

# Attachment 'C'

## **AGENDA**

**Wednesday, October 16, 2024**

**Environmental Scoping and Informational Meeting**

**Darden Clean Energy Project (23-OPT-02)**

**The meeting begins at 2:00 p.m. and will conclude at 6:30 p.m.**

All start and end times are estimates

1. Welcome
  2. Presentation by CEC staff on the opt-in certification process
  3. Presentation by the CEC Office of the Public Advisor, Energy Equity, and Tribal Affairs on public and tribal participation opportunities
  4. Initial Comment Period to accommodate participants who will not be able to stay the duration of the event for the closing comment period
  5. Presentation by the applicant on the project as currently proposed, including information on project features which address mandatory requirements of the opt-in certification process (e.g., labor agreements/prevaling wage, economic benefits, community benefits)
  6. CEC staff presentation on analysis and issues identified
- (Break)
7. Comments from California Native American Tribes, responsible and trustee agencies, elected officials, other government agencies
- (Break)
8. Comments from interested members of the public, neighboring communities, and other individuals and entities
  9. Adjourn

**CALIFORNIA ENERGY COMMISSION**

715 P Street  
Sacramento, California 95814

[energy.ca.gov](http://energy.ca.gov)

CEC-70 (Revised 7/22)



En español:

<https://efiling.energy.ca.gov/GetDocument.aspx?tn=259445&DocumentContentId=95536>

*IN THE MATTER OF:*

*Darden Clean Energy Project Opt-in  
Application for Certification*

DOCKET NO. 23-OPT-02

NOTICE OF HYBRID ENVIRONMENTAL  
SCOPING and INFORMATIONAL MEETING

RE: DARDEN CLEAN ENERGY PROJECT

**Notice of Environmental  
Scoping and Informational Meeting**

**Wednesday, October 16, 2024**

2:00 p.m. – 6:30 p.m.

In-person at:

**Harris Ranch Resort  
South Ballroom  
24505 West Dorris Avenue  
Coalinga, CA 93210  
(Wheelchair Accessible)**

Remote Access via Zoom:

**See attendance instructions below.**

The California Energy Commission (CEC) will host a meeting pursuant to Public Resources Code section 25545.7.2 to present and solicit information on the proposed Darden Clean Energy Project. This will be a hybrid meeting with both a publicly accessible physical location and public access online or by phone through Zoom™. Members of the public can participate in the meeting consistent with the attendance instructions below. The CEC aims to begin promptly at the start time posted and the end time is an estimate based on the proposed agenda. The meeting may end sooner or later than the posted end time.

## Agenda

Please see agenda attached at the end of this notice.

## Background

Effective June 30, 2022, Assembly Bill (AB) 205, as modified by AB 209, added sections 25545-25545.13 to the Public Resources Code which expanded the CEC's existing power plant licensing authority by creating the Opt-In Certification Program. This program allows specified clean energy projects to seek consolidated permitting at the CEC until June 30, 2029, if they adhere to specified labor standards, including the use of a skilled and trained workforce, and enter into community benefits agreement(s), as specified. These projects include solar photovoltaic electricity generating power plants 50 megawatts (MW) or more, energy storage systems 200 megawatt-hours (MWh) or more, and the electric transmission line from these facilities to the first point of interconnection.

Under this statutory authority, the CEC permit is in lieu of any permit that would normally be required by the local land use authority and most, but not all, state permits. More information about this Opt-in Certification Program can be found at <https://www.energy.ca.gov/programs-and-topics/topics/power-plants/opt-certification-program>.

The law also requires the CEC to be the lead agency under the California Environmental Quality Act (CEQA) and after an application is deemed complete to do the following:

1. Prepare an Environmental Impact Report (EIR).
2. Hold public meetings as close as practicable to the proposed project site.
3. Consult with California Native American Tribes that are culturally and traditionally associated with the geographic area of the proposed site.
4. Find that the applicant has entered into one or more legally binding and enforceable agreements with, or that benefit, a coalition of one or more community-based organizations.
5. Find that the construction or operation of the facility will have an overall net positive economic benefit to the local government that would have had permitting authority over the site and related facility, as specified.
6. Determine whether to approve or deny the proposed project at a publicly noticed business meeting within 270 days unless certain extensions apply.

IP Darden I, LLC and Affiliates (applicant) filed an opt-in application on November 9, 2023, for the Darden Clean Energy Project, a solar photovoltaic (PV) facility and battery energy storage system (BESS) proposed in unincorporated Fresno County, California. On December 11, 2023, the CEC deemed the application incomplete and docketed a letter detailing the information deficiencies. On September 19, 2024, after receiving additional data, the CEC staff determined that the application was complete. On September 23, 2024, the CEC staff issued a Notice of Preparation of a draft EIR to analyze the potential environmental impacts of the project. These and other documents are available on the CEC docket for this proceeding at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=23-OPT-02>.

