

DOCKETED

Docket Number:	08-AFC-08A
Project Title:	Hydrogen Energy Center Application for Certification Amendment
TN #:	200008
Document Title:	County of Kern Response to Board Referral for Review of Draft PSA Environmental Impact Statement prepared by CEC
Description:	N/A
Filer:	Tiffani Winter
Organization:	Lorelei H. Oviatt
Submitter Role:	Other Interested Person
Submission Date:	7/23/2013 2:01:36 PM
Docketed Date:	7/23/2013

Lorelei H. Oviatt, AICP, Director

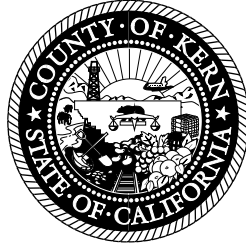
2700 "M" STREET, SUITE 100
BAKERSFIELD, CA 93301-2323

Phone: (661) 862-8600

FAX: (661) 862-8601 TTY Relay 1-800-735-2929

E-Mail: planning@co.kern.ca.us

Web Address: www.co.kern.ca.us/planning



Administrative Operations
Engineering, Surveying and Permit Services
Planning and Community Development
Roads

July 23, 2013

Board of Supervisors
Kern County Administrative Office
1115 Truxtun Avenue
Bakersfield, CA 93301

Response to February 26, 2013 Board Referral related to the Hydrogen Energy California (HECA) Project by Hydrogen Energy International LLC. (Docket No. 08-AFC-8A): for review of the "Preliminary Staff Assessment Draft Environmental Impact Statement prepared by the California Energy Commission (CEC)
(Fiscal Impact: None) SD # 4

This matter is a response to a February 26, 2013 referral made by your Board related to a comprehensive review of the proposed HECA Project and a recommendation on the amount and terms of impact mitigation measures, conditions, and payments for the Hydrogen Energy California (HECA) Project by Hydrogen Energy International LLC.

In summary, the HECA Project is an application for a 300 MW "Integrated Gasification Combined Cycle" power-plant that is being processed by the California Energy Commission (CEC) under Docket No. 08-AFC-8A. The CEC is acting as the CEQA Lead Agency in processing this application because the California Government Code stipulates that they act as the Lead Agency for all thermal electric power plants and related facilities that are 50 MW or larger. Once an application is submitted to the CEC, the Agency prepares a Preliminary Staff Assessment (PSA) and presents it to the applicant, interveners, organizations, agencies and other interested parties for comment. The Final Staff Assessment (FSA) and corresponding environmental-review documents are then prepared by CEC staff, along with a recommendation, and the project is presented to the CEC Commission for review and decision. These documents represent the CEC's environmental review of the project pursuant to CEQA. The CEC process does not allow for conversations with the applicant outside public workshops and neither the applicant or agencies are allowed to review the PSA or FSA before formal release to the public.

As a part of the CEC's application review process, the Planning and Community Development Department (PCDD) coordinated review of the HECA Project among various County Departments. The comments received from Kern County Departments and stakeholders were presented to your Board on February 26, 2013. At that hearing, your Board authorized the Director of the PCDD to prepare and mail formal written comments to the CEC which listed **specific mitigation measures for the CEC to include which address the potential impacts of the HECA Project on Kern County services and risks to residents.** Those comments were distributed on March 6, 2013 (attached).

Also at the February 26, 2013 hearing, your Board directed the PCDD to bring the matter back before you in June 2013 for review of the CEC's environmental document that they were preparing as a part of their review of the HECA Project. The CEC has not yet completed the "Final Staff Assessment and Final EIS" and only just released the "Preliminary Staff Assessment" on June 30, 2013. Therefore, this Board Letter will present Staff's review and preliminary determinations on impacts based on the recently released June 30, 2013 Preliminary Staff Assessment (PSA) from the CEC.

Staff also notes that your Board will also be scheduled to consider a separate application request from HECA to cancel a portion of an existing Williamson Act Contract on the project site. Your Board has the jurisdiction to take action on the Williamson Act Cancellation component of the project and, in 2010, previously approved the cancellation of a 491-acre portion of a Williamson Act Contract that covered a portion of the HECA project site (Cancellation 10-1, Map 120; Resolution 2010-168). However, the applicant revised the project boundaries during project design in 2012. Therefore, the applicant is now requesting cancellation of an additional 72 acres of land under contract in order to facilitate the revised project as currently presented to the CEC for processing. This matter was scheduled for consideration by the Planning Commission on August 27, 2013; however, the application was continued during the hearing at the request of the Commission so that Staff could provide an overview to Commissioners of the contents of the CEC's PSA document. Therefore, the current application will be scheduled for consideration by your Board after it is considered by the Planning Commission on August 22, 2013.

The CEC's Application Review Process

The CEC is acting as the Lead Agency in the review of the HECA Project for compliance with the California Environment Quality Act (CEQA). The application process used by the CEC has been certified by California Resources Agency as meeting all requirements of a certified regulatory program and includes the following steps:

Table 1. CEC Application and CEQA-Equivalent Review Process

Action Party	Action	Date
Applicant	Applicant submittal of "Application for Certification" to the CEC	5/2/12
CEC	CEC Application Processing (Includes Informational Hearings, Site Visit, Status Reports, etc.)	5/12/12 - Current
CEC	Preliminary Staff Assessment/ Draft Environmental Impact Statement (PSA/DEIS) filed	6/30/13
CEC	PSA/DEIS Workshop to be held in Buttonwillow	August 2013
CEC	Committee Conference on PSA/DEIS	TBD
Public	Public Comments Due on PSA/DEIS	TBD
CEC	Final Staff Assessment/Final Environmental Impact Statement filed	TBD
CEC	Prehearing Conference	TBD
CEC	Evidentiary Hearings	TBD
CEC	Committee files Presiding Member's Proposed Decision	TBD
CEC	Hearing on PMPD	TBD
CEC	Commission issues final Decision	TBD

**Items 12 through 16 will be scheduled by the Committee
TBD – to be determined*

Environmental Review Document Prepared by the CEC

The HECA Project involves a State action (permitting of the power plant by the CEC) and a federal action (allocation of financial assistance by the Department of Energy). Therefore, the project is subject to both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA).

On June 30, 2013, the CEC released a *Preliminary Staff Assessment/Draft Environmental Impact Statement (PSA/DEIS)* as part of the process of complying with the two environmental acts. This PSA/DEIS contains the CEC and DOE's independent evaluation of the HECA Project application.

