I see a permitted use in the County zoning ordinance. I see conditional uses related to something called the data center yard. I see information in the airport land use and its involvement. So I hope we can arrive at a process that would afford all the stakeholder's meaningful input. Thank you.

**Giavanna Solimine, Public Speaker:** Good morning. You probably saw me at the IID meeting if you went. I turned eighteen (18) this year and decided, independent from any TikTok viewing, that this data center being built would keep me up at night had I not voiced my opinion. I live right down the street, and my heart goes out to any of the people living closer to this proposed data center. I do not have special notes on the codes and the legislation, but the way this is being handled by these departments seems to overlook the people living in these houses, no less the people in this area who rely on the water and the electricity to do the jobs they have in the city. I have to get my drinking water from the bottle stations in El Centro like everyone else, and the huge amount of water this will take in the middle of a desert is staggering. I have lived in Arizona for years, and comparing Arizona as a thriving place with their data centers is flat wrong. I could not tell you how many times we had burnouts, from grocery stores to my own house, for hours because of these. We did not have water in this county before, and we do not have it now, doing the farming we do. If this data center is approved, it would drive new business. Whatever tech companies exist would zero in on us to drain our resources because they know we skirt these codes, leaving us with polluted water, if we could even have any water, because it would be split between this data center and the farming. If we want jobs in the area, we can find a different solution than settling for a sparkling glint of a trashcan lid that would doom the health of me and future generations that would be living here. Please reinforce the limits these companies would have to go through, and please do not accept the merger based on loopholes for dollars that would never go to the community pockets after it is built. Thank you.

**Lisa Winkler, Public Speaker:** Good morning Commission. I'm sure that nobody wanted to get out of bed this morning to come to this hearing, but we really appreciate you guys taking the time, and that goes to show you understand the importance of this. I'll stay on agenda for just a minute. I'm here as a homeowner. My house sits right on the property line, and I understand the agenda item today is the lot merger. My question is: what is the urgency of the lot merger? As Mr. Morita and Mr. Tyson stated, there is a lawsuit. My recommendation would be that you table this lot merger until you get the outcome of that lawsuit. That lawsuit could require additional studies that couldn't or should have been done before the lot merger even took place. Another question I have is: is the developer still going to buy this property if this project doesn't go through? Once they do the lot merger, do the homeowners understand that now in order to do anything with that property, they have to have the consent of everybody that was involved in that lot merger before they can do anything else on that property? So, I do recommend that you table this until you have the outcome of the lawsuit. Now I'm also going to speak on the data center. I'm going to be honest: I don't know a lot about the data center, but what I do know is the information I've been receiving, and some of the information that I received from the parties involved, has been misinformation. It is my understanding that when the lot merger application was presented, they said they owned that property already. Now it's come to our attention that they don't. I've also heard with my own ears that some of the people that are out speaking on their behalf said the City of El Centro was excited and willing to provide that reclaimed water. On that same day, the city came out and said, "Hey, that's not true." So, a lot of the information we are getting is not accurate, and it just kind of makes you skeptical as to what really is. What is a data center? How is it going to impact us? One thing I do want to say to the people that oppose it: you have to be respectful to be respected. There are a lot of people that oppose this data center, but they don't want to come to meetings like this because it gets out of hand, and we all get lumped into the same group. So please, I understand your frustration. My house is right on the property line. I have one (1) wooden fence between myself and the property line. I don't know. I looked online, and it says it's like having a thirty (30) foot lawn mower in your living room. Now, is that an exaggeration? Probably. But how do I know? I don't know. Put your money where your mouth is. Do the CEQA. Get an independent person to do the study and let us get the information from someone that has not invested in it. One thing I do want to say about IVDC: they just did their job. Their job is to help someone find a site. They're not responsible. Now it's the

Planning Commission and the Board of Supervisors to say if that's the right site. So being upset with them is not the right position. They did what they were supposed to do.

**Tomas Oliva, Public Speaker:** Good morning Commissioners. My name is Tomas Oliva. I am a resident of the City of El Centro, and I am here to humbly ask that you vote no on this item. Now, I understand that what is before you is whether or not to merge these parcels, but I want to point to how it's written in your agenda. It says individual parcels merger for the future construction and development of a data center complex. I have heard a lot of commentary that what is before you is only the item to merge, but your agenda ties this to this data center, specifically to the action that is in front of you, so they're not independent of one another. You have a room full of people here that have expressed concerns and fear as to what this data center will do to their communities, to their quality of life, to their houses, and whether or not this data center will impact wastewater by having some minerals or deposits in it after it goes into the system. How much energy use it will do and how much that will impact the rate payer, we don't know. The proponents of the project can tell you it's not going to do that or what not, but you cannot assure us because there is no CEQA document. Now, I understand that there are folks that believe that there is no CEQA document that's required, but there's also nothing that prohibits you. With this outpouring of concern, you should very much look within yourselves and the prerogative and the discretion that you have to very much require it. When it comes to labor, I will tell you I'm a labor member, rank and file, education. I want you all to succeed. I want you to have jobs. We all do. But you're getting played. I will say this as somebody who has supported labor my entire life and my entire public career. You're getting played because the same agencies that tell you that this has jobs are the same agencies that do not require PLAs in their projects. They're the same ones that do not require CWAs in their projects, and yet they will put this carrot in front of you to tell you that this is the future. What they should be doing is requiring project labor agreements for all of the projects that they approve. I tell you this because I used to sit up there, and I will tell you that if they really wanted to tell you that these are long paying jobs, they would make it long term. We've been through this movie before. We're being told jobs, and then in a few years you will be unemployed. They did it with the solar farms, and they did it with other construction projects here too. So, I ask you, members, please listen to the public, please require a CEQA, and I humbly ask you for a no vote.

**Samuel Gretencord, Public Speaker:** Good morning everyone my name is Samuel Gretencord I spoke at the board of supervisors meeting before so I'm a homeowner I live really close by and I feel like I'd be doing everyone a disservice not speaking I'm really impressed by the amount of support we're getting that we have out here and everyone speaking and I know today is on a lot merger I'm not trying to get you to break the law I do understand you have to follow the code but we have to speak out at every turn we can because a lot of us didn't even know about this until a couple weeks ago we weren't informed they never spoke to us now that they're getting a bunch of flak they're coming out here saying oh hey we can talk to you guys and we can put more trees and stuff and you know it's just hard not to get a little angry I kind of understand why everyone is out crying here everyone's being really loud it's also disrespectful I do agree with the homeowner we do have to temper it down but I respect and I agree with the passion and if you were in my position I feel like you would also be that angry and confused and you feel like you would have to speak out and every chance you would hoot and holler we're not trying to be disrespectful we're just trying to make it clear that a lot of people's lives can be changed and every time we come out here we get another attack it feels like apparently I'm falling for misinformation because I'm listening to homeowners who live next to other data centers that seems kind of wrong to say I don't think it's misinformation to listen to people who have experience this we have people going to the federal government trying to get a more moratorium on these things because we're barely understanding how bad it can be; there are studies being done to see if this noise can affect fetal development and development of children we don't even know the results of that yet to say that it's misinformation I think is doing a disservice to everyone but I do understand this is about a lot merger there is that lawsuit going on there was a document yesterday me personally just to backtrack I tried to look up every ordinance I could to figure out if there is a legal base to not approve it and luckily yesterday the city of Imperial put out a letter like eighty-four (84) pages you can look it up they asked for it to be added to this item where they highlight a lot of legal concerns about the application because it seems like corners were cut and I just want to make sure that you guys are keeping all this in mind don't violate the landowners' rights I'm not asking for that but please keep us in mind and please follow the law and please understand that if you do approve this there's not really many other ways

to stop this thing and it could hurt a lot of people and they're promising the moon like I was always taught if it sounds too good to be true it is Thank you.

**Jorge Angeles, Public Speaker:** Good morning, I'm an Imperial city resident and I learned about this thing a couple of weeks ago and like the previous person said I was kind of angry to just learn about something that's been going on for a year already and it affects me and my son. I understand the union workers. My son had to leave the city and he's working in Portland, Oregon, and he doesn't whine about it because he says that that's life. If we're here, it's because we came from somewhere else and I explain to him he cannot be angry and he has to be more assertive because we do not have a place where decisions are made. If you want to make a change you have to be there either in the Senate or in the House of Representatives. The only thing you have to understand is that places like Saudi Arabia have laws that don't allow pornography, alcohol, or prostitution. Even throwing gum in the street can put you in jail. In Mexico they don't allow guns. In Costa Rica there is no military. And why is that? Because the government, the laws said so, and people want that and people allow it, the people that live there, the citizens, because it's their law. And you are the representatives voted into this office, and you have to do what people want. It is very difficult to hear people's opinions on this side and that side and everywhere, but you can't see when society, your citizens, are going to agree with what you're doing. The only thing as representatives you have to be is transparent. Apparently right now you are working under the table and doing things out of context. Just follow the rules. They're talking about an agency that regulates the impact, go for it, do it. What are you scared of? Because I'm going to pay attention in this committee and see your names, and in the next election period I'm going to do something about that, because that's my power.