## **Project Summary**

The Darden Clean Energy Project consists of a 1,150 MW solar PV facility, an up to 4,600 MWh BESS, a 34.5-500 kilovolt (kV) grid step-up substation, a 10- to 15-mile 500 kV generation intertie (gen-tie) line, and a 500 kV utility switching station. The project would interconnect to the existing Pacific Gas and Electric Company (PG&E) Los Banos-Midway #2 500 kV transmission line.

The solar PV facility would be made up of approximately 3,100,000 solar panels, inverter-transformer stations, and an electrical collection system, and would be located on approximately 9,000 acres of lands currently owned by Westlands Water District that would be purchased by the applicant. The 500 kV gen-tie line would be sited within an approximate 200-foot-wide easement on private lands. Following construction of the utility switchyard by the applicant, ownership and operations would transfer to PG&E. The BESS would be capable of storing up to 1,150 MW of electricity for four hours (up-to 4,600 MWh).

Refer to the Project Description at the following website link for more project details: <https://efiling.energy.ca.gov/GetDocument.aspx?tn=252985&DocumentContentId=88135>. The CEC maintains a website for this project at: <https://www.energy.ca.gov/powerplant/solar-photovoltaic-pv/darden-clean-energy-project>.

## **Purpose of the Environmental Scoping and Informational Meeting**

The Environmental Scoping and Informational Meeting will provide an opportunity for interested members of the public, including surrounding communities, to learn about the proposed project and the CEC's opt-in certification process. The public will be able to obtain information, identify areas of environmental concern to be addressed during the CEC's environmental review of the project, and provide other comments.

During the meeting, the applicant will explain its proposed plans for constructing and operating the project and related facilities. CEC staff will describe CEC and CEC staff's role and responsibilities in reviewing the opt-in application and engaging with government agencies, the public, and California Native American Tribes to inform this review. The CEC's Public Advisor will describe how interested members of the public can participate in the process, including during environmental review and CEC decision-making.

The meeting also assists CEC staff in obtaining additional information to prepare the draft environmental impact report, determine whether the project meets all program requirements, including benefits to the local government and community, and provide a recommendation as to whether the CEC should ultimately approve or deny the application. Thus far CEC staff has identified potentially significant impacts from the project on: air quality; biological resources; cultural/tribal cultural resources; geology, paleontology and minerals; noise and vibration; socioeconomics; transportation; visual resources; and water resources. The Notice of Preparation of the Draft Environmental Impact Report (EIR) is available at: <https://efiling.energy.ca.gov/GetDocument.aspx?tn=259258&DocumentContentId=95345>. The CEC welcomes public comment at the meeting concerning the project.

## Attendance Instructions

**In-person** participants may join the meeting at **Harris Ranch Resort, South Ballroom, 24505 West Dorris Avenue, Coalinga, CA 93210**. Masks and social distancing are encouraged, but not required.

**Remote** participants may join via Zoom by internet or phone.

- **To join via Zoom.** Click on <https://energy.zoom.us/j/81000455949?pwd=yXIbKLztTKmJlVjY2KaD8jTP11IExNg.9WPirlyArH6PhGQ> or login in at <https://zoom.us/> and enter the Webinar ID **810 0045 5949** and passcode **918894** and follow all prompts.
- **To join by telephone.** Call toll-free at (888) 475-4499 or toll at (669) 219-2599. When prompted, enter the Webinar ID **810 0045 5949** and passcode **918894**.

**Zoom Closed Captioning Service.** At the bottom of the screen, click the Live Transcript CC icon and choose "Show Subtitle" or "View Full Transcript" from the pop-up menu. To stop closed captioning, close the "Live Transcript" or select "Hide Subtitle" from the pop-up menu. If joining by phone, closed captioning is automatic and cannot be turned off. While closed captioning is available in real-time, it can include errors. A certified transcript of the meeting will be docketed and posted as soon as possible after the meeting concludes.

**Zoom Difficulty.** Contact Zoom at (888) 799-9666 ext. 2, or the CEC Public Advisor at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov), or by phone at (916) 957-7910.

**Spanish Language Interpretation.** Spanish language interpretation will be available during the meeting. For any questions about this service, please contact the CEC Public Advisor (see contact information below).

## Public Comment

A public comment period will be provided during the meeting. Depending on the number of members of the public seeking to make a comment, the total time allotted for public comment and the time allotted for each comment may be adjusted during the meeting.

Written and oral comments, attachments, and associated contact information (including address, phone number, and email address) will become part of the public record of this proceeding with access available via any internet search engine.

If participating via Zoom's online platform, use the "raise hand" feature to indicate you would like to make a comment. The CEC will open your line to speak. Please restate and spell your name for the record, indicate if you have an affiliation, and begin your comments.

If participating by telephone, press \*9 to "raise your hand" and \*6 to mute/unmute. The CEC will announce the last three digits of the phone number listed and open your line. Make sure to unmute your phone before speaking then restate and spell your name for the record, indicate if

you have an affiliation, state your position on the proposed project, if any, and begin your comments.

