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RBIDC Request for Full EIR and Complete Review - Docket 26-SPPE-01

Adrian Lemon
Resident of Ridgecrest

September 23, 2026

California Energy Commission
Docket Unit, MS-4
715 P Street
Sacramento, California 95814

Re: RB Inyokern Data Center, Docket No. 26-SPPE-01
Subject: RBIDC Request for Full EIR and Complete Review - Docket 26-SPPE-01

Dear Commissioners and CEC Staff:

My name is Adrian Lemon, and I live in Ridgecrest. I am submitting these comments because this project may affect the water, electricity, health, safety, environment, and public services our community depends on.

REQUEST FOR A FULL ENVIRONMENTAL IMPACT REPORT

I ask the CEC to prepare a full Environmental Impact Report (EIR), the state's most detailed public environmental review. California law requires an EIR when facts or fact-based expert opinions support a reasonable argument that a project may cause a significant environmental effect, even if the applicant has evidence pointing the other way. Public agencies and service providers have raised fact-based concerns about water, electricity, air quality, schoolchildren, biological resources, aviation, and the China Lake mission. An EIR would allow those disputes, reasonable alternatives, and enforceable protections to be reviewed in public before the CEC decides the exemption. (Public Resources Code section 21080; CEQA Guidelines section 15064; TNs 270501, 270593, 270613, 271008, and 271977.)

COMPLETE AND CONSISTENT PROJECT DESCRIPTION

I am concerned that important parts of the project remain conceptual, incomplete, or spread across many revised filings. The application says that final information is still pending for transmission rights-of-way, electrical and noise calculations, hazardous-material quantities, cooling design, the water balance, and service arrangements. CEC staff also requested missing information about construction water, truck trips, temporary

access, staging, generator operation, and sensitive receptors. I ask the CEC to require one updated and internally consistent project description, with clear maps and operating limits, before circulating an environmental document. (TN 269893, section 3; TN 270553; TN 271129.)

REVIEW THE WHOLE DEVELOPMENT

The environmental review should cover the whole development, not only the diesel generators. It should include the data-center buildings, cooling equipment, fuel storage, batteries, solar equipment, onsite and offsite substations, both proposed 115-kV lines, water and sewer facilities, the emergency well, drainage, access roads, construction areas, telecommunications, lighting, landscaping, and any helicopter-related use. I ask the CEC to map and analyze all connected facilities and temporary construction areas together so impacts are not shifted to later County, utility, or service-provider permits.

GENERATOR CAPACITY AND THE 99 MW LIMIT

The application describes forty generators rated at 3 megawatts each, or 120 megawatts of total nameplate capacity, while stating that operation will be limited to 99 megawatts. I am not asking the CEC to assume that nameplate capacity automatically makes the project ineligible for an SPPE. I am asking the CEC to explain exactly how the 99-megawatt limit will be measured, enforced, and protected from later change, and to analyze the environmental effects of all installed equipment. The CEC should also decide whether any reasonably foreseeable second phase or related development must be included in the project or cumulative analysis. (TN 269893, sections 1.4.2 and 1.4.8; TN 271008.)

LATER PERMITS SHOULD NOT REPLACE CEC REVIEW

I understand that every final construction detail does not have to be complete today. My concern is that later permits or studies should not provide the first real answer about an impact. Kern County, SCE, ICSD, EKAPCD, FAA, and other agencies may later implement requirements, but the CEC is the lead environmental agency for this SPPE. I ask the CEC to identify the impacts, set clear performance standards, identify workable protections, and make them enforceable before deciding the exemption, rather than assuming later agencies will solve unresolved problems.

ENFORCEABLE MONITORING AND PUBLIC REPORTING

Promises to submit a future plan are not enough unless someone must review the plan, inspect the work, report results, and correct violations. I ask the CEC to adopt a detailed Mitigation Monitoring and Reporting Program before any exemption. For each requirement, it should identify the standard, deadline, responsible party, reviewing agency, public report, enforcement authority, corrective action, and consequences of noncompliance. Any local agency asked to oversee the program should accept that responsibility in writing, and the CEC should retain an enforcement backstop. (CEQA

Guidelines section 15097.)

PUBLIC REVIEW AFTER MAJOR DESIGN CHANGES

Final engineering may change the power-line routes, construction footprint, cooling demand, well design, battery system, structure heights, biological impacts, or required mitigation. I ask the CEC to compare every material later change with the environmental analysis in a written public determination. If new information reveals a new significant effect, a substantially worse effect, or substantially different mitigation, the revised environmental document should be circulated again for public and agency review before a decision. (CEQA Guidelines sections 15073.5 and 15088.5.)