The CEC has completed an independent assessment pursuant to CEQA and has detailed significant, and for the most part, unresolved issues regarding permitting of the HECA Project. The issues are summarized in Table 2, *CEC's Preliminary Conclusions*, of this report and are discussed further in the Executive Summary and in each related section of the PSA/DEIS.

The DOE has completed its assessment pursuant to NEPA and evaluated the potential environmental impacts of the Proposed Action (providing financial assistance for the construction and operation of the applicant's project) and the alternatives. The PSA/DEIS describes the affected environment and the environmental consequences of the alternatives among various resource areas.

Table 2. Summary of the CEC's Preliminary Impact Conclusions (from PSA)

Technical Area	Complies with LORS ¹	Impacts Mitigated	Additional Information Requested ²
Air Quality	Yes	Yes	Yes
Biological Resources	Undetermined	Undetermined	Yes
Carbon Sequestration and GHG Emission	Undetermined	Undetermined	Yes
Cultural Resources	Undetermined	Undetermined	Yes
Hazardous Materials	Yes	Yes	No
Land Use	Undetermined	Undetermined	Yes
Noise and Vibration	Yes	Yes	Yes
Public Health	Yes	Yes	No
Socioeconomics	Yes	Yes	No
Soil and Surface Water Resources	Yes	Yes	Yes
Traffic & Transportation	Undetermined	Undetermined	Yes
Transmission Line Safety/Nuisance	Yes	Yes	No
Visual Resources	No	No	No
Waste Management	Undetermined	Undetermined	Yes
Water Supply	Undetermined	Undetermined	No
Worker Safety and Fire Protection	Yes	Yes	No
Facility Design	Yes	N/A	No
Geology & Paleontology	Yes	Yes	Yes
Power Plant Efficiency	N/A	N/A	Yes
Power Plant Reliability	N/A	N/A	Yes
Transmission System Engineering	Yes	Yes	Yes
Alternatives	N/A	N/A	No

¹ LORS = Laws, Ordinances, Regulations and Standards (of the State)

² Information requested from the applicant (HECA) by the CEC.

Kern County Review of the CEC's PSA Document

As noted above, the CEC released the PSA/DEIS on June 30, 2013 as part of the process of complying with CEQA. Per your Board's direction, County Staff has completed a review of the information provided and has provided an analysis of the following four components for your information: project description, impacts, alternatives, and mitigation measures.

Environmental Impact Findings of HECA Project

As is shown above in Table 2, the CEC has found that the project will have a Significant and Unavoidable Impact to "Visual Resources" (Aesthetics). However, the CEC has not yet made any determination on many of the key subject-matter areas that are of particular interest to Kern County.

Specifically, the CEC has not yet made a final conclusion regarding the impacts HECA on the following:

- › Biological Resources Impacts
- › GHG Emissions Impacts
- › Cultural Resources Impacts
- › Land Use compatibility Impacts
- › Traffic and Transportation Impacts
- › Waste Management Impacts
- › Water Supply (Hydrology) Impacts

The PSA indicates that the CEC is awaiting additional information before it can make final environmental impact conclusions on these categories as noted above. It is Staff's understanding that the CEC will make final determinations on these subject-matter areas when they issue their "Final Staff Assessment (FSA) for the project.

Therefore, Staff advises that your Board direct Staff to review and report on the FSA when it is issued.

Inclusion of County-Requested Mitigation Measures

With regard to the specific mitigation measures that your Board directed County Staff to request that the CEC include in the PSA, as binding project requirements to address the impacts of the HECA Project on Kern County; Staff offers comments as follows.

Throughout the PSA, several mitigation measures are recommended in order to reduce significant impacts to a less than significant level. These mitigation measures are called "Conditions of Certification" by the CEC and were formulated after receiving comments from Kern County and other interested parties. However, several of the specific mitigation measures requested by Kern County Staff were not included in the PSA.

Table 3, *Inclusion of County Mitigation Measures in CEC PSA Document (Summary)*, includes a comparison of the County-recommended mitigation measure and its relationship to the mitigation measures included by the CEC.

A more detailed list that fully spells out each of the County-requested MMs is included as Appendix A of this report.

Table 3. Inclusion of County Mitigation Measures in CEC PSA Document (Summary)			
Kern County Mitigation Request Per March 6, 2013 Letter	Kern County Requested MM (Topic Summary; full listing available in Appendix A)	CEC Equivalent Mitigation Measure (Summary)	Sufficiently Addressed by CEC?
Planning-1	Mitigate for loss of Ag land at 1:1 ratio	LAND-1 & 2	Yes
Planning-2	Mitigate to restrict fertilizer production activities to Agricultural fertilizer only	LAND-6	Yes
Planning-3	Mitigate impacts to public services by ensuring sales tax during construction are paid to Kern	SOCIO-1 Use best efforts to ensure as much sales and use tax are attributed to Kern	Partially
Fire-1	HECA to purchase an Industrial Foam Pumper Truck and Tender	WORKER SAFETY-8 Mitigation for overall one-time payment of \$2,000,000 to KCFD	No Insufficient one-time payment amount
Fire-2	HECA to provide funding for Fire Protection Specialist	WORKER SAFETY-8 Mitigation for overall one-time payment of \$2,000,000 to KCFD	No Insufficient one-time payment amount
Fire-3	HECA to provide funding for purchase of 3.5-5 acre plot to relocate fire station	WORKER SAFETY-8 Mitigation for overall one-time payment of \$2,000,000 to KCFD	No Insufficient one-time payment amount
Fire-4	HECA to provide annual funding for 50% of cost of a County Fire Prevention Inspector	WORKER SAFETY-8 Mitigation for annual payment of \$850,000 to KCFD	No Insufficient annual payment amount
Fire-5	HECA to provide annual training to KC Fire Staff	WORKER SAFETY-8 Mitigation for overall one-time payment of \$2,000,000 to KCFD	No Insufficient one-time payment amount
Fire-6	HECA to provide funding for a new Fire Rescue Truck	WORKER SAFETY-8 Mitigation for overall one-time payment of \$2,000,000 to KCFD	No Insufficient one-time payment amount
Fire-7	HECA to provide Air Monitoring Equipment	WORKER SAFETY-8 Mitigation for overall one-time payment of \$2,000,000 to KCFD	No Insufficient one-time payment amount
Fire-8	HECA to contribute annual funds for salaries for 6 Fire Engineers	WORKER SAFETY-8 Mitigation for annual payment of \$850,000 to KCFD	No Insufficient annual payment amount
Fire-9	HECA shall contribute to reverse 9-1-1 system and shelter-in-place program	WORKER SAFETY-8 Mitigation for annual payment of \$850,000 to KCFD	No Insufficient annual payment amount
EHS-1	Crash Protection around Secondary Containment	HAZ-4 Discusses specs for ammonia storage; but no barriers	No
EHS-2	Spill Sensors and Detectors, as approved by EHS for Early Notification	HAZ-3 Develop a Safety Management Plan, including monitors	Yes