**Julian Daniel, Public Speaker:** How's it going, Julian Daniel, from Holtville, California. I'm coming to you as someone who lived in the streets my whole life. I come to you as someone that's a university student right now at San Diego State University in Imperial Valley. We need leadership from the community, so I call that one out every time that this happens. We're going to be here. The data center is going to come whether or not we like it, and if that's going to be the case, then the community's not going to leave either. We're going to speak up every single time. We want to talk about jobs, resources, problems, why aren't these problems being fixed whenever it costs our land, community, and our lives. You're going to give these lives three (3) minutes to speak their points, to speak their rights, but you're going to take it away for the next five (5), ten (10) years, or whatever, because you guys think it looks good on paper. The issue is there are so many issues down here, and we're not getting help from out here, and we have to sell out these certain things. How about workshops? How about processes? How about asking the community? How about a full forty (40) hours asking the community what do we need? Because we, as the research, live this every single day of our lives, while you guys get paid to look at it from the paper perspective. What we need is action from our community. We need leaders. We need to give solutions to you guys because right now these solutions have a problem with us, and we have a problem with this. If we're going to come to a middle ground, then we're going to do it the way that needs to be done. We're going to listen to everybody. We're going to come to a process that everybody agrees on, because if not, the community will never rest, and you've got guys like me who are only going to promote this more and more and talk about how the community needs to rise. If we need jobs, let's talk about what else we need. We need mental health people. We need nurses everywhere. We need hospitals everywhere. We need mother care. We need more grocery stores for mothers, like Motherhood in Brawley. We need a lot of different things that we can start there to give back to the community. Instead, we want to make jokes about TikTok attention span. Well, I'm coming from nineteen ninety-two (1992). I'm a millennial. I talk about different things that I can do myself, and I can teach my community stuff that they can do from the ground on up instead of giving them this façade on everything. How the hand is bigger up here because the problem is down here. I'm letting you know right now we will not go anywhere. I will not go anywhere, and everybody around me will hear exactly what I have to say because I didn't come up here and do this on the spot. I've been doing this twenty-four (24) seven (7), and the moment that I hear about things like this is the moment that I need to echo to the people that are on both sides. Ok, and to the people that are at the table, forgive me, but that's how I feel, and it's only going to get better and worse for everybody. Ok, we can settle this down. We can work things out, and there are other problems. But to be given this paper, this politics, this and that, you're giving all the receipts to somebody else because you guys can't get it done. That's cool, just admit it. Then admit it—you're giving all the receipts to somebody else to fix our problems whenever they're looking at it from the outside

perspective. I want to see names and addresses of everybody. Where are you from? Because I'm from right down the block, and I'm not going anywhere.

**Seth Birdsong, Public Speaker:** Hi, my name is Seth. I'm a resident of El Centro. I'm a local social media influencer who's popular with our younger generation here. Now, countless of my followers, some who may actually be in this room with us today, have come to me with concerns about this data center project. I've spoken about this publicly on my page, but I want to say this directly to the people who can help decide whether this happens or not. This data center is not good for this valley on multiple levels. Economically, for example, data centers are not normal industrial buildings. They're massive super computers that run twenty-four (24) seven (7) and consume insane amounts of power and water. That alone is a problem for the IID. You're introducing a huge demand source into the system that already affects everyone here. That pressure doesn't just stay on the IID. It shows up as higher power and water costs for residents, most of whom can hardly afford it. I also keep hearing numbers like one thousand six hundred (1,600) construction jobs and that it will replace the thousands of jobs lost from the Spreckels sugar factory closing. It won't. Once construction is done, those workers are gone. And let's be honest, the data center will only produce one hundred (100) permanent jobs, most of those being specialized IT positions that are not abundant in this valley. There's a very real chance that those jobs won't go to locals, but to people brought in from out of town. And then there's the environmental side, which people here have made very clear to both you and to me. Residents have reached out to me saying they're worried about generator pollution, constant noise, and how this could affect their kids. These aren't just vague fears. These are people who live nearby, worried about how they will live with this every day for the rest of the time that they'll live there. And on top of that, the proposed site is right behind the Border Patrol headquarters, which is one of our largest employer in this county. Officers and administration will be exposed to the same pollution and environmental risks as nearby residents. And this project doesn't just affect homes. It affects one of our industrial titans. So, to be blunt, this data center would be a detriment to Imperial County in multiple ways. It puts strain onto our infrastructure, drives up resource costs, and introduces environmental hazards, all for very little long-term benefit for the people who actually live here, and instead protects companies. As someone with real community reach, especially among younger residents here who need a voice, I'm asking you to take these concerns seriously. Imperial County deserves development that helps the community, not projects that suck away resources and leave us with the consequences. Imperial County is a titan for crop farms, not AI farms.

**Angel Martinez, Public Speaker:** Hello, my name is Angel Martinez. I'm a resident of El Centro, and I'm here to oppose the data center. I won't pretend like I know too much about the health risks or anything, but I do know that this community does not need a data center. We need more for our kids, more for our people. Jobs are not abundant here. We need something for the people that live here so that they can have resources to feel empowered, to feel like their voice is heard. So many people here, even though we're speaking out, we don't feel heard. We don't feel seen. We feel like this is just going to go over, this is going to pass, it's still going to pop up, the data center is still going to be here, and all the people who are concerned about it are going to be ignored like always. And unfortunately, we can't let that happen. That's why we all showed up. It's early in the morning. Since we've been here, no one wants to be awake that early. We all are here. We all work. We all have stuff to do. We all missed a day of work to be here. We are not all lazy. We all have things to do, but our community is our community. Every single person in this room who lives in this place is community. I'm speaking to everyone here. We all need to stand together. We cannot let the money buy us. We cannot let data centers control us. We have to stand up. We have to fight for our people. We have to fight for our rights, our community, for our kids. You said your kids live here. Do you want them to hear that buzzing noise 24/7 while you're in SD and you don't have to deal with it? I'm just saying thank you for your time and consideration. Thank you.

**Annaka Penner-Smith, Public Speaker:** Hello, good morning. My name is Annaka Penner Smith. I'm here early in the morning, as we all are. I would urge all of you at the board today to look around the room, not at the clock, not at your phones. Look at me and look into the eyes of the speakers. I would urge you to listen to our words and acknowledge the sacrifices that many of whom are in this room made to be here. Many people who are in this room today took time off. They are not at their jobs. They're missing out on hours that they could

be working and getting compensated for. Many people who are in this room had to look into childcare at their own personal expense in order to be here and to bring their concerns to you. So, I urge you to listen, not to respond, but to understand. We are people. We are not data points. Our concerns are real and they are valid. With public trust on the line, I urge you to act within our best interest and remember that you do work for us. If you truly believe that this data center is good for us, then I would urge for you to do everything within your power to prove it. Be transparent. Be forthcoming with information and make it wildly easily accessible and understandable to everyone. You act within our interests. We the people, our public trust is on the line. Remember that you work for us. Act within our best interest. We will remember. We will not forget. Thank you so much, very much to listening to myself and everyone. Thank you.

**Francisco Perez, Public Speaker:** Hello, good morning. I co-own the tattoo shop with my best friend here in town. We have been open for about three years. I never thought that was going to happen. One thing led to another. Now I had the prospect of a life here in Imperial Valley. I never thought that was going to happen. Like everyone else here, you grow up here, you want to get out of here as fast as possible, but life led me here. Everything was school, and then we got the news of AI data center that was going to open up, and that's going to take us out. Maybe not necessarily purposely, but it is going to impact the health of everyone here. We have one of the highest cancer rates in the state. We all know why. There's a picture of it back there. But the AI data center combined with the lithium, combined with the fields, it is a death sentence for all of us. Do I have data for that? No. But I do know that it's not going to be good for anyone involved. Obviously, it's the potential jobs that are coming, but someone said earlier that they can build a parking lot there. Let's build a parking lot there. Thank you.

**Ian Hayasaka, Public Speaker:** Hello, my name is Ian Hayasaka. I'm an electrical engineering student and a tutor at IVC. I study through books all the time, so data centers and computer technology are something that's very familiar to me. I am disgusted by the blatant misinformation. We have not been approached. Those who are studying engineering are often approached by the people who we are recruiting. There are often events for it. We have seen nothing from this data center. We are not being told what the specific environmental provisions are. I am not seeing regulations about the biocides, which this is an agricultural county. Our economy is based off of things that are living, and we have to put stuff to kill bacteria, which will harm our crops, into the water. There's also no carbon output regulation that I've seen. When I looked it up, I didn't see anything about how much carbon output they are allowed to have. I also didn't see anything about regulating the generator uptime. There isn't anything. We have no guarantees that it's going to stop at any point. They can run it and they're not going to stop it. So, about computer information about the water: when you have a closed loop for water cooling, water will diffuse out of the pipes. It will just happen. Water will do that. You have to replace that water, which means you need more. The more computers, the more you have to do that. Also, power spikes for GPUs, which are what you use for this type of computing, are instantaneous. It's really quick, and you can't do anything about that, and that's going to strain the grid. That's what causes those burnouts. Also, lights for security mean light pollution. We haven't been told anything about light pollution. Many data centers that I've seen have a lot of light pollution. I'd like to see the stars at night, and that won't happen if we have to have these security lights, and we've heard nothing about this. Also, computers need little to no maintenance. You can run computers without people needing to check on them often, which means that there isn't a lot of work for the uptime. And if our comments aren't being taken into account, maybe we need different representation. I want that to sit with you very clearly, because if we are not being represented by you, then maybe we need a new board. Thank you.