POSSIBLE EXPANSION AND CUMULATIVE EFFECTS

Public comments and agency materials have raised questions about a possible second 99-megawatt phase and additional commonly controlled land. I ask the CEC to determine from objective evidence whether later expansion is reasonably foreseeable. If it is part of the same planned development, it should be analyzed as part of the project; if it is a probable future project, it should be included in cumulative analysis. The CEC should also consider basin-wide pumping, other large electric loads, utility upgrades, air pollution, traffic, habitat loss, and public-service demands together rather than one permit at a time. (TN 270472; TN 271008.)

WATER USE AND COOLING ASSUMPTIONS

The Indian Wells Valley Water District identified a serious inconsistency in the project's claimed water use. The claimed annual use works out to about 0.1 to 0.12 liters per kilowatt-hour, but the applicant's own sustainability table lists 0.1 to 0.3 liters per kilowatt-hour for closed-loop chilled water and 0.5 to 2.0 liters per kilowatt-hour for adiabatic cooling. Because the proposed system is described as a hybrid that includes evaporative or adiabatic features, I ask the CEC to require a complete water balance, explain the difference, and impose enforceable daily and annual water-use limits. (TN 269666, Appendix O, Table B.1; TN 271977.)

ICSD WATER AND WASTEWATER CAPACITY

The project relies on the Inyokern Community Services District (ICSD) for its main water and wastewater service. The Indian Wells Valley Water District states that the proposed annual demand of up to 49.1 acre-feet is almost half of ICSD's stated 102-acre-foot groundwater allotment. It also reports State Water Board concerns about ICSD's ability to provide safe and affordable water, possible consolidation, and litigation concerning replenishment fees. I ask the CEC to require proof of lawful, reliable, long-term water and wastewater capacity and a realistic fallback that does not assume another district will honor ICSD's Will-Serve letter. (TN 271977.)

ELECTRICITY NEEDED FOR COMMUNITY WELLS

Groundwater is the Indian Wells Valley's only local water source, and the Water District reports that approximately 800 electrically powered groundwater wells are near the proposed project. I am concerned that a new 99-megawatt load could compete with power needed to pump community water during extreme heat, a Public Safety Power Shutoff, or another grid emergency. I ask the CEC to analyze whether the local grid can serve the data center without reducing reliability for public water systems, domestic wells, emergency services, homes, and businesses, and to explain what service priority the data center would receive. (TN 271977.)

EMERGENCY WELL REMAINS UNVERIFIED

The applicant's July 28 emergency-well memorandum says no well currently exists on the property and that its yield estimates come from regional information and nearby wells. It says the analysis is preliminary and has not been confirmed by site-specific hydrogeology, drilling, geologic logging, water-quality sampling, well development, or pump testing. The separate geotechnical report found no water in shallow investigations ending at 85 feet, while mapped groundwater nearby was approximately 240.8 to 256.1 feet deep. The well memorandum also uses different demand figures: 42.1 gallons per minute, about 47 gallons per minute, and a planning range of 45 to 50 gallons per minute. At 45 to 50 gallons per minute for three days, pumping could total about 194,400 to 216,000 gallons. I ask the CEC to reconcile the figures; analyze drawdown and effects on nearby domestic, ICSD, and Navy wells; and adopt enforceable limits for rate, daily and event volume, duration, annual use, allowed purposes, monitoring, reporting, and corrective action. (TNs 270501, 271674, and 271675.)

WASTEWATER AND COOLING-TOWER BLOWDOWN

The project will generate cooling-system blowdown and other wastewater whose amount and quality depend on the final cooling design and water chemistry. I ask the CEC to require a complete wastewater balance, chemical characterization, pretreatment requirements, disposal method, infrastructure route, and written confirmation that the receiving system can lawfully and reliably handle the maximum discharge. A future characterization report should not be the first analysis of whether the wastewater can be accepted without harming the system or groundwater. (TN 269893, section 3 and proposed mitigation measures; TNs 271008 and 271977.)

AIR QUALITY AND EMERGENCY GENERATOR USE

I recognize that the applicant's revised air analysis evaluates several generator loads, warm-up emissions, and an assumed 150 hours per year of emergency operation. My concern is whether that emergency assumption covers reasonably foreseeable long outages and whether the final limits will be enforceable. I ask the CEC to explain the basis for 150 hours, evaluate longer or repeated outages and simultaneous emergency operation where appropriate, and require binding permit conditions for testing, hours, loads, emissions, and reporting. The analysis should protect nearby residents, children,

older adults, and other sensitive people. (TNs 270553, 271094, 271129, and 271977.)

GENERATOR AND MECHANICAL NOISE

I recognize that the revised noise report models a conservative case in which all 40 generators and mechanical equipment operate continuously for 24 hours. I am not claiming that this scenario was omitted. I ask the CEC to independently verify that the report's equipment locations, sound levels, barriers, receptors, tonal or low-frequency characteristics, and final project design are accurate and conservative. Any noise limits, testing schedules, barriers, and complaint-response procedures should be enforceable and should apply during actual emergency operations as well as routine testing. (TN 271095; TN 271129, response to DR NOI-1.)