Additionally, the Public Advisor may upon the request of interested members of the public who are not able to attend, neutrally read their comments into the record during the public comment period. If you are interested in this service, please email concise comments the day before the meeting to the Public Advisor at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov). Comments submitted the day of the meeting or that cannot be read within a two-minute timeframe will be filed in the Docket referenced below.

**Written comments** by responsible and trustee agencies in response to the Notice of Preparation of the Draft EIR may be submitted to the Docket Unit by 5:00 p.m. on October 24, 2024. Public comments on this project can be submitted at any time during the proceeding.

The CEC maintains publicly accessible online dockets for its proceedings where public comments, notices, agendas, and other documents are filed and maintained. The docket for the Darden Clean Energy Project, 23-OPT-02, is available at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=23-OPT-02>.

The CEC encourages use of its quick and easy e-commenting site where anyone can "Add Comment" to a docket. Comments may be entered into a "Comment Text" box or attached as a document. Any attachments must be downloadable, searchable, maximum size of 10 MB, and in compliance with California Code of Regulations, Title 20, section 1208.1. Visit the e-commenting page for the docket associated with this event at <https://efiling.energy.ca.gov/Login.aspx?perms=1&returnurl=http%3a%2f%2fefiling.energy.ca.gov%2fdefault.aspx>.

**Comment by Email or Regular Mail:** To request your comment be docketed by CEC staff, email your comment to [docket@energy.ca.gov](mailto:docket@energy.ca.gov) and include docket number 23-OPT-02 and "Environmental Scoping and Informational Meeting" in the subject line, or send a paper copy of your comment to California Energy Commission, Docket Unit MS-4, Docket No. 23-OPT-02, 715 P Street, Sacramento, California 95814.

**Public Advisor.** The CEC's Public Advisor assists the public with participation in CEC proceedings. To request assistance, interpreting services, or reasonable modifications and accommodations, call (916) 957-7910 or email [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov) as soon as possible but at least five days in advance of the meeting. The CEC will work diligently to meet all requests based on availability.

**Media Inquiries.** Email [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov) or call (916) 654-4989.

**Technical Subject and General Inquiries:** Email CEC Project Manager, Ann Crisp at [STEPsiting@energy.ca.gov](mailto:STEPsiting@energy.ca.gov). Please include "Darden Clean Energy Project" in the subject line. Alternatively, Ann Crisp can be reached at (916) 352-0543.

**Availability of Documents:** All documents filed in this proceeding, including a full and formal transcript of the Environmental Scoping and Informational Meeting rendered by a professional

court reporter, will be posted in the docket for the proceeding. Please visit the following pages for more information:

- The CEC's web page on the proposed project at <https://www.energy.ca.gov/powerplant/solar-photovoltaic-pv/darden-clean-energy-project>.
- The "Docket Log (23-OPT-02)" link on the Darden Clean Energy Project's web page at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=23-OPT-02>. Documents and presentations for this meeting will be available at the above link.
- When new information is posted, an email will be sent to those subscribed to the Darden Clean Energy Project subscription topic. Enter your email under "Subscribe Darden Clean Energy Project" on the Darden Clean Energy Project webpage <https://www.energy.ca.gov/powerplant/solar-photovoltaic-pv/darden-clean-energy-project> to subscribe. To receive notices on this and other email subscription topics, visit Subscriptions, at <https://www.energy.ca.gov/subscriptions>.

**Dated: October 4, 2024**, at Sacramento, California.

Elizabeth Huber  
Director—Siting, Transmission & Environmental Protection Division

**Subscriptions:**  
Darden Clean Energy Project

<b>DOCKETED</b>	
<b>Docket Number:</b>	23-OPT-02
<b>Project Title:</b>	Darden Clean Energy Project
<b>TN #:</b>	259574
<b>Document Title:</b>	Regenerate California Innovation (RCI) Comments - Comments read and submitted by Jose Antonio Ramirez at October 16th Scoping and Information Meeting at Harris Ranch
<b>Description:</b>	N/A
<b>Filer:</b>	System
<b>Organization:</b>	Regenerate California Innovation (RCI)
<b>Submitter Role:</b>	Public
<b>Submission Date:</b>	10/17/2024 5:45:40 AM
<b>Docketed Date:</b>	10/17/2024



*Comment Received From: Regenerate California Innovation (RCI)*  
*Submitted On: 10/17/2024*  
*Docket Number: 23-OPT-02*

**Comments read and submitted by Jose Antonio Ramirez at October 16th Scoping and Information Meeting at Harris Ranch**

*Additional submitted attachment is included below.*

## **Darden Clean Energy Project – Comments about Social and Economic Impact Assessment – ECONorthwest 11-7-23**

**Rural Communities Rising Reps:** Felipe Perez ([felizjesus28@gmail.com](mailto:felizjesus28@gmail.com)) and Jose Antonio Ramirez ([president@communitydevelopment-inc.com](mailto:president@communitydevelopment-inc.com)) and **RCI Rep:** Keith Bergthold ([keith@regenerateca.org](mailto:keith@regenerateca.org))