**Peter Acuna, Public Speaker:** My name is Peter. I'll keep my comments short. I try to ask that everyone puts yourselves in a neutral position for just a moment. Have patience with me. When I first heard about this data center, I didn't know what it was. I thought it was just a warehouse. I saw satellite images of the proposed site, the roads nearby, the proximity to Border Patrol and the Highway Patrol stations, railroad track accidents, good stuff. I said, oh wow, these guys are smart. That's an excellent place to put their warehouse, which is one of the biggest in the state. But then I did a little research, the noise, the pollution. And then I said, oh wow, that's actually not so great anymore. My main concern is underground vibrations. Sound barriers can prevent some of the problems above ground, but underground, the piping, the water piping specifically, if it cracks over the

next few years, it is more maintenance, more expenses, and polluted water. I worked at a power station for a bit in Calipatria. I have the hat right on, and they are loud. The power stations are loud. I think this data center should be treated as a power station, not just any other industry. And power stations should not be so close to houses. This is not a satellite solar farm. This is a loud, vibrating machine, monstrosity for anybody sleeping nearby. I pray for anyone that is in the vicinity. I pray you have a good future. That is all.

**Oscar Mendez, Public Speaker:** Good morning. My name is Oscar. I've been a resident of Imperial for more than twenty (20) years. I moved in with my family to Victoria Ranch in the year 2024, and most of my childhood took place in that neighborhood. It was my family relatives who informed me of the data center project that's taking place right outside our backyard, and I'm against it. Data centers are massive facility compounds that use up immense thousands, if not hundreds, of gallons of water on a daily basis that is meant to fuel software programs such as Meta AI and Open AI. I actually studied those software programs at the University of California State University San Bernardino, which is an institution I graduated from. Open AI doesn't care about you. It's not your best friend. It's not your therapist. It's not your academic advisor. It's not even a living person. It's not going to care about you once you finally pass away. You can't take it with you when you bury at your funeral. So why are you guys supporting it? It's only a matter of time until AI gets too advanced to a point where we start losing control of it. The founder of FB, Mark Zuckerberg, CEO founder of Open AI, Sam Altman, these two people are the most powerful humans on the planet. They don't care about you. They're not going to visit you when you finally pass away and take your last breath. They're going to live their lives and wealth, and we as residents are going to suffer because of this data center. There's no hope for this project if you proceed with it. And I hope that the people who are supporting this plan, hope you guys are proud of yourselves. Thank you.

**Diego Joe, Public Speaker:** Good morning. My name is Diego. I am ashamed to admit I am homeless right now. I came to Imperial Valley to work, and if this data center is built, can you guys promise me a job? Answer me yes or no. Will I get a job? Can you promise me a job?

**Commissioner Cabanas:** The project has not been approved.

**Diego Joe, Public Speaker:** If it goes up, this data center is going to ruin the environment. How many other big cities get rid of trees, fishes, the ecosystem? Who else likes to fish? All those fish, they will have dead. You cannot spend quality time with your son anymore teaching him how to tie knots, be patient. And you union workers complain about work. Go fix the roads. There is a truck empty over there, someone not working it. You guys want to protect your guys' children, you know, want to plan for their future. They are going to grow up with asthma, not able to breathe. Albuterol is getting expensive. If you cannot pay for that, guess who is going to pay for that with their life. It saddens me to see so many people approve this project because of their own greed. All it is greed. All it is greed. You guys have no support to back any of this up, and I do not need to use fancy words. I do not need to look up what you guys sign, what you guys did not sign. It is inherently bad. AI is making everybody stupid. Everywhere I go is AI ads, and it makes me angry. People are put out of their jobs because they are artists. They cannot do art no more because of AI. I want to be a musician but guess what AI is doing that for me.

**Annet Leon, Public Speaker:** Good morning. Annette Leon, long term resident of Imperial County, Vice President of Dubose Design Group. Good afternoon, Commissioners, I stand before you to clarify a few points. I know that residents are led to believe that this herein question has not been environmentally assessed by our predecessors, and that is simply not the case. The surrounding area and project site has been evaluated, so much so that the Victoria Ranch specific plan area has mitigation measures on them and has since 2003, a plan which was updated in 2023. The City of Imperial imposed conditions of approval on the neighboring subdivision, fully aware of its proximity to industrial land. It is important for you landowners to know that a railroad, which began service in 1919, an airport which took its first flight in 1943, and an industrial zoning that has zoning precedence since the nineteen seventies, all subdivisions were evaluated through the CEQA process, and documents can be obtained online or through public requests. There have been not one but two (2) CEQA documents that have recently gone through public review, the Imperial Service Area Plan and the Imperial Airport Land Use Compatibility Plan. Both could have resulted in an adverse concern with the land use applications for site plan review, were submitted to the City of Imperial in March of 2025, and I know

because I submitted them. The site plan review number for your information is 25-03. The applicant is doing what they can because technically they are permitted by right, but does that mean they could do whatever they want? No. Now, I am not standing here negating anyone's concerns because they are all valid, and studies are being conducted such as a health risk assessment, and we have our local agencies to protect us and our environment. I am explaining this thoroughly because now is the time we have to be united as ever as we start to enter into this new sophisticated technological age. Our unemployment rates are higher than ever. I think everybody knows the Spreckels closure has created problems from the north end to the south end. All the more reason we need to stand strong together. The budget was released. We have two hundred seventy five (275) vacant unfunded positions that we cannot afford, and it is clear as ever that we need to course correct. The only way to do that is that we take a hold of the opportunities that come at hand. We send our graduates off. They do not come back because there is no opportunities for us, and we fought so hard for the last decade to have people train locally. So, I urge you, when you make this decision, that you take into account the entire county from the north end to the south end.

**Chairman, Schaffner:** Was there anyone who did not speak would like to fill out a card and speak? Calls one more speaker to the podium.

**Daniel Silva, Public Speaker:** Good afternoon, Daniel Silva Calexico, So I had to come and ask my professor to give me a chance to come over here. It's crazy. You guys made this meeting in the time that we're all getting together, and you guys know that. You guys know that we make community during this time. You guys sit here lying to the community for what? You guys know what you are going to be doing. Nobody said anything, and you guys waited for a time when we're all making community. Nobody has time to be here, and you guys know that we're all struggling to live. We're all struggling to find work, but yet we're here, and you guys are hearing everybody say no. The people that are not here are not here because they do not want to be here. They have to work. There are a lot of people that are on government assistance. I mean, just look at the unemployment rate; you hear it time and time again. And the worst part about it is that it is the same race that does it to ourselves. Look at El Paso. Look how big El Paso is. Look at how big San Diego is. Look at how big Calexico is. It looks like the butthole of the valley, and I have been living there. It is so heartening to have to even come out of here and leave my mind as a student and actually think about my community. And for those who cannot speak, there was a woman who just signed a paper, and she did not even know what she was signing because she could not speak English. You are all taking advantage of that. Thank you so much for holding this meeting and letting everyone talk and paying attention to the community. I am sorry for coming in emotional, but this community means a lot to me, and I have only seen it get worse. I have asthma. I have to go and plead with my doctor for prednisone so I can get my lungs open just so I can go outside and work just so I can get a degree. But there are people like you guys who are looking, when nobody is paying attention, to fill your pockets. I see you, and we have all been seeing you guys over and over again. I am jotting your names down because I am getting into a position of power so I can take down all your little names and be like, "This one voted for this one." Alrighty. I really appreciate your guys' time, and I yield the rest of my time. Thank you.

