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STATE OF CALIFORNIA
Energy Resources Conservation and
Development Commission

In the Matter of:

Docket No. 08-AFC-8A

The Application for Certification for the
Hydrogen Energy California Project

SIERRA CLUB STATUS REPORT No. 8

Pursuant to the Revised Committee Scheduling Order for the Hydrogen Energy California Project (HECA), issued on March 27, 2013, and the August 9, 2013 request to all Parties, Intervenor Sierra Club respectfully files this Status Report No.8.

Staff's Preliminary Assessment points out that Staff cannot complete its analyses in a number of critical resource areas because the Applicant has not provided even the most basic information, including water supply, biological resources, waste, and geologic sequestration. Because so much crucial information is still lacking, Sierra Club questions the value of holding further public workshops at this time. Major concerns include the effect the proposed 7,500 acre-feet of groundwater withdrawal per year will have on water supply in adjacent basins and neighboring wells, and whether this water is best used for cooling towers. Staff recognizes in the PSA that critical data from the Buena Vista Storage District is lacking. The Water District responded to CEC's March 2013 data request on August 21, yet the letter states the District's engineer cannot attend the September workshop, indicating that a workshop on this issue should be held at a later time.

Regarding the project's proposed geologic sequestration, Sierra Club submitted a recent comment letter concerning the lack of information on abandoned and plugged wells in the Elk Hills Oil Field. Given the recent news of well leakage in Mississippi and Louisiana due to enhanced oil recovery operations, CEC and DOGGR must require a thorough examination of all of the abandoned and capped wells near the proposed injection site, including an analysis of age, well integrity and cap integrity, track record and the reliability of well records.

Sierra Club also requires the Applicant's revised emissions estimates to continue its review of air quality impacts. We have not received this information despite our requests to Applicant's counsel on July 15 and August 12. The PSA also includes a long list of data Staff requires to complete its analysis on biological resources and waste.

Concerning biological resources, Applicant still has not provided essential biological surveys some of which can only be conducted at certain times of the year.

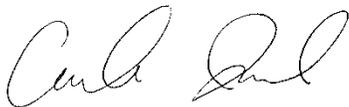
Sierra Club supports the concerns raised by HECA Neighbors, Association of Irrigated Residents, Kern County Farm Bureau, and Kern County Supervisor David Couch regarding the proposed schedule for a September workshop. The fall harvest is one of the busiest and most financially important times of the year for members of the farming community. Given the nature of the potential impacts from this large, complex project, Sierra Club supports the community's request for a postponement of the workshop until late October to accommodate the needs of the farming community.

Sierra Club and its experts are in the process of reviewing the PSA/DEIS, and we are planning to submit comments to the Commission and to the Department of Energy.

Dated: August 23, 2013

Respectfully submitted,

Signed:

A handwritten signature in cursive script, appearing to read "Carl Dahl".