- We are primarily concerned about long-term cumulative project impacts, resulting from the aggregate effect of massive land use changes being made to accommodate clean energy generation, that now and will increasingly affect quality of life and economic opportunities in the 30 unincorporated primarily farm worker communities and of farm worker families living in neighborhoods of the 6 cities in western Fresno County.
- While we generally support the purpose this project and appreciate the analyses of ECONorthwest, the assessments of social and economic impacts conducted have a focus and high-level analytical scale that obscure tangible cumulative long-term changes and impacts to the small rural communities in the western region of Fresno County when considered in the aggregate with other energy projects being proposed in and near the Westlands Water District.
- Through a cumulative and aggregated impact lens on small rural farm worker communities– there will likely be greater loss of farm worker employment, farm worker families leaving the region, and related long-term reductions in ADA for schools, business sales taxes, church membership and as well as other negative quality of life and economic opportunity trends - that are of great concern for those now living in these already disadvantaged and underserved western Fresno County rural communities.
- Engaging residents, businesses and institutions in all the 30 unincorporated primarily farm worker communities and of farm worker families living in neighborhoods of the 6 cities in western Fresno County - is imperative for gaining actionable understandings of the likely cumulative and aggregated impacts of the major energy, employment and land use transitions.
- This is the reason **Rural Communities Rising**, a 501c3 nonprofit, is conducting comprehensive community outreach and engagement and building a board of directors that is representative of all impacted rural communities in western Fresno County– with the goal of a united voice for working with energy developers and ‘community determined community benefits’ that meet the needs of participating impacted community members.

# OBJECTIVES, ACTIONS, KEY RESULTS

## OKR best practices

### Objectives

Should be ambitious, clearly defined, qualitative and set within a specific time frame.

Need to be communicated and understood by all employees and stakeholders.

Should be flexible and reviewed regularly.

### Key results

Should be difficult but achievable.

Should be able to be objectively and regularly assessed.

Can be based on KPIs such as growth, performance, revenue and engagement.

#### 1. Strengthen Technical Skill Development (Action)

- **Action:** "Provide advanced training programs for employees across departments."
- **Key Result:** "80% of employees complete two technical training courses by Q3."

#### 2. Increase Employee Engagement (Action)

- **Action:** "Host quarterly team-building events to improve engagement."
- **Key Result:** "Improve employee engagement survey scores by 15% by year-end."

#### 3. Strengthen Compliance Practices (Action)

- **Action:** "Conduct quarterly internal audits to ensure regulatory compliance."
- **Key Result:** "Achieve 100% compliance with financial regulations by the end of the fiscal year."

#### 4. Improve Client Communication (Action)

- **Action:** "Send monthly project status updates to clients."
- **Key Result:** "Achieve 90% client satisfaction rating for communication by Q2."

#### 5. Reduce Operational Costs (Action)

- **Action:** "Streamline internal processes by implementing new project management software."
- **Key Result:** "Reduce operational costs by 10% by Q4 through process improvements."

#### 6. Increase Employee Retention (Action)

- **Action:** "Conduct regular stay interviews to understand employee needs."
- **Key Result:** "Reduce turnover by 15% over the next 12 months."

#### 7. Launch New Product Line (Action)

- **Action:** "Develop and launch a new service in response to market demand."

**ACTION = DOING**

**RESULTS = MEASURING**

- **Key Result:** "Generate \$500K in revenue from the new product line by year-end."

#### 8. Improve Project Delivery Timeliness (Action)

- **Action:** "Track project milestones more closely and provide weekly updates."
- **Key Result:** "Deliver 95% of projects on time by year-end."

#### 9. Enhance Risk Management (Action)

- **Action:** "Develop a comprehensive risk mitigation plan for all projects."
- **Key Result:** "Reduce risk-related incidents by 20% by the end of Q2."

#### 10. Increase Cross-Department Collaboration (Action)

- **Action:** "Schedule monthly interdepartmental meetings to encourage collaboration."
- **Key Result:** "Increase cross-functional project completion rates by 25% within 6 months."

#### 11. Improve Client Acquisition (Action)

- **Action:** "Attend industry conferences to generate new business leads."
- **Key Result:** "Increase lead conversion rate by 20% and generate 15 new client contracts by Q4."

#### 12. Implement Sustainability Practices (Action)

- **Action:** "Introduce energy-efficient practices across all operations."
- **Key Result:** "Reduce energy consumption by 15% by the end of Q3."

#### 13. Upskill Project Management Team (Action)

- **Action:** "Offer PMP certification courses to all project managers."
- **Key Result:** "Have 90% of project managers PMP certified by year-end."

#### 14. Increase Operational Efficiency (Action)

- **Action:** "Automate repetitive tasks using new software solutions."
- **Key Result:** "Reduce manual processes by 30% and save 200 employee hours per month by Q2."