**Chairman Schaffner:** Do we have anyone online that wishes to speak? I guess not. Calls applicant.

**Sebastian Rucci, applicant:** Thank you, Mr. Chairman, and thanks to the public. I hear a lot of their passion, and I am not dismissive of their passion. If they said that we did a poor job of communicating, I would also agree. So, we have set out now to communicate better and meet with everybody. As far as transparency, all the studies we have done are available online, and we can deal with those. I wrote down about fifteen (15) comments that I would like to address over things I heard. The first thing was on the application about the affidavits. I responded to the city's letter, which I got yesterday about four o'clock. By eight o'clock, I sent it out by email, and we filed a copy of the affidavits that were submitted two months prior, so that is not an issue. We also dealt with all the issues. In my opinion, a lot of the issues were found on the fact that the City of Imperial uses it as a rezone. We do not think so, obviously, and that is something that is already in court. Everybody has recognized that, so that process will follow whatever it does. In California, CEQA has made many changes this summer. Huge changes to CEQA came into place mainly for residential, and for advanced manufacturing, another one, which is a data center on industrial use. The changes are because California was really slow on getting its housing. Now the new changes are if you have twenty (20) acres or less for residential, you are

exempt. One of the things that happens in CEQA, before you get to the environment part, you get into the exemption part, and I intentionally look for that. If they want to yell at somebody, they can yell at me for that. Now with respect to staff and professionals, all of these things that we are submitting go to professionals. These professionals will review them. For example, the one about the generators goes to APCD. We went to them and said, look, we checked the boxes on this. They said we want a health risk assessment. I said no problem; I paid for it. That is being completed and actually it is done this week. Those will be out there for people who can review them over the health risk assessments. As far as the generators, they are temporary generators. They only come on when you have a power outage. You get to do tests during that time, and they are limited to one hundred (100) hours. We agreed to limit it to thirty-four (34). I am being told it is going to be more like twelve (12). These are things that are there. This is inside the building, not outside the building. As far as the electricity, we have done four (4) studies that show that the capacity is sufficient to be there. Most of the electricity, as I see it, and I could be wrong, in Imperial County is exported out because there is no need for this large load. This one allows it to be here. The cost for the electricity to the data center will be about a quarter of a billion dollars per year. That is a billion in every four (4) years. The net IID will argue with me it is not net because their profit is somewhere between twenty-five (25) to thirty (30) million every year. That is there, and we are not asking for anything to be done by the public with that. The substation that is on site is about eighty (80) million dollars, paid for by the data center, and still there are processes on that. In fact, as we speak, there is a meeting on site with the IID and power engineers to go over the substation part. As for the water, there has been a lot of misinformation on that, and unfortunately, again, it could be me. We did not put it out there as much early on. What we did is we wanted to get reclaimed water. That is the wastewater that gets reclaimed by us that we use. We went to the City of Imperial, and I paid for all that, which now everybody forgets from Imperial. That was two (2) million gallons that they had. We went to El Centro, and that was four (4) million gallons. Both studies are available online. We paid for that. Our plan was we pay for the reclamation of the water for both. We pay for any upgrade to do it, and we buy the water. We did not need six (6) million gallons; we needed seven hundred fifty thousand (750,000) gallons. The excess, either they can sell it to the public because now it is free, or they can send it to the Salton Sea, which is now going to have clean water. That is an environmental positive part. We did that. We did not need CEQA to tell us that. We started with that. We did the same thing with the electricity. We did not need CEQA to tell us to be good. By the way, the electricity here in Imperial is one of the places where you have a lot of green energy. We are looking for geothermal and all those other things we can get. That is another one. The generators are already covered for you. That is APCD. We did the health risk assessment. We complied with it. They are temporary; they do not run all the time. Jobs. We already signed a Project Labor Agreement. We were not there to battle this. We want to see jobs come here. The jobs expected during construction are somewhere between fifteen (15) to sixteen hundred (1,600) jobs. Remember, those are direct jobs. You are going to have indirect jobs that add another number like that. The direct jobs—you heard it correctly. A few of them said about one hundred (100), somewhere between one (1) and two hundred (200), whatever that is. But there are also indirect jobs that come with that, probably another five hundred (500). However, let us remember this is private land. I do not have to come to you and say, well, we are going to add jobs. We are this investment, not by me. I do not have that kind of power. It is ten (10) billion dollars. The building itself and everything else will be about three (3). The chips themselves will be about six (6). So about ten (10) billion-dollar investment. The tax base for Imperial County is about eighteen (18) billion. When I was trying to do this in the City of Imperial, that building would have doubled their tax base. So, whatever you were getting in the schools, whatever you were getting in the police, call it twice. That is the type of investment this does. But there are also spinoffs. There are other people that can produce reclaimed energy that want to sell to you, and there are other things. Plus, also, I believe the power that you have cannot occur elsewhere, to be fair, because no one else has that kind of capacity in the state. We created the electrical stuff, but we do not have the ability for that. The industrial zone, as recently this summer, and Annette spoke way better than me on that. That study was in there. This property, should it be annexed by the City of Imperial, is in railroad industrial, their highest level use. It is not like we are looking at this as if we are going to change it. This stays in line with it. By the way, when you look at the potential uses, there are many. I think in the county's code there are probably about one hundred (100). In my view, and I know others might disagree, the data center is one of the lightest uses. It does not have a lot of traffic going in and out. I know they will disagree. It has limited traffic. It has no windows. It is a building. Yes, it is noisy inside

the building, but I do not believe outside of it, the county has a code that we have to adopt to. I get it. There are going to be disagreements. I think the best thing for that is to deal with those and have us prove those to you. Now that is really it. I think I have covered as best I can recall most of those comments. I would be happy to take any questions if you have any.

**Chairman Schaffner:** Any questions commissioners?

**Sebastian Rucci, Applicant:** I would conclude to follow what you're rules have been and I thank the County it's one of the ones I've seen that do it thank you.

**Chairman Schaffner:** I would like to take the opportunity to clarify one other item. The commissioners are not elected by anyone. We are volunteers. We do not have to be here today. Folks, we are trying to do something for the community. So, whoever told you that we are elected, they are wrong. Just wanted to clarify that. I am going to let you say one thing, and that is it.

**Unknown public speaker:** I am here as part of the community. We are not public. The person who was talking was saying we are public. We are not public. We are the community, the community to support you. That is the reason why you are in that chair, because we believe that you are a good leader for us, a good representative for us, for the community. We are not asking for a favor to authorize a data center. We are here as a community. We are here together. We are stronger. We are here to say no to data centers. Why? It is not because of the money. I know, and I understand, the representative is going to have a lot of money in their pockets. Good for them, not for the community. We do not have any good resources here. We are the community that is poor compared to San Diego and Los Angeles. I am a mother. I have a husband. I understand you guys. I have a husband who had to go out of state two years ago to support his family. I understand, but just for that, I am not going to say yes to a data center just thinking of me. I have to think of the community, not just me. I have to think about the generations, not just for my son or daughter, but for all generations. You need to think of the community. We are here as a community. We are here to stop the data center. We are here for that.

**Chairman Schaffner:** He then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

**Commissioner Kalin:** I would like to say that we are missing the point here. This data center, if it is able to be built, is going to be a catalyst, I think, for all kinds of new industries and new things, and more jobs coming into the valley. That is all.

**Commissioner Cabanas:** Calls Jim Minnick to the podium for some questions.

**Jim Minnick, Director:** Yes, sir?

**Commissioner Cabañas:** If, and I'm not saying for sure, if this project gets approved, Mr. Minnick, that does not mean the future parcel of this project will not be required to do CEQA, correct?

**Jim Minnick, Director:** It depends on the nature of the items, yes.

**Commissioner Cabañas:** Can you explain that to me a little more?

**Jim Minnick, Director:** The action in front of you is a lot merger to merge five (5) lots. That is the only action that is in front of you. If other agencies require CEQA clearance for other aspects of it, there might be. From the county standpoint, no.

**Commissioner Cabañas** Ok, Thank You.

**Chairman Schaffner:** Ok if there's no further comments I'd like to entertain a motion.

**Commissioner Kalin:** Made a motion to approve **Agenda Item #2** seconded by **Commissioner Gallegos** and the affirmative vote by the Commissioners present as follows Schaffner (yes), Kalin ( yes), Roben (yes), Cabañas (yes), Gallegos (yes), Wright (no), Dunn (no).

**Jim Minnick, Director:** ok motion fails is there another motion?

**Commissioner Cabañas:** I would like to make a motion to table this project until the developer, the City of Imperial, the City of El Centro, and the community, which is all here represented by you guys, get together, get some workshops, and come to an agreement if this project is valuable in that location or moved to another location, but not before everybody has a chance to listen to the project pros and cons. That is my motion.

**Chairman Schaffner:** Calls Mr. Minick to the podium.

**Jim Minnick, Director:** The motion that was presented by Commissioner Kalin failed to pass, so there is no motion. The object is still out. Now we have a new motion that was presented by Commissioner Cabañas that has not been seconded.

**Commissioner Kalin:** I second that.

**Chairman Schaffner:** We have a motion but not a second, right?

**Jim Minnick, Director:** Yes, we do Mr. Kalin.

**Commissioner Cabañas** Made a motion to table **Agenda Item #2** seconded by **Commissioner Kalin** and the affirmative vote by the Commissioners present as follows Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Gallegos (yes), Wright (yes), Dunn (yes).

**Jim Minnick, Director:** Stated **Agenda Item #2** made a motion to table this item until it stands approved should any member wished to appeal the motion which was to continue the item until such time that has been workshopped with the agencies that commissioner cabanas has stated then the project would come back to the planning commission for a rehearing of the same lot merger.

**Commissioner Cabañas:** Let me add, not only the agencies, which everybody in this room who stands against this project, they are part of those tables of communications with the developer and the county, and the City of Imperial and the City of El Centro.

**Jim Minnick, Director:** The county will get together and have workshops. They will be available to the public based on your motion.

**Commissioner Cabañas:** Thank you.

**Public:** How will we be notified?

**Jim Minnick, Director:** You will be notified by the newspaper.

**Chairman Schaffner:** So, this has to come back to us, not to the Board of Supervisors?

**Jim Minnick, Director:** The lot merger has been continued. In order to have a lot merger, should the applicant choose to proceed with the lot merger, it has to come back to this commission for a new hearing. You have not decided to approve it or deny it, only to continue it.

**Chairman Schaffner:** So, this is the opportunity for everybody that has questions, who says that they weren't informed, they didn't know anything, to get with these workshops and get the information they are looking for.

