

DOCKETED

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Comments on RB Inyokern Data Center " Docket 26-SPPE-01 " Undisclosed Peak-Day Water Demand and Incomplete Application

RB Inyokern Data Center " Docket 26-SPPE-01 " Undisclosed Peak-Day Water Demand and Incomplete Application

I am writing on Docket 26-SPPE-01. I ask the Commission to deny the exemption, or suspend review, until the gaps below are resolved.

Peak-day water demand has never been disclosed. I reviewed the Water Supply Assessment, the Inyokern CSD Will Serve Letter, and the Applicant's full Data Response Set 1 filed July 1, 2026, including the Hydrology and Water Quality section. Every water figure in these documents is either an annual cap of 49.10 acre-feet per year or a construction-phase daily figure used only for dust control. Nowhere does the Applicant disclose water use on the facility's hottest operating days. CEC staff did not ask this in Data Request Set 1, and the Applicant never volunteered it.

This matters because the Applicant's own materials say the cooling system uses evaporative cooling "during peak temperatures." The only temperature figure disclosed anywhere is the ASHRAE 0.4% design condition of 107°F, which by definition covers only about 35 hours a year and is used solely to size equipment capacity. It says nothing about the roughly five months a year, May through September, when this part of the Mojave routinely runs in the 90s and above. Evaporative systems ramp up water use well before an extreme 35-hour-a-year threshold. The one number the Applicant gave us is the wrong number for estimating real seasonal demand.

The math shows why this matters. The 49.10 acre-foot annual cap averages to about 40,430 gallons a day. Published research on data center cooling shows peaking factors, peak-day versus average-day use, commonly running 2x to more than 6x for evaporative systems. At a conservative 3x, hot-day draw would run around 131,400 gallons a day. Spread across even 137 hot-season days, that alone totals about 55.3 acre-feet, more than the Applicant's entire claimed annual allotment. The application never explains this because it never discloses a peaking factor, a monthly water profile, or the threshold that triggers heavier evaporative use.

The Indian Wells Valley basin is critically overdrafted, with a sustainable yield of 7,650 acre-feet a year against reported extraction near 21,000 acre-feet annually. A basin under that much stress has no room to absorb an undisclosed multiple of the average draw concentrated into its hottest months, especially if that multiple could equal or exceed the facility's entire annual cap.

Before the Commission can find that this project will not create a substantial adverse

impact, the required finding for an SPPE, the Applicant must disclose actual hot-season water use, the specific threshold that triggers elevated cooling water demand, and written confirmation from Inyokern CSD that it can supply that sustained peak without further drawing down the basin. None of this exists on the docket today.

The application is also substantially incomplete. The Applicant's own Data Response Set 1 confirms several required studies are not done and are deferred as future filings, including protocol surveys for Crotch's bumble bee, desert tortoise, western burrowing owl, and sensitive thrashers; an analysis of herbicide, pesticide, and rodenticide impacts; a bird collision and "lake effect" analysis for the solar array and transmission lines; an analysis of groundwater impacts on seeps, springs, and vegetation; a battery fire and thermal runaway analysis based on a chemistry not yet finalized; architectural elevations and landscape plans; final SCE transmission line routing; and the on-site emergency well's yield and pumping capacity. The facility's actual air permit application to the Eastern Kern Air Pollution Control District has not even been filed, and isn't targeted until Q1 2027, months after a CEC decision would be made.

Approving an exemption before this information exists asks the Commission to find no significant impact without the data to know if that's true. That's piecemealing, and it cuts the public out of commenting on impacts nobody has analyzed yet.

I respectfully request the Commission deny the SPPE as filed, or suspend review of Docket 26-SPPE-01 until hot-season peak water demand and the deferred studies above are completed and docketed for public review; require the Applicant to disclose hot-season and peak-day water figures and the trigger threshold for elevated cooling water use, with supporting methodology; and require Inyokern CSD to confirm in writing it can serve that sustained seasonal peak without worsening conditions in a basin already pumping nearly three times its sustainable yield.

Thank you for your consideration.

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