#### 15. Expand Client Service Offerings (Action)

- **Action:** "Add new service lines based on customer feedback."
- **Key Result:** "Increase client retention by 15% by expanding service offerings."

#### 16. Maximize Software Usage Efficiency (Action)

- **Action:** "Audit software usage and eliminate underutilized tools."
- **Key Result:** "Increase software usage efficiency by 20% and save \$50K in annual software costs by Q4."

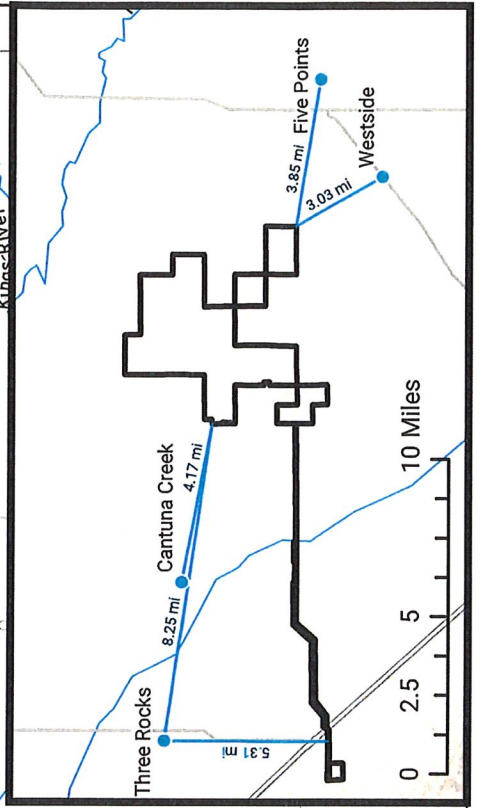
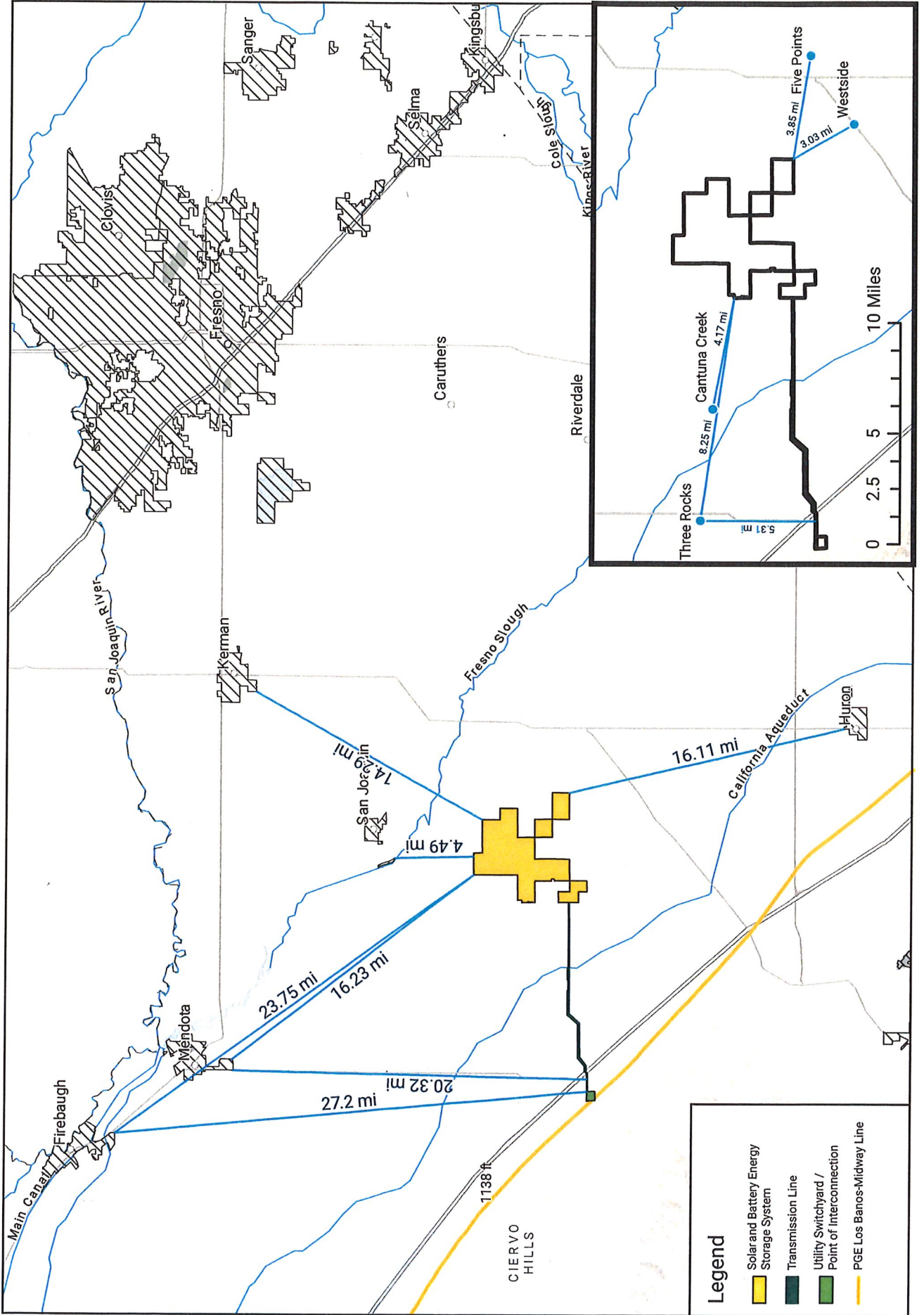
#### 17. Increase efficiency and accuracy in project execution