**Jim Minnick, Director:** Yes.

3. **Consideration of Lot Merger #00192** as submitted by Brandon Hernandez, is proposing a comprehensive lot merger between three contiguous lots to legalize them for future residential development. All future developments would be made to County standards. With Assessor's Parcel Number 054-184-004 (1113 Heffernan Ave, Heber, CA) is legally described as N 40 FT of Lots 22 23 & 24 BLK 62 Amended Townsite of Heber, in an unincorporated area of the County of Imperial, State of California.; of the San Bernardino Base Meridian (S.B.B.M.), in an unincorporated area of the County of Imperial, State of California (Supervisory District #2) [Luis Valenzuela, Planner II, at (442) 265-1736, extension 1747 or via email at [luisvalenzuela@co.imperial.ca.us](mailto:luisvalenzuela@co.imperial.ca.us)]

**Actions:**

1. Find that Lot Merger #00192 is categorically exempt from CEQA per Article 19, Section 15305 (Minor Alterations in Land Use Limitations) and that no further environmental documentation is necessary; and,
2. Find that Lot Merger #00192 is consistent with applicable Zoning and Building Ordinances; and
3. Approve Lot Merger #00192, subject to the attached conditions.

**Jim Minnick, Director:** Gave a brief description of the project, and introduced Luis Valenzuela, Planner II, to read the project into the record.

**Luis Valenzuela, Planner II:** Read the PowerPoint presentation of the project into the record.

**Chairman Schaffner:** Ok do we have someone from this project here today?

**Brandon Hernandez, Representative:** Introduced himself.

**Chairman Schaffner:** Asked if he read and agreed with everything in the project, and if he had any questions or comments regarding the project.

**Brandon Hernandez, Representative:** I do agree with everything in it.

**Chairman Schaffner:** Ok any questions or comments?

**Brandon Hernandez, Representative:** Not at this time.

**Chairman Schaffner:** Opened public portion of the meeting.

**Chairman Schaffner:** There were no public comments. He then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

**Commissioner Kalin:** Made a motion to approve **Agenda Item #3** seconded by **Commissioner Gallegos** and the affirmative vote by the Commissioners present as follows Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Gallegos (yes), Wright (yes), Dunn (yes).

**Jim Minnick, Director:** Stated **Agenda Item #3** stands approved by this Commission, the applicant or any member of the public wants to appeal must be done by filing the appropriate appeal in the next ten (10) days.

**4 .Consideration of Parcel Map #02516** as submitted by Edward S. and Linda L. Menvielle, seeking approval of Parcel Map (PM #02516) to subdivide an existing 214.31 AC+/- property into three legal parcels for family estate planning purposes. The proposed subdivision will result in "Parcel 1" comprising approximately 82.65 Acres, "Parcel 2" approximately 60.69 Acres, and "Parcel 3" approximately 70.97 Acres. This subdivision will not involve any changes to the existing land use; the property will remain in active agricultural production. Legal and physical access to Parcel 1, 2 and 3 will be provided directly via Carr Road. This project is located at 1446 Carr Road, Calexico, CA, property identified under Assessor's Parcel Numbers (APN) 059-210-013-000, and legally described as Southwest Quarter and part of the West Half of the Southeast Quarter of Section 11, Township 17 South, Range 15 East, of the San Bernardino Base and Meridian (S.B.B.M.), containing approximately 214.31 acres, lying West of the Ash Canal, in an unincorporated area of the County of Imperial; State of California (Supervisory District #5). [Luis Bejarano, Planner II at 442-265-1736, or via email at [luisbejarano@co.imperial.ca.us](mailto:luisbejarano@co.imperial.ca.us)].

**Actions:**

1. Adopt the Negative Declaration by finding that the proposed project would not have a significant effect on the environment as recommended by the Environmental Evaluation Committee on October 09, 2025; and,
2. Adopt the attached Resolution and supporting findings, approving Parcel Map #02516, subject to the attached conditions.

**Jim Minnick, Director:** Gave a brief description of the project, and introduced Luis Bejarano, Planner II, to read the project into the record.

**Luis Bejarano, Planner II:** Read the PowerPoint presentation of the project into the record.

**Chairman Schaffner:** Asked if there was a representative for the project to approach the podium.

**Tom Dubose, Representative:** Introduced himself. Representative Ed and Linda Menvielle.

**Chairman Schaffner:** Asked if he read and agreed with everything in the project, and if he had any questions or comments regarding the project.

**Tom Dubose, Representative:** Yes and no questions or comments.

**Chairman Schaffner:** Opened public portion of the meeting.

**Chairman Schaffner:** There were no public comments. He then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

**Commissioner Kalin:** Made a motion to approve **Agenda Item #4** seconded by **Commissioner Gallegos** and the affirmative vote by the Commissioners present as follows Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Gallegos (yes), Wright (yes), Dunn (yes).

**Jim Minnick, Director:** Stated **Agenda Item #4** approved by this Commission, the applicant or any member of the public wants to appeal must be done by filing the appropriate appeal in the next ten (10) days.

5. **Consideration of Parcel Map #02520** as submitted by MACC CO, LLC., proposes to subdivide one +/-135 acres existing parcel, zoned as ML-I-3-RE (Mesquite Lake Heavy Industrial with Renewable Energy Overlay), into two separate parcels, each approximately 67.50 acres. The purpose of the proposed subdivision is to legally establish two independent parcels and improve marketability. The property is currently vacant, and no development is proposed at this time. Access to the site will continue to be provided from Highway 111. No zone change is requested, and both parcels are intended to remain designated for Industrial Use. The property identified under Assessor's Parcel Number (APN) 040-380-020-000 and further described as PAR A OF COC LLA 188 T14S R14E 135AC; County of Imperial; State of California (Supervisory District #5) [Rocio Yee, Planner II at 442-265-1736, or via email at [rocioyee@co.imperial.ca.us](mailto:rocioyee@co.imperial.ca.us)].

**Actions:**

1. Adopt the Negative Declaration by finding that the proposed project would not have a significant effect on the environment as recommended by the Environmental Evaluation Committee on November 13, 2025; and,
2. Adopt the attached Resolution and supporting findings, approving Parcel Map #02520, subject to the attached conditions.

**Jim Minnick, Director:** Gave a brief description of the project, and introduced Rocio Yee, Planner II, to read the project into the record.

**Rocio Yee, Planner II:** Read the PowerPoint presentation of the project into the record.

**Chairman Schaffner:** Asked if there was a representative for the project to approach the podium.

**Natalie Ericsson, Representative:** Introduced herself.

**Chairman Schaffner:** Asked if she read and agreed with everything in the project, and if she had any questions or comments regarding the project.

**Natalie Ericsson, Representative:** Yes and no questions or comments.

**Chairman Schaffner:** Ok, do we have anybody from the public that needs to speak on this item?

**Chairman Schaffner:** There were no public comments. He then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

**Commissioner Kalin:** Made a motion to approve **Agenda Item #5** seconded by **Commissioner Gallegos** and the affirmative vote by the Commissioners present as follows Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Gallegos (yes), Wright (yes), Dunn (yes).

6. **Consideration of Conditional Use Permit #25-0009** as submitted by Winterhaven County Water District, proposing a Conditional Use Permit for the replacement of Water Well No. 2, along with associated improvements to the water treatment plant. WCWD provides potable water to the small rural community of Winterhaven, California, serving approximately 107 residential connections, 22 commercial connections, and a 495-space RV park. The new well will be constructed approximately 50 feet from the existing well, which is planned for abandonment. The replacement well (Well No. 2) will be drilled to a depth of approximately 500 feet, using a 10-inch casing, and is expected to have a production capacity of 400 gallons per minute (GPM), equivalent to approximately 645.20 acre-feet per year. This project will be located at 495 Third Ave, Winterhaven CA. 92283, property identified under Assessor's Parcel Number (APN) 056-291-005-000 and further described as LOTS 10 TO 16 & E 2FT OF LOT 9 BLK 13 CENTRAL ADD WINTERHAVEN; Latitude 32° 44' 18.994" N – Longitude 114° 38' 15.126" W, County of Imperial; State of California (Supervisory District #5), [Rocio Yee, Planner II at 442-265-1736, or via email at [rocioyee@co.imperial.ca.us](mailto:rocioyee@co.imperial.ca.us)].

**Actions:**

1. Adopt the Mitigated Negative Declaration by finding that the proposed project would not have a significant effect on the environment as recommended at the Environmental Evaluation Committee (EEC) hearing held on October 23, 2025; and
2. Approve the attached Resolutions and supporting findings, for Conditional Use Permit (CUP) 25-0009 subject to all the conditions and authorize the Planning and Development Services Director to sign the CUP contract upon receipt from the permittee.

**Jim Minnick, Director:** Gave a brief description of the project, and introduced Rocio Yee, Planner II, to read the project into the record.