Table 3. Inclusion of County Mitigation Measures in CEC PSA Document (Summary)			
Kern County Mitigation Request Per March 6, 2013 Letter	Kern County Requested MM (Topic Summary; full listing available in Appendix A)	CEC Equivalent Mitigation Measure (Summary)	Sufficiently Addressed by CEC?
EHS-3	Comply with CUPA (Certified Unified Program Agency)	HAZ-2 Requires inclusion of EHS comments but no CUPA compliance	No
EHS-4	Provide Knox Box (locked document storage box) at main entrance for 1 st responders.	None	No
EHS-5	Video Monitoring System	HAZ-7 Security Plan w/closed circuit	Yes
EHS-6	Secondary ingress/egress	WORKER SAFETY-6 3 secure access points	Yes
EHS-7	Prepare Training brochure for residents for "off-site consequences"	None	No
EHS-8	Complete a Process Hazard Analysis (PHA) approved by EHS	HAZ-9 CEC approves PHA, not EHS	Partially
EHS-9	Prepare an Emergency Response Plan for accidental hazardous Release	HAZ-2/WORKER SAFETY-2 Spill Prevention, Control, Counter-measures Plan & Emergency Action Plan	Partially
EHS-10	Permanent weather station with wind direction in case of accidental release	None	No
Engineering-1	Applicant to pay for all County costs to review, inspect and issue permits and plans	GEN-3 Payments to County based on a negotiated fee schedule; not adopted County fee code.	Partially
Engineering-2	Applicant to provide a qualified person, approved by County, to prepare hazards reports.	None	No
Engineering-3	Applicant to provided CA registered civil engineer to act as Resident Engineer during construction	GEN-4 Assign a CA architect/engineer to act as Resident Engineer	Yes
Engineering-4	Applicant to provide an on-site office for County inspector.	None	No
Roads-1	<i>Specific Final Mitigation Measures are Forthcoming</i>	<i>Place-holder</i>	<i>Place-holder</i>

Table 3. Inclusion of County Mitigation Measures in CEC PSA Document (Summary)			
Kern County Mitigation Request Per March 6, 2013 Letter	Kern County Requested MM (Topic Summary; full listing available in Appendix A)	CEC Equivalent Mitigation Measure (Summary)	Sufficiently Addressed by CEC?
Waste-1	Provide Waste characterization to County for compliance with Kern landfill operations/fees	WASTE-7 Requires discussion of local regulations, but no approval from Kern County or specific regulations.	No
Waste-2	Conduct a market analysis of potential beneficial uses of waste	WASTE-8 Develop a Gasification Waste Diversion Program.	Yes
Waste-3	Payment of specific tipping fees (per ton) to compensate Kern County for impacts to Jurisdictional Reporting and to fund alternative diversion programs to help Kern meeting State requirements	None	No
Waste-4	Divide waste streams among multiple facilities to reduce impacts to any one facility	None	No
Sheriff-1	Increase private security during construction	HAZ-6 Construction Site & Security Plan, including Fencing	Yes
Sheriff-2	Use building/security alarms	HAZ-7 Operational Security Plan including guards and detectors.	Yes

As demonstrated by Table 3, there are a number of mitigation measures requested by Kern County that were either not included by the CEC, that were re-worded to eliminate important details, or that were not adequately addressed. Specifically, mitigation measures from Kern County Planning, Fire, Environmental Health Services, Engineering and Survey Services, Waste Management and the Roads Department were not included in the CEC's document.

Fire Mitigation

With regard to the requested Fire mitigation measures, the CEC did not include the specific mitigation language requested by the Kern County Fire Department. Instead, language was included that would require HECA to make (1) a one-time payment of \$2,000,000.00 and (2) an annual payment of \$850,000, less any allocation of funds provided to the Fire Department via local property taxes.

Staff consulted with the Fire Department and found that these amounts are insufficient to implement the specific mitigation measures requested by Fire in order to adequately mitigate the impacts of HECA; which is a fertilizer production facility that also produces power. This County-requested mitigation is based on Kern County Fire's demonstrated experience with chemical and industry facilities that are distinct from power plants.

In addition, the CEC specifically determined that the established fees for fire inspections and building permits would be "waived" and replaced by the proposed payment. Staff notes that the established Fire fee ordinances contain no provisions for waiver by the CEC or the Fire Chief. Further they are to support the entire inspection and permit review system and not just specific

projects. Even if an outside consultant is hired with the compensation provided, they would still need to be managed by a County Fire Inspector. Therefore, no waiver of fees is warranted.

Further, the mitigation states that the annual amount proposed for operations, monitoring and training would be “off-set” by the property tax revenue to the County Fire fund that would result from the increase of property tax revenue if HECA is built. The Fire fund revenue is not intended to benefit one specific property but is used to maintain a County-wide system. The substantial additional costs, equipment, and staffing that will be required by HECA are impacts under CEQA and are directly related to the fertilizer production and related increased risks to the public safety, first responders, and employees of the plant. Any off-set is not warranted and is unacceptable.

Therefore, the specific line item costs of the requested mitigation measures can be measured as listed in Table 4 below. It is noted that, at the request of the CEC, County Staff has provided background information to the CEC which supports the listed costs.

Table 4. Fire Mitigation Costs		
Requested MM Number	Mitigation Measure Request	Anticipated Cost
One-Time Costs (Paid prior to initiation of construction)		
Fire-1	HECA to purchase an Industrial Foam Pumper Truck and Tender	\$850,000
Fire-2	HECA to provide funding for Fire Protection Specialist (Estimated at \$125,000/year for duration of Construction through Commencement of Operations: 4 years [2014-2018])	\$500,000
Fire-3	HECA to provide funding for purchase of 3.5-5 acre plot to relocate fire station	\$250,000
Fire-4	HECA to provide annual funding for 50% of cost of a County Fire Prevention Inspector (Estimated at \$88,600/year for duration of Construction through Commencement of Operations: 4 years [2014-2018])	\$354,400
Fire-6	HECA to provide funding for a new Fire Rescue Truck	\$850,000
Fire-7	HECA to provide Air Monitoring Equipment	\$50,000
Total One Time Payment Required		\$2,854,400
Amount Proposed by CEC		\$2,000,000
Shortage/ Adjustment Amount Needed		\$854,400
Annual Costs (Recurring)		
Fire-5	HECA to provide annual training to KC Fire Staff	\$25,000
Fire-8	HECA to contribute annual funds for salaries for 6 Fire Engineers	\$950,000
Fire-9	HECA shall contribute to reverse 9-1-1 system and shelter-in-place program (\$2.50 per address, per year. Estimated at 5,000 addresses)	\$12,500
Total Annual Payment Required		\$987,500
Amount Proposed by CEC		\$850,000
Shortage/ Adjustment Amount Needed		\$137,500
+ Remove language regarding “off-set” for Property Tax Allocation		
+ Remove language regarding waiver of County-related inspection fees		