INYOKERN ELEMENTARY SCHOOL

Inyokern Elementary School serves young children and is a sensitive receptor, but the application gives inconsistent distances. Some project materials list approximately 0.23 mile, while others list approximately 0.8 mile, and another agency described the school as less than 0.5 mile away. I ask the CEC to require a verified map showing the distance from the school to each generator yard, construction area, utility route, and project boundary. The review should address air pollution, noise, dust, traffic safety, emergency access, hazardous materials, and effects on school activities. (TNs 269893, 270593, 271008, and 271094.)

CONSTRUCTION TRAFFIC, DUST, AND WATER

CEC staff found that the original analysis did not adequately count haul trucks, onsite truck travel, long delivery distances, or the water and energy needed for construction dust control. I ask the CEC to require a complete construction schedule and realistic estimates for truck trips, routes, road safety, dust, emissions, water sources, pumping electricity, staging, and overlap among construction activities. The analysis should address school transportation, residents along the routes, emergency access, and damage or congestion on local roads. (TN 270553.)

FIRE PROTECTION AND HAZARDOUS MATERIALS

The project proposes six 100,000-gallon diesel tanks, for 600,000 gallons of bulk fuel, in addition to generator and other hazardous materials. I ask the CEC to obtain written confirmation that local fire and emergency-response agencies have the water, equipment, staffing, training, access, and response plans needed for a major fuel, battery, electrical, or hazardous-material incident. Final fuel containment, battery chemistry and location, fire-water supply, spill response, evacuation coordination, and responsibility for added public-service costs should be disclosed and enforceable before approval. (TN 269893; TN 270593.)

CHINA LAKE MISSION COMPATIBILITY

Naval Air Weapons Station China Lake raised concerns about long-term water supply, electromagnetic interference, and thermal plumes. The Navy stated that information was lacking about possible interference with weapons testing, telemetry, and range facilities, and that prevailing winds could carry heat, moisture, and exhaust plumes toward the test range. I ask the CEC to obtain and publicly address formal Navy input on water, electromagnetic interference, cooling and exhaust plumes, and any needed design limits before deciding the exemption. A future consultation should not replace the CEC's environmental analysis. (TN 270501.)

AIRPORT AND FAA REVIEW

The application is internally inconsistent about airport review. One table says a Kern County airport-land-use consistency determination was obtained and an FAA Form 7460-1 was submitted, while other sections say no FAA form is required and that County compatibility review will occur later. I ask the CEC to require a corrected status table and copies of the actual County, Airport District, and FAA submissions and determinations. Final heights, cranes, lighting, glare, cooling and exhaust plumes, landscaping, and stormwater features should be evaluated for aviation safety before approval. (TN 269893, application pp. 80, 584, and 600-601; TN 270613.)

SCE LINES AND SUBSTATION WORK

The applicant says two independent 115-kV routes will be constructed, but acknowledges that the public one-line diagram shows only one connection at the conceptual stage. Detailed Inyokern Substation upgrades, route rights-of-way, and other engineering information remain unfinished. I ask the CEC to require public maps and a complete description of both routes, substation expansion, underground sections, poles, construction areas, staging, access, noise, electromagnetic fields, and biological and visual effects before completing environmental review. Confidential utility drawings should not leave the public without enough information to understand environmental impacts. (TN 269893, section 3.2; TN 271129, response to DR PD-1.)

BIOLOGICAL RESOURCES AND THE FULL FOOTPRINT

CEC staff found that the application did not clearly identify whether all temporary access roads, staging areas, and laydown areas were included in the biological survey. Public agencies and conservation organizations have also raised concerns about desert tortoise, Mohave ground squirrel, migratory birds, habitat connections, and groundwater-related ecosystem stress. I ask the CEC to require surveys and impact analysis for the entire final footprint, including both power-line routes, water and sewer work, telecommunications, roads, drainage, staging, and other offsite construction. (TNs 270553, 271008, and 271075.)

CLOSING REQUEST

For the concerns stated above, I ask the CEC to prepare a full EIR and issue any additional data requests needed to complete the record. At minimum, the CEC should not circulate an environmental document or decide the SPPE until the project description is stable, the important technical conflicts are resolved, and all necessary protections are specific and enforceable. Preparing an EIR does not automatically decide whether the CEC can later grant an SPPE. However, Public Resources Code section 25541 allows an exemption only if the CEC can find that the project will cause no substantial adverse impact on the environment or energy resources. If the completed record cannot support that finding after all feasible mitigation, the CEC should deny the exemption.

Please place this comment and the cited docket materials in the administrative record for Docket 26-SPPE-01.

Respectfully submitted,

Adrian Lemon
Resident of Ridgecrest