**Rocio Yee, Planner II:** Read the PowerPoint presentation of the project into the record.

**Chairman Schaffner:** Yes, sir tell us who you are.

**Rick Miller, Representative:** Introduced himself.

**Chairman Schaffner:** Is that the antenna tower that was put up by the fire department?

**Rick Miller, Representative:** Yes.

**Chairman Schaffner:** And they stopped using it?

**Rick Miller, Representative:** You're talking about the antenna tower?

**Chairman Schaffner:** Yes.

**Rick Miller, Representative:** It's been used. We don't know how it got sold or why we're not getting any income from it. That's a different matter.

**Chairman Schaffner:** I guess the county did it, huh?

**Rick Miller, Representative:** I'm not sure who did it. If the fire chief, did it, I don't know who did.

**Chairman Schaffner:** I remember when we put it on, then someone told me later on that there wasn't anything on it, that it hasn't been used.

**Rick Miller, Representative:** No, we're working on it. We've been working on it. People have been working on it constantly.

**Jim Minnick, Director:** It was not the county, I want to put it on record. The county did not sell the tower.

**Rick Miller, Representative:** I think it was sold illegally by a member of the community. That is the issue, contention that has been going on for years, and nobody can get a straight answer on how it got sold.

**Chairman Schaffner:** Ok so you do agree with everything in it?

**Rick Miller, Representative:** I agree with everything in it, I do have a little issue with the lot merger but we're working on it I mean this lot merger should've been done 50 years ago when the plant was put in.

**Chairman Schaffner:** I'm sure you're ready to go with it like that right?

**Jim Minnick, Director:** They're really good at lot mergers, we're good with the action.

**Chairman Schaffner:** Ok, do we have anybody from the public that needs to speak on this item?

**Chairman Schaffner:** There were no public comments. He then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

**Commissioner Kalin:** Made a motion to approve **Agenda Item #6** seconded by **Commissioner Gallegos** and the affirmative vote by the Commissioners present as follows Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Gallegos (yes), Wright (yes), Dunn (yes).

**Jim Minnick, Director:** Stated **Agenda Item #6** stands approved by this Commission, the applicant or any member of the public wants to appeal must be done by filing the appropriate appeal in the next ten (10) days.

7. **Consideration of Conditional Use Permit #25-0018** as submitted by Verizon Wireless through its authorized agent, Nuwave Communications, for a new (15) fifteen-year re-entitlement for previously approved Conditional Use Permit #02-0023 for an existing 185-foot above ground level (AGL) telecommunications tower. The property is located at 402 East Beal Road, Niland, CA 92257, further identified as Assessor's Parcel Number (APN) 021-160-014-000 and legally described as the Northeast Quarter of Section 3, T11S, R14E, S.B.B.M. in the unincorporated area of the County of Imperial. (Supervisory District #4), [Gerardo A. Quero, Planner II at 442-265-1736 extension 1748 or via email at [gerardoquero@co.imperial.ca.us](mailto:gerardoquero@co.imperial.ca.us)].

### **Actions:**

1. Find that the project is categorically except from CEQA under Government Code Section 15301 and that no further environmental documentation is necessary; and,

2. Find that Conditional Use Permit #25-0018 is consistent with applicable zoning and building ordinances; and
3. Approve Conditional Use Permit #25-0018 for a new 15-year term, subject to the attached conditions.

**Jim Minnick, Director:** Gave a brief description of the project, and introduced Alan Molin, Planner II, to read the project into the record.

**Alan Molina, Planner II:** Read the PowerPoint presentation of the project into the record.

**Chairman Schaffner:** Asked if there was a representative for the project to approach the podium.

**Vince Amaya, Representative:** Introduced himself.

**Chairman Schaffner:** Asked if he read and agreed with everything in the project, and if he had any questions or comments regarding the project.

**Vince Amaya, Representative:** We did. I forwarded the conditions to Verizon legal department and Verizon management. I had a couple of questions regarding the general conditions, number eleven (11) and thirteen (13), well, not much of a question, more of a clarification that these conditions were consistent to the extent of federal law. That was it, and that they were site-specific COAs, conditions S14 and S16. They wanted to add additional language to the end of the sentence.

**Jim Minnick, Director:** Can you read what they wanted for the benefit of the commission and explain why you want to change those?

**Vince Amaya, Representative:** Yes. For number S14, they wanted to add at the end that it says, "Interference determinations shall be consistent with applicable federal law and subject to notice and a reasonable opportunity to cure." For S16, again, they want to add at the end of the sentence, "All requirements herein shall be limited to those consistent with federal law."

**Jim Minnick, Director:** Okay, so with S16, that has to do with our lighting requirements. As you may be aware, local jurisdictions have a right to oppose conditions in addition to federal law. I will not be recommending changes at this time, other than the time extension that they asked for. We got this late; actually, we got this this morning, so I'm not comfortable recommending anything.

**Chairman Schaffner:** This has to go through the pilots and then they get all stirred up.

**Jim Minnick, Director:** So, the requested actions that they're asking for at this point, I got it just ten (10) minutes ago, and I wanted some clarification, but staff isn't recommending any changes.

**Chairman Schaffner:** Ok, do we have anybody from the public that needs to speak on this item?

**Chairman Schaffner:** There were no public comments. He then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

**Commissioner Kalin:** Made a motion to approve **Agenda Item #7** seconded by **Commissioner Gallegos** and the affirmative vote by the Commissioners present as follows Schaffner (yes), Kalin (yes), Roben (yes), Cabañas (yes), Gallegos (yes), Wright (yes), Dunn (yes).

**Jim Minnick, Director:** Stated **Agenda Item #7** stands approved by this Commission, the applicant or any member of the public wants to appeal must be done by filing the appropriate appeal in the next ten (10) days.

8. **Consideration of Similarity of Use - Imperial Center:** The applicant (NHHA) is requesting a Similarity of Use determination to operate an Interim Recuperative Care and Transitional Housing facility within the Imperial Center Specific Plan Area, stating that the proposed use is functionally indistinguishable from an extended-stay hotel with embedded social services, a use already contemplated in the Specific Plan. The facility would provide transitional housing outcomes using hotel-style operations, while imposing fewer impacts than either use individually. They are requesting a Similar Use Determination and the issuance of a Conditional Use Permit under the same review framework applied to hotels and transitional/supportive housing projects within the Imperial Center. The properties identified under Assessor's Parcel Number (APN) 054-680-007-000 & 054-680-008-000 and further described as LOT 7 OF IMPERIAL CENTER SUB UN1 TR954 1.88AC & LOT 8 OF IMPERIAL CENTER SUB UN1 TR954 2.05AC; In an unincorporated area of the County of Imperial; State of California (Supervisory District #5) [Rocio Yee, Planner II at 442-265-1736, or via email at [rociyee@co.imperial.ca.us](mailto:rociyee@co.imperial.ca.us)].

**Actions:**

1. Make the finding that this "Similarity of Use" determination is Statutorily Exempt from CEQA per Article 18, Section 15268 (a) and (c) Ministerial Projects, of CEQA and Section 90203.10 (F) of the Imperial County Land Use Ordinance, Title 9, and that no further environmental documentation is necessary; and,
2. Approve of the Resolution and make the attached Findings to allow the requested use; and,
3. Determine whether the proposed "Interim Recuperative Care & Transitional Housing Program" is a similar use to the Imperial Center Specific Plan "Hotel" (as a Permitted Use with a Conditional Use Permit).

**Jim Minnick, Director:** Gave a brief description of the project, and introduced Rocio Yee, Planner II, to read the project into the record.

**Rocio Yee, Planner II:** Read the PowerPoint presentation of the project into the record.

**Chairman Schaffner:** Asked if there was a representative for the project to approach the podium.

**Oscar Grijalva, Representative:** Introduced himself. We read through the presentation, and we've listened to the presentation. There are no conditions of approval yet because Jim Minnick mentioned we still need to come back and apply for a conditional use permit process and all of that. But we would like to request the attention to the similar use determination on our project. We're just here to answer any questions the commission might have.

**Chairman Schaffner:** Can you explain to us how that works.

**Oscar Grijalva, Representative:** What's that?

**Chairman Schaffner:** The extended living.

**Oscar Grijalva, Representative:** Absolutely. Let me have Dr. Choi; he is the director of the facility, and he can explain that further. Just to clarify one thing before he does that, also on the similar use, because we're looking

at the specific plan for the Heber project, we were limited to the amount of similar use or uses that are allowed either under permitted uses or conditional use permit uses. And so, what we did, working with the County of Imperial, we found whatever was closest to what we are doing there. It was a hotel, because people stay there, and they stay overnight. They're not ambulatory, or they're ambulatory, sorry, where they can get up and leave whenever they want. It's not a hospital, it's not like that. So that's why the similar use that we're using is the hotel one. But Dr. Choi can explain a little bit more what the uses of the facility are.

**Dr. Choi, Applicant:** Good afternoon, Commissioners. Thank you for the opportunity to come and speak to you. Basically, what we will be providing is hotel transitional, a short-term, temporary transitional stay for individuals to recover from hospitalization, especially individuals who are homeless. As you know, the homeless go to the hospital, and when they no longer meet the acute state to stay in the hospital, they get discharged back onto the street, and many of the individuals go back to the hospitals, cycling through this. This is a benefit that the state has set out for individuals who have medical, and at the state level it is considered room and board, just like a hotel.