Roads Mitigation Measures

The HECA Applicant is continuing to work with the Roads Department to resolve issues with the Traffic Study that was prepared for the HECA Project. As of the preparation of this Report, the Roads Department has indicated that they are in the final stages of reviewing the Traffic Impact Study prepared by URS in June 2013 and the Roads Department is finalizing their list of necessary mitigation measures.

Though not final at this time, the mitigation measures will likely include, but may not be limited to, the following improvements:

1. Reconstruct specified portions of the following roads, to County Standards: Morris Road, Station Road, Dairy Road and Ador Road.
2. Provide an asphaltic concrete overlay and additional pavement at intersection road returns, to County Standards, along portions of the following roads: Stockdale Highway (including a 4.7-mile segment from SR43 to I-5; a 2.3 mile segment from I-5 to Dairy Road; and a 3-mile segment from Dairy Road to Wasco Way); and to Wasco Way along a 3-mile segment from Stockdale Hwy. to SR 58.
3. Construct improvements, to County and Caltrans standards, (including additional turn-lanes, traffic signals, and intersection improvements) to multiple intersections throughout the project's transportation route.
4. Submit a Traffic Control Plan for Kern County and Caltrans approval.
5. Schedule land and road closures during off-peak hours.
6. Limit construction traffic to specified roads and encourage carpooling.
7. Provide an offer of dedication to the County for additional right-of-way in specified areas.
8. Keep all easements open and clear.
9. Enter into a secured agreement with Kern County to ensure improvements are made and repairs for project-related impacts and damage to existing roadways.
10. Limit operational traffic to designated roads and contribute funds for annual maintenance of project roadways.

The anticipated costs associated with the draft mitigation measures have not been finalized at the time of the preparation of this report. However, Staff anticipates having a finalized cost estimate to provide for your Board's review prior to the CEC's release of the Final Staff Assessment; which is projected to be in the last quarter of 2013.

Staff Conclusions

As demonstrated in this Report, there are a number of issues that have not yet been addressed by the CEC, or that are pending further information. As such, several of the Kern-County requested mitigation measures were not included in the PSA. Therefore, Staff is recommending that your Board authorize Staff to prepare a written request to the CEC to make the following revisions to the PSA:

Table 5. Kern County Requested Changes/Additions to Mitigation Measures in the CEC's June 2013 PSA			
Kern County Mitigation Request #	Kern County Requested Mitigation Measure (Topic Summary) ¹	Kern County Requested Change to CEC Mitigation Measure (Requested changes in strike-out and <u>underline</u>)	Kern County Justification for Revision
Planning-3	Mitigate impacts to public services by ensuring sales tax during construction are paid to Kern	<p>Revise SOCIO-1 to read as follows:</p> <p><i>The project owner shall use best efforts to ensure as much sales and use tax revenue resulting from project construction and operation is attributed to Kern County. <u>To ensure this, the project owner shall adhere to the following:</u></i></p> <ol style="list-style-type: none"> <i><u>1. Prior to the issuance of the first grading or building permit for the project, the Project Proponent shall obtain a local street address within the unincorporated portion of Kern County and shall register this address with the State Board of Equalization. The address shall be used for all activities related to the acquisition of construction materials and for all construction-related purchase and billing purposes associated with the project. The Project Operator shall allow the County to use this sales tax information publicly for reporting purposes.</u></i> <i><u>2. The project proponent shall continuously comply with the following during construction and operation:</u></i> <ol style="list-style-type: none"> <i><u>a. Make a good-faith effort to have all transactions that will generate sales and use taxes, including transactions of project owner's contractors, occur in the unincorporated area of the county;</u></i> <p><i>(No further changes to remainder of Mitigation Measure)</i></p>	<p>This revision will facilitate implementation of the rest of the mitigation measure as listed by the CEC.</p> <p>See above</p>
Fire-1	HECA to purchase an Industrial Foam Pumper Truck and Tender	Revise WORKER SAFETY-8 one-time payment to KCFD of \$2,854,400	Amount insufficient per Table 4 of this Report
Fire-2	HECA to provide funding for Fire Protection Specialist	Revise WORKER SAFETY-8 one-time payment to KCFD of \$2,854,400	Amount insufficient per Table 4 of this Report
Fire-3	HECA to provide funding for purchase of 3.5-5 acre plot to relocate fire station	Revise WORKER SAFETY-8 one-time payment to KCFD of \$2,854,400	Amount insufficient per Table 4 of this Report
Fire-4	HECA to provide annual funding for 50% cost of County Fire Prevention Inspector	Revise WORKER SAFETY-8 one-time payment to KCFD of \$2,854,400	Amount insufficient per Table 4 of this Report
Fire-5	HECA to provide annual training to KC Fire Staff	Revise WORKER SAFETY-8 annual payment of to KCFD of \$987,500	Amount insufficient per Table 4 of this Report