- **Action:** "Conduct regular process audits and provide advanced training to project teams to identify bottlenecks and optimize workflows."
- **Key Result:** "Reduce project delays by 25% and improve task completion accuracy by 20% over the next 6 months."

**ACTION = DOING**

**RESULTS = MEASURING**

# Darden Clean Energy Project Fresno County, CA



**Legend**

- Solar and Battery Energy Storage System
- Transmission Line
- Utility Switchyard / Point of Interconnection
- PGE Los Banos-Midway Line

# Opt-In Certification

# FAQs

## What is the California Energy Commission (CEC) required to do?

The CEC is required to prepare an environmental impact report (EIR) under the California Environmental Quality Act (CEQA) and make its decision at a public meeting on the application within 270 days of receiving a complete application. The law identifies certain factors that could impact the CEC's ability to render a decision within 270 days, including the identification of new significant effects after publication of the Draft EIR that requires additional public comment.

The CEC is required to coordinate its review of opt-in applications with the California Department of Fish and Wildlife (CDFW), the

State Water Resources Control Board, and applicable Regional Water Quality Control Boards (Water Boards), and the Department of Toxic Substances Control (DTSC). CEC must consult with CDFW to ensure necessary information is submitted during the CEC certification process to grant any authorizations under the Fish and Game Code (e.g., authorized take of a listed species) in lieu of CDFW, and for the agencies that retain their permitting authority to issue their respective permits. The CEC is required to consult with all responsible and trustee agencies on the scope and content of the EIR under CEQA. The CEC must also certify the administrative record within 5 days of certifying the EIR and granting a certificate to a project.

## What are other agencies required to do?

Agencies that retain their permitting authority are required to issue permits within 90 days of a CEC decision to certify a project. Per memorandums of understanding, CDFW, Water Boards, and DTSC may also participate in pre-filing meetings and CEQA review of proposed projects.

## Will CEC consult with California Native American tribes?

Yes. Within five days of an application being deemed complete, the CEC is required to send requests for consultation letters to tribes that are culturally and traditionally associated with the geographic area of a proposed project. During the consultation process, the CEC is required to solicit the traditional ecological knowledge of affiliated tribes and incorporate this knowledge where feasible in the EIR. The CEC is required to take all feasible measures to avoid or minimize adverse effects to tribal cultural resources.

## Will this process allow the public an opportunity to comment on a proposed project?

Yes. There are multiple opportunities for the public to provide comments. The CEC will announce the receipt of an opt-in application through its email subscription service, and by advertising in a newspaper of general circulation in the project area. Within 30 days of an application being deemed complete and prior to publication of the Draft EIR, the CEC is required to hold a public information and scoping meeting as close as practicable to the proposed project site. There will be a comment period on the Draft EIR, and the CEC will hold at least one public workshop in the project area to take public comment. All public meetings will be announced at least 10 days in advance.

## Can the CEC approve a project that was denied by a local government, or does not conform to local ordinances?

Yes. If a project is approved, CEC's certificate is in lieu of any local permit or local law or ordinance. However, to grant a certificate to a project, the CEC must make findings that the project will comply with all applicable laws, ordinances, regulations, and standards, or make findings that despite the non-conformance, the project is required for public convenience and necessity, and that there are not more prudent and feasible means of achieving public convenience and necessity. The CEC is required to invite the local government to attend a mandatory pre-filing meeting with an applicant.

## What findings must the CEC make to approve a project?

To approve an opt-in project, the CEC must find that the project will provide an overall net positive economic benefit to the local government, that the applicant has entered into a community benefits agreement, and that the applicant has certified payment of prevailing wage, or equivalent, for all construction, and the use of a skilled and trained workforce, or equivalent, for all construction.

The CEC must also find that the project will comply with all applicable laws, ordinances, regulations, and standards (LORS). If a project will not comply with any applicable LORS, the CEC must find that the project is required for public convenience and necessity, and that there are not more prudent and feasible means of achieving public convenience and necessity. In making the determination, the CEC must consider the entire record of the proceeding, including, but not limited to, the impacts of the facility on the environment, consumer benefits, and electric system reliability.