**Chairman Schaffner:** And how long can they stay there?

**Dr. Choi, Applicant:** They can only stay there up to six (6) months, subject to the approval of the medical health plan.

**Commissioner Kalin:** What are the accommodation in the rooms?

**Dr. Choi, Applicant:** Room. We provide linen services, meals, a safety security guard, and staff that would help them, assist them, oversee the medication that they have to take per the discharge order from the doctor. So, similar to if you have a loved one from the hospital come home and they need your support in taking medication at the right time. If you have any questions, we will help them connect with their pharmacy, care physician, and make sure that they show up to their follow-up appointment.

**Commissioner Kalin:** Describe for me what's in the room?

**Dr. Choi, Applicant:** It's just a bed and a stand where they can put their clothes. That's all.

**Commissioner Kalin:** So, I assume there's a bathroom?

**Dr. Choi, Applicant:** Yes.

**Commissioner Kalin:** Is there additional sink or a microwave or anything like that?

**Dr. Choi, Applicant:** No, we will be providing food for them there's a common kitchen, we cater in food.

**Commissioner Gallegos:** And your regulated to the state?

**Dr. Choi, Applicant:** It's not regulated.

**Oscar Grijalva, Representative:** Just to clarify the room situation, the rooms are basically like little cubicle stations, if you will. They don't have doors. There are three (3) walls with an opening, and it has a bed for each individual. They don't share it. There are some that are shareable, but in this facility, we don't have any that are shared, though they could be. It has a little closet for them to put their clothing and belongings, and a nightstand. There are showers and bathrooms, but they're more like communal areas that everyone shares. So, these bathrooms are basically shared by everybody.

**Commissioner Kalin:** So, it's more like a dormitory.

**Oscar Grijalva, Representative:** More like a dorm yes.

**Commissioner Kalin:** Except there's no door.

**Oscar Grijalva, Representative:** Except there's no door because the security wants to keep it like that.

**Commissioner Cabañas:** Is there going to be a kitchen in here, or are the meals going to be from somewhere else?

**Oscar Grijalva, Representative:** They basically bring the meals. If anything, they prepare sandwiches. There's no cooking as of right now. They bring the meals already prepared; they just prep them and give them out. There's a little lunchroom area where they all get together and eat, and there are also computer station areas where they can work on computers or learn how to use computers. They try to build up whatever it is that they want to work on.

**Commissioner Cabañas:** How about security?

**Oscar Grijalva, Representative:** There is Security 24/7

**Commissioner Cabañas Cabanas:** Where's the exact location where this is going to be?

**Oscar Grijalva, Representative:** The address is 1131 Yourman Road. It's out at the Heber, where the Heber Mall was going to be, where they had the two buildings. They had Cannabis in there, and they had Lowe's.

**Commissioner Cabañas:** Yea where the little strip was going to be built and stuff like that.

**Oscar Grijalva, Representative:** Exactly. And so, there's no outside improvements or onsite improvements. All the improvements, all the improvements we're doing, are just that we're building more cubicles, and we're building some restrooms in there and the showers.

**Commissioner Dunn:** Will they have social services come in and help?

**Dr. Choi, Applicant:** Yes.

**Commissioner Dunn:** And if the patient needed to stay longer than six (6) months, could they, if their insurance will pay for it?

**Dr. Choi, Applicant:** If the insurance will pay for it, yes, because there's certain criteria. There will be staff helping them find housing.

**Commissioner Cabañas:** One more question. Based on what we heard this morning, is the community of Heber going to be informed of this new facility?

**Oscar Grijalva, Representative:** They will be informed through a public hearing, as far as that's concerned, but we're not doing workshops or anything like that. Through the CUP process, we will have the public hearing, yes.

**Commissioner Cabañas:** Ok Thank You.

**Commissioner Gallegos:** I was asking is this state regulated?

**Dr. Choi, Applicant:** No because it's not treatment, it's just hotel .

**Commissioner Dunn:** Because if they're homeless, they need a place to stay, and they'll be back in the hospital and more at the expense if they don't have the service.

**Dr. Choi, Applicant:** Or they could die.

**Commissioner Cabañas:** I see that they are discharged out of the El Centro Hospital. They're in the corner, and they're still with their robes from the hospital.

**Chairman Schaffner:** And you have no massive generators in there?

**Dr. Choi, Applicant:** No, sir. No humming, nothing.

**Chairman Schaffner:** Ok, do we have anybody from the public that needs to speak on this item?

**Chairman Schaffner:** There were no public comments. He then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

**Commissioner Kalin:** Made a motion to approve **Agenda Item #8** seconded by **Commissioner Dunn** and the affirmative vote by the Commissioners present as follows Schaffner (yes), Kalin (yes), Cabañas (yes), Gallegos (yes), Wright (yes), Dunn (yes).

**Jim Minnick, Director:** Stated **Agenda Item #8** stands approved by this Commission, the applicant is now welcome to submit an application for a conditional use permit along with all the appropriate processes and hopefully in due time it will come back before your commission for a determination.

9. **Consideration of Similarity of Use – Green Energy Partners** as submitted by Imperial Valley Green Energy Partners, is requesting a Similarity of Use Determination to operate an Anaerobic Digestion Facility that would convert organic waste into renewable biogas and nutrient-rich fertilizer. The project is proposed within the Mesquite Lake Specific Plan Area, on property identified as Assessor's Parcel Number (APN) 040-250-020-000, located at 213 E. Keystone Road, Brawley, CA 92227. The site is zoned MLI-3 (Mesquite Lake Heavy Industrial). The applicant is presenting the facility as a use comparable to those permitted under the Specific Plan, noting that page 50, Section B(1) identifies alternative-fuel power-generating facilities as uses allowed within the MLI-3 zone when processed under a Conditional Use Permit (CUP). These uses typically include, but are not limited to, anaerobic digesters, biomass systems, biosolid processing, and solar conversion activities. The applicant further states that the proposed project supports the intent of the Specific Plan by promoting sustainable energy production, enhancing the beneficial reuse of agricultural byproducts, and contributing to the County's objective of developing an "industrial ecosystem" that provides both economic and environmental benefits. The property is identified under Assessor's Parcel Number (APN) 040-250-020-000 and further described as Portion of the West Half of Tract 58, Township 14 North, Range 14 East of the San Bernardino Base Meridian (S. B. B. M.), containing 37.58 acres, south of the road and west of the highway, except the east 40 acres; In an unincorporated area of the County of Imperial; State of California (Supervisory District #5) [Luis Bejarano, Planner II at 442-265-1736, or via email at [luisbejarano@co.imperial.ca.us](mailto:luisbejarano@co.imperial.ca.us)

**Actions:**

1. Make the Finding that this "Similarity of Use" Determination is Statutorily Exempt from CEQA per Article 18, Section 15268 (a) and (c), Ministerial Projects, of CEQA and Section 90203.10 (F.) of the Imperial County Land Use Ordinance, Title 9, and that no further environmental documentation is necessary; and,

2. Approve or deny the Resolution and make the attached Findings to allow the requested use; and,
3. Determine whether the proposed Anaerobic Digestion Facility is a similar use for the Mesquite Lake Heavy Industrial (MLI-3) Zone with a Conditional Use Permit.

**Jim Minnick, Director:** Gave a brief description of the project, and introduced Luis Bejarano, Planner II, to read the project into the record.

**Luis Bejarano, Planner II:** Read the PowerPoint presentation of the project into the record.

**Chairman Schaffner:** Asked if there was a representative for the project to approach the podium.

**Tom Dubose, Representative:** Introduced himself. I'm presenting Imperial Valley Green Energy Partners. Back in 2005, when the specific plan from Mesquite Lake was put together, my former firm that I was a partner in was involved in putting that specific plan, and it's amazing 20 years later the things we have and can do really weren't contemplated back then. Throughout the plan, there's a lot of anaerobic digestion discussion, but it wasn't quite fitting into the square. So, if you will recall those of you in the commission, almost three (3) years ago we had a project application that came in front of you for True North Renewables. They were down on the corner of Harris and Highway 111. This commission approved the full application that included a specific plan amendment, had a conditional use permit, had a lot merger, and had a few other things. It was the complete package, and it got passed through you and it got up right to the Board of Supervisors. When the company folded its tent, I don't know why, and they had another project that was approved already in the current county, they just closed down. There are big pushes on renewable energy, renewable natural gas, and we have commodities and products here in Imperial County that work for that. This site is the heaviest industrial zone in Mesquite Lake, and Mike Imoson here can answer any questions you have. They have a technology that's been developed throughout the world, but the first one hasn't been sited in the U.S. yet, and his family company has the right to that technology developed in Germany that's got 30 years of history for all of the United States and actually North America. I guess this project will, if you were to approve the similarity of use, need a conditional use permit, so we will go through all of that process at the time. Their plan is to take feed lot manure and fix some food waste in there to produce renewable natural gas and also to produce a pelletized fertilizer for agriculture. This is going to be working with the folks in Brawley, Paul Cameron and Bruce Sing. They're gonna haul the manure in, and the pelletized fertilizer will be hauled back by Bruce. They just put the final ink on their contract with Southern California Gas Company just a couple of days ago, so we're off to the races to have this go forward. Our ask of you is to find that this is a similarity of use to the language in that specific plan, and that will allow us to move forward on doing a conditional use permit. If you have any other questions, Mike Imoson is here to answer any of the questions.