Table 5. Kern County Requested Changes/Additions to Mitigation Measures in the CEC's June 2013 PSA			
Kern County Mitigation Request #	Kern County Requested Mitigation Measure (Topic Summary) ¹	Kern County Requested Change to CEC Mitigation Measure (Requested changes in strike-out and <u>underline</u>)	Kern County Justification for Revision
Fire-6	HECA to provide funding for a new Fire Rescue Truck	Revise WORKER SAFETY-8 one-time payment to KCFD of \$2,854,400	Amount insufficient per Table 4 of this Report
Fire-7	HECA to provide Air Monitoring Equipment	Revise WORKER SAFETY-8 one-time payment to KCFD of \$2,854,400	Amount insufficient per Table 4 of this Report
Fire-8	HECA to contribute annual funds for salaries for 6 Fire Engineers	Revise WORKER SAFETY-8 annual payment of to KCFD of \$987,500	Amount insufficient per Table 4 of this Report
Fire-8	HECA shall contribute to reverse 911 system and shelter-in-place program	Revise WORKER SAFETY-8 annual payment of to KCFD of \$987,500	Amount insufficient per Table 4 of this Report
EHS-1	Crash Protection around Secondary Containment	Revise HAZ-4 to read as follows: <i>The two anhydrous ammonia storage tanks shall be double-walled tanks designed to API 620 Appendix R. The storage tanks shall be protected by a secondary containment basin capable of holding 125% of the storage volume and that drains to an underground vault. The final design drawings and specifications for the ammonia storage tanks and secondary containment basin and vault shall be submitted to the CPM for review and approval.</i> <i><u>Additionally, the applicant shall provide crash protection around the proposed secondary containment areas as appropriate to accommodate stacking/moving equipment. The applicant shall provide physical barriers and site security for the proposed project site as approved by the Environmental Health Division to reduce the potential of a chemical release.</u></i>	Though barriers are discussed in the analysis that could assist with crash protection, Kern requests that specific language be added to the measure to ensure implementation
EHS-3	Comply with CUPA (Certified Unified Program Agency)	Revise HAZ-2 to read as follows: <i>The project owner shall concurrently provide the following to the Kern County Environmental Health Service Department (KCEHSD) and the CPM for review:</i> <i>a. a Hazardous Materials Business Plan (HMBP);</i> <i>b. a Spill Prevention, Control, and Countermeasure Plan (SPCC Plan); and</i> <i>c. a Risk Management Plan (RMP) specifically for the use and storage of anhydrous ammonia, methanol, and liquid oxygen/nitrogen and prepared pursuant to the California Accidental Release Program (CalARP).</i> <i>d. <u>Any other documents deemed necessary by KCEHSD for compliance with Certified Unified Program Agency</u></i>	Revision Necessary for clarification

Table 5. Kern County Requested Changes/Additions to Mitigation Measures in the CEC's June 2013 PSA			
Kern County Mitigation Request #	Kern County Requested Mitigation Measure (Topic Summary) ¹	Kern County Requested Change to CEC Mitigation Measure (Requested changes in strike-out and <u>underline</u>)	Kern County Justification for Revision
		<p><u>(CUPA).</u></p> <p>After receiving comments from the KCEHSD and the CPM, the project owner shall reflect all recommendations in the final documents. Copies of the final plans shall then be provided to the KCEHSD for information and to the CPM for approval.</p>	
EHS-4	Provide Knox Box (locked document storage box) at main entrance for 1 st responders.	<p>Include additional HAZ mitigation measure to read as follows:</p> <p><u>The applicant shall provide a locked storage box (Knox box) outside the main entrance that can be accessed by first responders. It shall provide first responders with the ability to access the site immediately. It shall contain the following information:</u></p> <ul style="list-style-type: none"> • <u>Hazardous materials business plan</u> • <u>MSDS sheets for all chemicals stored at the site</u> • <u>Emergency contact numbers</u> 	Though a Knox Box may be needed as part of the HMBP, revision necessary for clarification
EHS-7	Prepare Training brochure for residents for "off-site consequences"	<p>Include additional HAZ mitigation measure to read as follows:</p> <p><u>The applicant shall develop a letter/pamphlet/brochure to be reviewed and approved by the Planning Department and Environmental Health Division that provides information to the residences/businesses within the impact area of the off-site consequence analysis (OCA). The information must describe the OCA findings and actions to follow in the event of a release from any covered Cal ARP process.</u></p>	This revision helps ensure that the applicant prepares appropriate public information for an OCA that is reviewed by the County prior to distribution.
EHS-8	Complete a Process Hazard Analysis (PHA) approved by EHS	Revise HAZ-9 to include Kern County EHS as a reviewing/approving agency for PHA.	Revision necessary for clarification
EHS-9	Prepare an Emergency Response Plan for accidental hazardous Release	Revise HAZ-2 to include provision for preparation of an Emergency Response Plan for accidental hazardous Release.	Revision necessary for clarification
EHS-10	Permanent weather station with wind direction in case of accidental release	<p>Include additional HAZ mitigation measure to read as follows:</p> <p><u>The applicant shall provide a permanent weather station with remote internet access for monitoring of wind direction in case of an accidental release at the facility. The data shall be kept on site or made available electronically for review by the Environmental Health Division on a 24/7 basis.</u></p>	Will provide County a method to direct first responders and evacuations in the event of an accidental release.

Table 5. Kern County Requested Changes/Additions to Mitigation Measures in the CEC's June 2013 PSA			
Kern County Mitigation Request #	Kern County Requested Mitigation Measure (Topic Summary) ¹	Kern County Requested Change to CEC Mitigation Measure (Requested changes in strike-out and <u>underline</u>)	Kern County Justification for Revision
Engineering-1	Applicant to pay for all County costs to review, inspect and issue permits and plans	Revise GEN-3 to ensure that payments made to County are based on adopted County fee code; not a negotiated fee schedule.	Required by County Code
Engineering-2	Applicant to provide a qualified person, approved by County, to prepare hazards reports.	Include additional GEN Mitigation Measure to read as follows: <i><u>The applicant shall provide a qualified person, approved by the Department, to prepare a report identifying all hazardous materials, classified in accordance with the California Building Code, to be used or stored. The report shall be submitted with their plan review documents and include recommendations for fire protection, as well as storage and handling of materials.</u></i>	Necessary per CBC
Engineering-4	Applicant to provide an on-site office for County inspector.	Include additional GEN Mitigation Measure to read as follows: <i><u>The applicant shall provide an on-site office, plan rack, desk and adequate accommodations for the County's building inspector(s) for the duration of the project.</u></i>	No sufficient County facilities at this time
Roads-1	<i>– Place-holder – Mitigation Measures Forthcoming from Kern County</i>	<i>– Place-holder – Mitigation Measures Forthcoming from Kern County</i>	<i>Pending</i>
Waste-1	Provide Waste characterization to County for compliance with Kern landfill operations/fees	Revise WASTE-7 to include review and approval from Kern County Waste Management Department	Revision necessary for clarification
Waste-3	Payment of specific tipping fees (per ton) to compensate Kern County for impacts to Jurisdictional Reporting and to fund alternative diversion programs to help Kern meeting State requirements	Include additional WASTE Mitigation Measure to read as follows: <i><u>If residual gasification solids, or other waste products, are subject to Jurisdictional Reporting and credited to the Kern County unincorporated area as disposal, HECA shall compensate Kern County via payment based on the following schedule: \$30 a ton (0-100 tons per day); \$50 a ton (101 – 200 tons per day); \$75 a ton (greater than 200 tons per day); or other amount as approved by the Board of Supervisors, to mitigate impacts to diversion programs. The County shall deposit the money in a Diversion Mitigation Reserve Account that will be used to fund diversion programs in Kern County. This is in addition to any gate/tipping fees for disposal.</u></i>	Revision needed to ensure that County is adequately compensated for impacts to County facilities and State Diversion Program Requirements