The CEC must make findings under CEQA for any project that would have a significant effect on the environment. For each significant effect, the CEC must find that project changes have been required to avoid or substantially lessen the significant effect, or that mitigation or alternatives to avoid or substantially lessen the significant effect are infeasible. To approve a project that is found to have a significant and unavoidable impact on the environment, the CEC will need to adopt a statement of overriding considerations that identifies how the project's benefits will outweigh any unavoidable impact.

## Is CEC's certificate in lieu of all permits an applicant will need to build and operate an eligible facility?

The CEC's certificate is in lieu of any permit that would normally be required by the local land use authority and most but not all state permits. The CEC's permit will not supersede the permitting requirements of the California Coastal Commission or San Francisco Bay Conservation and Development Commission for projects in these agencies' jurisdiction. Nor will the CEC's permit supersede the permits of the applicable Regional Water Quality Control Board, and in the case of manufacturing facilities, the permits required by the applicable local air district and Department of Toxic Substances Control.



**Governor**  
Gavin Newsom

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Siva Gunda, Vice Chair  
Noemí O. Gallardo  
J. Andrew McAllister, Ph.D.  
Patricia Monahan

NOVEMBER 2023

10-16

AI Solis

**From:** California Energy Commission <CEC@public.govdelivery.com>  
**Sent:** Wednesday, October 9, 2024 9:41 AM  
**To:** al@soldevelopment.com  
**Subject:** [EXTERNAL]:CEC to Hold First Public Meeting on Darden Clean Energy Project in Fresno County

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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## CEC to Hold First Public Meeting on Darden Clean Energy Project in Fresno County

For Immediate Release: October 9, 2024  
Contact: [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov)  
Phone: (916) 654-4989

**WHAT TO KNOW:** *The CEC has announced a public meeting for a Fresno County solar and battery storage project that is seeking approval through the Opt-In Certification program.*

**SACRAMENTO** — The [California Energy Commission](#) (CEC) will hold a public meeting on the proposed Darden Clean Energy Project in Fresno County. The purpose of the meeting is for the applicant to explain the project, the CEC to explain the Opt-In Certification process, and for the public to learn more details and express any concerns and questions they may have about the project. This will be a hybrid meeting with an in-person location as noted below and Zoom access online or by phone. Spanish translation will be provided in-person and via Zoom.

The project developer submitted an application to the CEC on Nov. 9, 2023, to seek approval through the CEC's Opt-In Certification program. This program allows certain clean energy projects to undergo a streamlined certification process administered through the CEC.



The project consists of:

- A 1,150 megawatt (MW) solar photovoltaic facility
- An up to 4,600 MW-hour battery energy storage system
- A 34.5-500 kilovolt (kV) grid step-up substation
- A 10- to 15-mile 500 kV generation intertie line
- A 500 kV utility switching station

The CEC has reviewed the application and deemed it complete as of Sept. 19, 2024, which initiated a 270-day certification process. The next requirement in this process is to hold a public meeting, where community members, local governments, and California Native American tribes can learn more about the project, understand the certification process, and express any concerns regarding potential environmental impacts.

**Meeting Details:**

- **Date:** Wednesday, Oct. 16, 2024
- **Time:** 2 – 6:30 p.m.
- **In-Person:** Harris Ranch Resort, South Ballroom, 24505 West Dorris Ave., Coalinga, 93210
- To participate via **Zoom**

During the meeting, CEC staff will explain their role and responsibility in reviewing the application and engaging with government agencies, California Native American tribes, neighboring communities, interested members of the public, and others. The project applicant will also present its proposed plans for building and operating the project and related facilities. The CEC's Public Advisor will outline how the public can get involved in the process including participation in later stages like the environmental review and decision-making phases.

There will be an opportunity for California Native American tribes, responsible and trustee agencies, elected officials, other government agencies, communities, and interested members of the public to provide comments. More information:

- [Download and read the Determination of Complete Application.](#)
- For more project details and to sign up to receive email updates on this project, visit the [Darden Clean Energy Project application webpage.](#)

**About Opt-In Certification**

In 2022, Governor Gavin Newsom signed Assembly Bill 205 as part of his [build more, faster agenda](#) which is focused on delivering critical infrastructure upgrades throughout California. The bill created an alternative certification option for certain clean energy projects through the CEC's Opt-In Certification program. This program is designed to accelerate the development of clean energy in California and support the retirement of fossil-fuel-based resources.

Under the Opt-In Certification program, the CEC serves as the lead agency and will hold public meetings at or near the proposed project location to gather input

on the project. Except for specific cases, the environmental review must be completed within 270 days after the application is deemed complete.

The law mandates consultation with California Native American tribes and allows for public comment throughout the process. Should the CEC approve the project, the issuance of a certificate, in most instances, replaces the need for any permits, certificates, or similar documents required by state, local, regional, or federal agencies to the extent permitted by federal law.

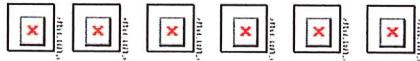
For more information about the program, visit the [Opt-In Certification Program webpage](#).