**Commissioner Kalin:** So, Tom, basically the only thing that's changing is the language is going to include not only energy, electricity, but also natural gas.

**Tom Dubose, Representative:** Renewable natural gas yes.

**Commissioner Gallegos:** How about the smell?

**Mike, Applicant:** I've been working on this for about a year and a half, but we actually signed the contract yesterday with SoCal Gas for a long-term contract. Well, there will be digestion at the core of this over the thirty (30) years. They refined this and have a much more sophisticated process in the standard general for digester, and it's been operational internationally for thirty (30) years. There is virtually no odor at all. The building is all enclosed, when the manure or other feedstocks come in; it goes to a negatively pressurized space, so you don't smell anything twenty-five (25) feet from the building itself. The same thing with the fertilizer: when the guys pick up the fertilizer, they go inside through a space like that. Also, the other benefit of Wabio, is the technology is called, is that it recycles all of its water. It uses virtually no water. There's no water emission at all. There's

virtually no air emission at all, so it's really a self-contained process. I think we used fourteen (14) acre-feet of water per year, and it's all recycled and reused.

**Commissioner Kalin:** So, the manure that's collected, is it collected fresh out of the pens?

**Mike, Applicant:** Yes, it's coming right out of the pens.

**Commissioner Kalin:** So, it would bypass the composting process?

**Mike, Applicant:** Right. The benefit of having Bruce involved with the composting things is that it's our backup, right? So, we need a steady supply of these materials, and we can also handle the food waste we're getting. We're getting lots of food waste that's coming through here and getting buried in Yuma.

**Commissioner Kalin:** Yeah, San Diego is having all their stuff drop right through.

**Mike, Applicant:** Yes, so I'm talking to CRNR because we can use that as well. In our final analysis with SoCal Gas to meet some of their provisions, we're using about 50% of their manure, 25% of food waste, and 25% ag waste. There's a lot of ag waste around here as well that we can use. We get as much benefit from Wabio, and it was a really wide range of feedstocks, so we get as much RNG out of straw and hay as we do out of manure and food waste. Our biggest plant is in China, and it's quite large, and it operates on rice hulls and rice straw.

**Commissioner Kalin:** Those are two really tough.

**Mike, Applicant:** And then we generate power from that. We have one in Malaysia that is with palm oil leftover stuff. There's one in Serbia that I visited, which deals with sugar beet pulp. I was talking to those folks up there before they folded, which is unfortunate.

**Commissioner Kalin:** So, would you be able to compete? This is kind of hypothetical, because now they're gone. Would you be able to compete on a feed price for beet pulp to run it through your process?

**Mike, Applicant:** Yeah, we could. We're working with a sugar refinery that's in northern Colorado and another in Minnesota, and we're able to compete with that. We actually get tipping fees from some. CRNR will pay tipping fees, so that sort of balances out.

**Commissioner Cabañas:** How many jobs?

**Mike, Applicant:** It's about 50 on a regular basis. There are high-paying jobs for electricians, and then there are the ancillary jobs, the haulers, and everybody else on the fertilizer side and on the feedstock side. During construction, there are hundreds. Obviously, it will be constructed using local materials. All the materials are from the United States.

**Commissioner Cabañas:** It's about fifty (50) on a regular basis.

**Mike, Applicant:** There's only about fifty (50), yeah.

**Commissioner Cabañas:** Your trying get a workforce from here ?

**Mike, Applicant:** Yes, it will be about 50 to run the plant itself.

**Commissioner Kalin:** But you will be able to put the beet haulers back to work.

**Mike, Applicant:** Yeah, we could put a lot of people back to work from that other side for sure, and then the downflow.

**Chairman Schaffner:** And the food that you're putting through, that's from San Diego?

**Mike, Applicant:** No, we're not doing sludge. We could do sludge. I mean, theoretically, we could do sludge. This is organic food waste that can be sorted out, and it's being hauled because they can't bury it in those landfills anymore.

**Commissioner Kalin:** That's the green can.

**Mike, Applicant:** And there's also the restaurants here. I have them segregate the food stuff. Right now, there's no sort of place to put that, so we can take it in. That one roll beef will have a fair amount of waste materials from the slaughterhouse that we can also use, along with manure and other things that they haven't gotten a use for. So, we've been talking to them as well.

**Chairman Schaffner:** Will alfalfa bales work for you any better?

**Mike, Applicant:** Alfalfa bales will work.

**Chairman Schaffner:** But you can pay more for those instead of rice?

**Mike, Applicant:** When I drive around and see, over the last year and a half, all those dead bells on the bottom of a big pile, we'll bring that in. It's no longer good for feed, but we can use it.

**Commissioner Kalin:** So, Rudy brought up sludge, which you are not entertaining, but as it goes through this process with used food in the green cans from San Diego or wherever it's coming from, you really don't know what's in there. So how do you account for heavy metals? That's the concern with sludge. If that's applied to the fields, pretty soon you can have your field with so many heavy metals out there you can't farm anymore

**Mike, Applicant:** Right, and by the time we get done, it's non-pathogenic. It's completely clean. But we're working with CRNR right now because they have the animal digester and different technology in Paris, California, and they had to deal with all those issues — the sorting issues, making sure that you're not running into those kinds of problems. So, we're working with them. We're going to take in some of their stuff. They're going to teach us how to make sure that we avoid those problems. I mean, sludges are actually great, but not here. At some point down the road, that's still a reliable feedstock for us, maybe in Mexico, where they've got huge amounts of sludges coming back from the water treatment plant by San Diego. So that's a real problem for them.

**Commissioner Kalin:** Right, and for San Diego.

**Mike, Applicant:** So, we're looking at another project there, but this is our lead project. The contract with SoCal Gas, as you would agree, we did just sign yesterday. It was a big deal, you know. It's a fifteen (15) year contract.

**Commissioner Kalin:** Could you also process liquids? Like stillage?

**Mike, Applicant:** Yes, we can, and some of the waste material that's coming off from one road beef, it's liquid, like stuff in it, so we can do that too. It's a really wide range. In Germany, they use it. They actually are so much better about sorting their organic food than we do here. They've been doing it for a long time. They have dump trucks just coming in and dumping right into the process. We're going to have to do a little more work than that.

We also turn out CO<sub>2</sub>, and we have a contract with Airgas for that. We can do dry ice. We've got these other side projects as well.

**Chairman Schaffner:** Do you consider this a test plant, or are you ready to go?

**Mike, Applicant:** It's ready to go. There's no testing. It's bigger; it's as big as the one in China. We've got projects going forward in the Midwest, like feedlots. Wabio has already sent their full team over, all the engineers, and they'll be here to do the same thing. You've got to really make sure they have a handle on the feedstock itself, and they deal with the engineering. Then we'll use a US APCD contractor to actually build it out.

**Commissioner Kalin:** How many tons a day do you anticipate, or truckloads?

**Mike, Applicant:** It's about twenty-five (25) truckloads a day. It's one hundred forty thousand (140,000) tons.

**Commissioner Kalin:** And how much fertilizer will be going out?

**Mike, Applicant:** Almost the same.

**Commissioner Kalin:** Really?

**Mike, Applicant:** Because we don't lose a lot, all of the digestate is basically that fertilizer. It's a fair amount coming out here, and it's organic.

**Commissioner Kalin:** And the fertilizer, how much nitrogen do you think?

**Mike, Applicant:** You know, we're talking to Erick about that because we can add blood meal to this and get the nitrogen up. Right now we're doing three or four percent. We can get up to eight percent by adding some blood meal and still meet other criteria.

**Commissioner Kalin:** And the phosphorus?

**Mike, Applicant:** And phosphorus, I don't know. It's about four (4) is what I'm seeing right now. It depends on what we put in. That's the problem. We can ingest what we're putting in.

**Commissioner Kalin:** You can make blends?

**Mike, Applicant:** We can make blends. We want to adjust it first to maximize the RNG( renewable natural gas) output, and then secondly look at the fertilizer that we're getting.

**Commissioner Kalin:** Sure, whatever the farmer wants to buy.

**Mike, Applicant:** Absolutely.

**Chairman Schaffner:** I'll entertain a motion.

**Commissioner Kalin:** Made a motion to approve **Agenda Item #9** seconded by **Commissioner Cabañas** and the affirmative vote by the Commissioners present as follows Schaffner (yes), Kalin (yes), Roben(yes), Cabañas (yes), Gallegos (yes), Wright (yes), Dunn (yes).

**Jim Minnick, Director:** Stated **Agenda Item #9** stands approved by this Commission, the applicant is now welcome to submit an EIR.

**IV. Public Comments: NONE**

**V. Planning Commissioner Comments:**

**VI. Director's Comments:**

**VII. Adjournment: Chairman Schaffner:** Adjourned meeting. Meeting adjourned at 1:30 p.m.

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Submitted by Rudy Schaffner  
Chairman of the Planning Commission

Attest:

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Jim Minnick, Director of  
Imperial County Planning Commission

Aimee Trujillo & Adriana Ceballos - PC Recording Clerks  
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