Table 5. Kern County Requested Changes/Additions to Mitigation Measures in the CEC's June 2013 PSA			
Kern County Mitigation Request #	Kern County Requested Mitigation Measure (Topic Summary) ¹	Kern County Requested Change to CEC Mitigation Measure (Requested changes in strike-out and <u>underline</u>)	Kern County Justification for Revision
Waste-4	Divide waste streams among multiple facilities to reduce impacts to any one facility	Include additional WASTE Mitigation Measure to Read as follows: <u>HECA waste stream shall be subdivided between several facilities to reduce the potential impacts to any one facility. Facilities to be considered include the Bakersfield Metropolitan (Bena) RSLF, the Shafter-Wasco RSLF and the Taft RSLF.</u>	Revision needed to ensure that impacts to County facilities are appropriately distributed.
¹ See Appendix A of this Report for a complete "verbatim" listing of all Kern County Requested Mitigation Measures.			

Staff concludes that the listed revisions to the CEC's proposed Mitigation Measures that have been included in the Preliminary Staff Assessment will provide protection for public safety and certainty for the applicant and public on the proposed mitigation measures. Staff continues to discuss our concerns with the CEC staff and the applicant and has no recommendation on the overall HECA Project at this time.

Therefore, **IT IS RECOMMENDED** that your Board (a) Direct Staff to review the Final Staff Assessment when it is issued by the California Energy Commission; (b) Report back to your Board with additional comments and recommendations after review of the Final Staff Assessment; and, (c) authorize the Director of the Kern County Planning and Community Development Department to prepare and mail formal written comments to the California Energy Commission that includes specific requests for mitigation measures requested by Kern County Departments to address potential impacts of the HECA project in Kern County.

Sincerely,

LORELEI H. OVIATT, AICP, Director
Kern County Planning and Community Development Department

By: JACQUELYN R. KITCHEN, Supervising Planner
Kern County Planning and Community Development Department

Attachments
I:\ADM\Allison\Board Letters\7-23-13 HECA Board letter.docx

CC: Kern County Administrative Office
Kern County Counsel
Kern County Fire Department

Kern County Public Health Services Department, Environmental Health Division
Kern County Engineering, Survey and Permit Services Department
Kern County Roads Department
Kern County Waste Management Department
Kern County Sheriff's Department
California Energy Commission; Attn: Robert Whirl, Project Manager
California Energy Commission; Attn: Ellie Townsend-Hough, Chemical Engineer
California Energy Commission; Attn: John Heiser, Siting Project Manager
Hydrogen Energy California; Attn: Jim Croyle, CEO of SCS Energy
Hydrogen Energy California; Attn: Tom Daniels, Managing Director
SCS Energy California, LLC.; Attn: Marisa Mascaro
Latham & Watkins, LLP; Attn: Michael J. Carroll
URS Corporation; Attn: Dale Shilekis, Vice President
Kern County Development Services Agency
Kern County Grand Jury

Appendix A

Inclusion of County Mitigation Measures in CEC PSA Document (Detailed Listing)

Appendix A. Inclusion of County Mitigation Measures in CEC PSA Document (Detailed Listing)

KC Agency	CEQA Impact Section	Requested MM	Requested MM Included?	CEC Equivalent MM included in PSA
PCDD	Agriculture	Recommended Mitigation Measure Concept: Include MM to mitigate for the loss of Prime Farmland at a 1:1 ratio, with mitigation lands to occur within Kern County.	Yes	LAND-1 & 2 (Mitigate at a 1:1 ratio for conversation of Ag Land)
PCDD	Land Use Hazards and Hazardous Materials	Recommended Mitigation Measure Concept: Include MM to restrict the items produced on site and in the Manufacturing Complex to “fertilizer manufacture and storage for agricultural use only” per Section 19.12.030.A of the Kern County Zoning Ordinance.	Yes	LAND-6 Compliance with 19.12.030.A.2 to restrict chemical manufacturing to Ag fertilizers only
Fire	Hazards and Hazardous Materials Utilities and Service Systems	<p>Verbatim Requested Mitigation Measures:</p> <p>1. Prior to the issuance of the first grading or building permit for the HECA Project, the Project Proponent shall fund the purchase and delivery to the Fire Department of a fully equipped Industrial Foam pumper/tender, which will be housed and maintained by the Kern County Fire Department, and an additional 2,500 gallon cache of Class B foam to be provided to the Department to be stored at an off-site location. The Industrial Foam pumper/tender, with its onboard foam capabilities, and the 2,500 gallon cache of Class B foam will allow the Department to have the specialized capabilities and equipment necessary to control and contain a fire or product leak emergency that occurs at the HECA plant.</p> <p>Therefore, in order to mitigate the significant impact that this project creates, HECA is required to purchase and deliver to the County a fully equipped Industrial Foam pumper/tender with its onboard foam storage capabilities, and an additional 2,500 gallon cache of foam, which adheres to the following minimum standards.</p> <ol style="list-style-type: none"> a. The Industrial Foam pumper/tender shall be manufactured to the Department’s standards with no substitutions. b. The Industrial Foam pumper/tender must be purchased, constructed, and delivered (construction and delivery time is estimated to be nine months) to the Department 30 days prior to the start-up of the project. Additional time may be required in order to place the Industrial Foam pumper/tender in service and to allow for training personnel assigned to operate the pumper. c. The Industrial Foam pumper/tender shall be fully equipped to Department specifications. d. The final authority on the specifications for the Industrial Foam Pumper/Tender shall rest with the Department. e. The Title for the Industrial Foam Pumper/Tender shall be transferred to the County upon delivery. f. The cache of foam shall meet the Department’s standards. g. If the Department responds to an emergency at HECA and uses the cache of foam to control or contain the emergency, HECA will be required to replace the amount used within 30 days of the incident. <p>The estimated cost for the Industrial Foam Pumper/Tender is \$800,000 and the 2,500 gallon cache is \$50,000. Please note: Foam storage data derived from calculations based on satisfactorily extinguishing a two-dimensional tank fire involving the largest tank containing HECA's most volatile/dangerous commodity.</p>	Yes/No*, Concept	WORKER SAFETY-8 One-time payment of \$2,000,000 for capital improvements.