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**About the California Energy Commission**

*The California Energy Commission is the state's primary energy policy and planning agency. It has seven core responsibilities: advancing state energy policy, encouraging energy efficiency, certifying thermal power plants, investing in energy innovation, developing renewable energy, transforming transportation, and preparing for energy emergencies.*

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# Opt-In Certification Program

# FACT SHEET

## Eligible Projects



Solar photovoltaic or terrestrial wind electrical generating power plants 50 megawatts (MW) or greater



Energy storage systems capable of storing 200 megawatt-hours (MWh) or more



A stationary power plant using any source of thermal energy, excluding fossil or nuclear fuels, 50 MW or greater



Certain transmission lines associated with these generating and storage facilities



Specified facilities that manufacture or assemble clean energy or storage technologies or related components



Hydrogen production facility (not derived from fossil fuel feedstock) and associated onsite storage and processing facilities

## Background

Senate Bill 100 (2018) requires all electricity in California to come from renewable and zero-carbon resources by 2045. To achieve this target, new power supplies in the state must be built at a record-setting rate, which will likely require developing land and ocean space in many parts of the state.

Assembly Bill 205 (2022) gives the CEC authority to permit certain clean and renewable energy facilities in a timely and efficient manner.

The Opt-In Certification Program, as it's known, is an optional permitting process through which developers can submit project applications. The CEC permit is in lieu of any permit that would normally be required by the local land use authority and most, but not all, state permits.

## More info:

- Statutory and regulatory provisions governing the Opt-In Certification Program can be found at Chapter 6.2 of Division 15 of the Public Resources Code and California Code of Regulations, title 20, sections 1875 through 1882
- The 2021 SB 100 Agency Report is available at [energy.ca.gov/sb10](http://energy.ca.gov/sb10)

## Quick Facts

Opt-In Certification is a process that allows certain clean energy development projects to choose a consolidated state permitting option.

Only specified non-fossil-fuel power plants, energy storage projects, and related manufacturing and assembly facilities can apply for Opt-In Certification.

The CEC will be the lead agency and hold public meetings at or near the proposed project location to allow for local input into the project and process.

With certain exceptions, environmental review must be completed no later than 270 days after an application is deemed complete.

## CEC certification of a project application requires: \*

- An applicant has entered into one or more legally binding and enforceable agreements with, or that benefit, a coalition of one or more community-based organizations.
- An applicant will use a skilled and trained workforce and pay construction workers at least prevailing wages, subject to statutory enforcement, or a project labor agreement.
- The construction or operation of the facility will have an overall net positive economic benefit to the local government that would have had permitting authority over the site and related facility.
- The project will comply with all applicable laws, ordinances, regulations, and standards (LORS), or CEC must find that despite a nonconformance with state, regional, or local LORS, the project is required for public convenience and necessity, and there are not more prudent and feasible means of achieving public convenience and necessity. In making the determination, the CEC considers the impacts of the facility on the environment, consumer benefits and electric system reliability, among other factors.
- Any significant effects of the project must be avoided or substantially lessened, or the CEC must adopt a statement of overriding considerations for significant effects found infeasible to avoid or mitigate.

**\*This list is not exhaustive; other requirements may apply based on each project.**

## Process and Deadlines \*\*

**Day 0:** File the Determination of Complete Application

**Day 3:** File and circulate the Notice of Preparation of an EIR

**Day 5:** Send invitation to request tribal consultations.

**Day 30:** Hold public informational and scoping meeting as close as practicable to the project site.

**Day 150:** File and circulate the draft EIR and Notice of Availability and public comment period begins.

**Day 180 – 210:** Hold a public meeting on the draft EIR at a location as close as possible to the proposed project site.

**Day 210:** Close the public comment period on draft EIR (60 days from publication date).

**Day 240:** File final EIR

**Day 240:** File the CEC's executive director's recommendation.

**Day 270:** Present final EIR and staff recommendation at a publicly noticed CEC Business Meeting. The CEC Commissioners can approve or disapprove project, or require additional information or analysis.

**Day 360:** State agencies retaining permit authority make permit decisions on application approved by the CEC.

**\*\*These deadlines are subject to any substantial changes made to the project or certain other events occurring after an application is deemed complete.**

## The CEC is mandated to:

1. Be the lead agency under the California Environmental Quality Act (CEQA) and prepare an environmental impact report (EIR).
2. Meet with applicants prior to filing.
3. Hold public meetings about each project as close as practicable to the proposed project site.
4. Invite California Native American tribes that are culturally and traditionally associated with the proposed site area to consultation.
5. Take final action on the application within 270 days of determining the application is complete, with some exceptions.

## For more information:

Find more details on the program and to sign up to receive information about a project on the CEC's website at

[www.energy.ca.gov/programs-and-topics/topics/power-plants/opt-certification-program](http://www.energy.ca.gov/programs-and-topics/topics/power-plants/opt-certification-program).



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Gavin Newsom

**Executive Director**  
Drew Bohan

**Commissioners**  
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