		<p>2. Prior to the application for the first grading or building permit for the HECA Project, the Project Proponent shall provide a Fire Protection Specialist to the Kern County Fire Department for use during the plan review process. HECA will be allowed to select the Specialist from a list of qualified individuals provided by the Department. Furthermore, HECA and the Fire Protection Specialist shall develop a comprehensive <i>Fire and Life Safety</i> plan that describes the methods to reduce the potential of an uncontrolled fire thus reducing the threat to life and property. These plans must be submitted and approved by the Department prior to building permit approval.</p> <p>3. Prior to the issuance of the first grading or building permit for the HECA Project, the Project Proponent shall provide, or reimburse Kern County for the purchase of, a 3 ½ to 5 acre plot of land in which to relocate Kern County Fire Station 53. The Fire Department intends to relocate Fire Station 53 in the vicinity of Interstate 5 and Highway 119 in order to better serve HECA and the surrounding communities. The new Fire Station site would include a standard fire station capable of housing three to six on-duty firefighters, a three-bay engine house, and a helipad capable of handling emergency helicopters. The Fire Department shall have final authority on the exact location for the fire station.</p> <p>4. During the active construction phase of the project, the Project Proponent shall provide 50% of the operating cost of a Kern County Fire Department fire prevention inspector, estimated to be \$88,600 who will be actively involved with fire prevention measures on a daily basis.</p> <p>5. Prior to the issuance of the first certificate of occupancy, the Project Proponent shall provide training to Kern County Fire Department Staff, as identified by the Fire Department, in the areas needed to mitigate Hydrogen and other related hazardous material emergencies that might arise at the plant for the crews that are stationed at Buttonwillow (25), Taft (21), Old River (53), Maricopa (22) and Fellows (23). This will also be an annual requirement to train at least three (3) Kern County Fire Department personnel in these station areas.</p> <p>6. Prior to the issuance of the first grading or building permit for the HECA Project, the Project Proponent shall provide full funding to purchase a fire rescue truck, to be housed and maintained by the Kern County Fire Department, and capable of lifting heavy loads in order to extricate trapped passengers in the event of a semi-truck vehicle accident. Fire Rescue Truck specifications/capabilities, and purchasing details, are as follows:</p> <ul style="list-style-type: none"> a. A fire rescue truck with a 50-ton rotator crane, manufactured to the Fire Department's specifications with no substitutions. b. The fire rescue truck must be purchased, constructed, and delivered (construction and delivery time is estimated to be nine months) to the Fire Department 30 days prior to the start-up of the project. Additional time may be required in order to place the fire rescue truck in service and to allow for training personnel assigned to operate the vehicle. c. The fire rescue truck shall be fully equipped to Department specifications. d. The final authority on the specifications for the fire rescue truck shall rest with the Fire Department. e. The vehicle title for the fire rescue truck shall be transferred to the County upon delivery. 	<p>Yes/No*, Concept</p> <p>Yes/No, Concept</p> <p>Yes/No, Concept</p> <p>Yes/No, Concept</p> <p>Yes/No, Concept</p>	<p>WORKER SAFETY-8 Annual payment of \$850,000 for operations and maintenance.</p> <p>WORKER SAFETY-8 One-time payment.</p> <p>WORKER SAFETY-8 Annual payment.</p> <p>WORKER SAFETY-9 Joint training established with exercises every two years.</p> <p>WORKER SAFETY-8 One-time payment.</p>
--	--	---	---	---

		<p>7. Prior to the issuance of the first certificate of occupancy, the Project Proponent shall provide the Kern County Fire Department with air monitoring equipment that provides first responders with the capability to monitor for multiple toxic gases during an emergency at the facility.</p> <p>8. The Project Proponent shall continuously comply with the following: The Project Proponent shall be responsible to contribute annually funds to the Kern County Fire Department for the full salaries of six Fire Engineer positions to drive and operate the Industrial Foam Pumper/Tender and the Fire Rescue Truck.</p> <p>9. The Project Proponent shall continuously comply with the following: The Project Proponent shall be responsible to contribute annually to the Kern County Fire Department for the reverse 9-1-1 system, based upon the number of addresses that would be directly affected by a major emergency at the facility requiring surrounding residences to shelter-in-place or evacuate.</p>	<p>Yes/No, Concept</p> <p>Yes/No, Concept</p> <p>Yes/No, Concept</p>	<p>WORKER SAFETY-8 One-time payment.</p> <p>WORKER SAFETY-8 Annual payment.</p> <p>WORKER SAFETY-8 Annual payment.</p>
EHS	Hazards and Hazardous Materials	<p>Verbatim Requested Mitigation Measures:</p> <p>Prior to the commencement of project operations, the Project Proponent shall comply with the following:</p> <p>1. The applicant shall provide crash protection around the proposed secondary containment areas as appropriate to accommodate stacking/moving equipment. The applicant shall provide physical barriers and site security for the proposed project site as approved by the Environmental Health Division to reduce the potential of a chemical release.</p> <p>2. The applicant shall provide sensors and/or detectors, as approved by the Environmental Health Division, at the site that will provide early notification of an accidental release of large quantities of toxic and flammable gasses/vapors from hazardous materials stored or generated on site. Chemicals of concern proposed for storage include anhydrous ammonia (toxic), hydrogen sulfide (toxic and flammable) and alcohol (flammable) and are to be monitored by an appropriate sensor array sufficient in scope to reasonably detect the materials before going offsite.</p> <p>3. The applicant shall apply for a permit and comply with all regulations pertaining to the Certified Unified Program Agency (CUPA). Program elements consolidated under the CUPA are: Hazardous Materials Release Response Plan, Chemical Inventory, Hazardous Waste Generator, Onsite Hazardous Waste Treatment Programs, California Accidental Release Prevention Program (CalARP), Underground Storage Tanks, and Aboveground Petroleum Storage Tank Spill Prevention Control and Countermeasure Plan (SPCC). The Hazardous Materials Business Plan must be completed prior to operations of the facility into the California Environmental Reporting System (CERS).</p> <p>4. The applicant shall provide a locked storage box (Knox box) outside the main entrance that can be accessed by first responders. It shall provide first responders with the ability to access the site immediately. It shall contain the following information:</p> <ul style="list-style-type: none"> • Hazardous materials business plan • MSDS sheets for all chemicals stored at the site • Emergency contact numbers 	<p>No</p> <p>Yes, Concept</p> <p>No</p> <p>No</p>	<p>HAZ-3 Develop a Safety Management Plan including hazardous gas monitors.</p>

		<p>5. The applicant shall provide a video monitoring system around the containment areas which can be used by first responders.</p> <p>6. The applicant shall provide a means of secondary ingress/egress to the site for emergency use.</p> <p>7. The applicant shall develop a letter/pamphlet/brochure to be reviewed and approved by the Planning Department and Environmental Health Division that provides information to the residences/businesses within the impact area of the off-site consequence analysis (OCA). The information must describe the OCA findings and actions to follow in the event of a release from any covered Cal ARP process.</p> <p>8. The applicant must complete a Process Hazard Analysis (PHA) for all applicable hazardous materials and incorporate mitigation measures into the project design prior to commencement of operations. All PHA recommendations must be addressed prior to beginning facility operations. The Environmental Health Division must be notified of any scheduled PHA and given the opportunity to attend any session. The PHA must address issues of concern which include an uninterrupted power supply, safety system redundancies established to ensure the safe handling of the chemical at all times, and remote monitoring and surveillance. All PHAs and corrective actions must also be reviewed by this Division prior to implementation.</p> <p>9. The applicant must provide documentation of an Emergency Response Plan for the accidental release of all applicable hazardous materials. The plan must address an intentional release or one caused by a natural disaster. A continuous training program for employees must be established to ensure a proper response to a release will occur and public health will be protected. Issues of site security, off-site monitoring, and public notification in the event of a release must be included. The Emergency Response Plan must be developed in conjunction with the Environmental Health Division and the Kern County Fire Department.</p> <p>10. The applicant shall provide a permanent weather station with remote internet access for monitoring of wind direction in case of an accidental release at the facility. The data shall be kept on site or made available electronically for review by the Environmental Health Division on a 24/7 basis.</p>	<p>Yes, Concept</p> <p>Yes, Concept</p> <p>No</p> <p>Yes/No, Concept</p> <p>Yes/No, Concept</p> <p>No</p>	<p>HAZ-7 Prepare a site-specific security plan including a closed-circuit monitoring system.</p> <p>WORKER SAFETY-6 At least three secure access points for security personnel access.</p> <p>HAZ-9 Conduct a PHA and prepare a Process Safety Management Plan approved by CEC.</p> <p>HAZ-2 & WORKER SAFETY-2 Prepare a Spill Prevention, Control and Countermeasure Plan and an Emergency Action Plan.</p>
--	--	---	---	--

<p>ESPS</p>	<p>Utilities and Service Systems Land Use</p>	<p>Verbatim Requested Mitigation Measures: If the CEC requests the Building Inspection Division to provide CBO services related to plan reviews and/or inspections of this project, the following conditions shall be required:</p> <ol style="list-style-type: none"> 1. The applicant shall be responsible to pay the County all plan review, inspection, and other related fees in accordance with the Department's adopted fee resolution. 2. The applicant shall provide a qualified person, approved by the Department, to prepare a report identifying all hazardous materials, classified in accordance with the California Building Code, to be used or stored. The report shall be submitted with their plan review documents and include recommendations for fire protection, as well as storage and handling of materials. 3. The applicant shall provide a California registered civil engineer to act as the Resident Engineer (RE) during the construction of the project. The RE shall be approved by the Department and paid for by the applicant. Duties and responsibilities of the RE shall be identified prior to construction. 4. The applicant shall provide an on-site office, plan rack, desk and adequate accommodations for the County's building inspector(s) for the duration of the project. 	<p>Yes/No, Concept No Yes, Concept No</p>	<p>GEN-3 Payments to the CBO based upon a negotiated fee schedule. GEN-4 Assign a California registered architect or structural or civil engineer as the RE.</p>
<p>Roads</p>	<p>Traffic</p>	<p align="center">– Placeholder –</p> <p>Comments Pending Further Conversations with HECA Applicant and Applicant Preparation of an Adequate Traffic Impact Study.</p>	<p>Place-holder</p>	<p align="center">– Placeholder –</p>
<p>Waste</p>	<p>Utilities and Service Systems</p>	<p>Verbatim Requested Mitigation Measures:</p> <ol style="list-style-type: none"> 1. Prior to the acceptance of residual material from the HECA Project at a Kern County public landfill, the applicant shall supply the KCWMD a characterization of the waste for chemical and physical characteristics, and secure written approval from the Director of the KCWMD to ensure compatibility with our landfill operations and fee schedules. 2. Based on the characteristics of the gasification solid, HECA shall conduct a market analysis of potential beneficial uses of the waste. 	<p>No Yes, Concept</p>	<p>WASTE-8 Develop a Gasification Waste</p>

		<p>3. If residual gasification solids, or other waste products, are subject to Jurisdictional Reporting and credited to the Kern County unincorporated area as disposal, HECA shall compensate Kern County via payment based on the following schedule: \$30 a ton (0-100 tons per day); \$50 a ton (101 – 200 tons per day); \$75 a ton (greater than 200 tons per day); or other amount as approved by the Board of Supervisors, to mitigate impacts to diversion programs. The County shall deposit the money in a Diversion Mitigation Reserve Account that will be used to fund diversion programs in Kern County. This is in addition to any gate/tipping fees for disposal.</p> <p>4. HECA waste stream shall be subdivided between several facilities to reduce the potential impacts to any one facility. Facilities to be considered include the Bakersfield Metropolitan (Bena) RSLF, the Shafter-Wasco RSLF and the Taft RSLF.</p>	No	Diversion Plan.
PCDD	Public Services	<p>Recommended Mitigation Measure Concept: Include the following mitigation measures to address impacts to public services: <i>Prior to the issuance of building permits for the HECA project, the Project Proponent/Operator shall comply with the following:</i> The Project Proponent shall work with the appropriate Kern County Staff to determine how the receipt of sales and use taxes related to the construction of the project will be maximized. This process shall include, but is not necessarily limited to: the Project Proponent/Operator obtaining a street address within the unincorporated portion of Kern County for acquisition, purchasing and billing purposes, registering this address with the State Board of Equalization, using this address for acquisition, purchasing and billing purposes associated with the proposed project. The Project Proponent/Operator shall allow the County to use this sales tax information publicly for reporting purposes.</p>	Yes	SOCIO-1 Use best efforts to ensure as much sales and use tax are attributed to Kern County.
Sheriff	Public Services	<p>Verbatim Requested Mitigation Measures:</p> <p>1. Recommends increased private security during the initial construction phase of the project to prevent theft and states that preventing theft could also be accomplished with proper fencing, lighting, and video surveillance.</p> <p>2. After the project is completed, building security and alarms would help minimize potential thefts.</p>	Yes, Concept Yes, Concept	HAZ-6 Construction Site Security Plan including fencing. HAZ-7 Operational Security Plan including security guards and breach or motion detectors.