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| Docket Number: | 08-AFC-08A |
| Project Title: | Hydrogen Energy Center Application for Certification Amendment |
| TN #: | 200543 |
| Document Title: | Incomplete Notification of Lake or Streambed Alteration |
| Description: | N/A |
| Filer: | Tiffani Winter |
| Organization: | California Department of Fish and Wildlife |
| Submitter Role: | Public Agency |
| Submission Date: | 9/20/2013 2:04:17 PM |
| Docketed Date: | 9/20/2013 |



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
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Fresno, California 93710
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EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director



September 11, 2013

James L. Croyle
Hydrogen Energy California, LLC
30 Monument Square, Suite 235
Concord, Massachusetts 01742

Subject: Incomplete Notification of Lake or Streambed Alteration
Notification No. 1600-2013-0079-R4
Hydrogen Energy California

Dear Mr. Croyle:

On May 3, 2013, the California Department of Fish and Wildlife (Department) received your Notification of Lake or Streambed Alteration (Notification). The California Energy Commission (CEC) certification of the Hydrogen Energy California (HECA) Project, should that occur, would be issued in-lieu of any permits required by state, regional, or local agencies (Pub. Resources Code, § 25500), including a Lake or Streambed Alteration Agreement (Agreement) issued pursuant to Fish and Game Code Section 1600 et. seq. However, to assist CEC in developing Agreement measures for inclusion in the CEC certification, the Department has determined that the information checked below is either missing or insufficient in the Notification. Please review the Notification instructions and provide the following Notification sections, along with a copy of this letter, to CEC and the Department.

- Section 4: Agreement term requested
- Section 5: Agreement type
- Section 6: Notification fees
- Section 7: Prior notification order
- Section 8: Project location, map, and directions from nearest highway
- Section 8: USGS quad map name, township/range, section, and ¼ section
- Section 10: Complete Project description
- Section 10: Project plans
- Section 11A-D: Project impacts
- Sections 11E and 11F: Biological or hydrologic studies
- Section 12: Measures to protect fish, wildlife, and plants

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- Section 13: Permits issued
- Section 14: Environmental review documents
- Section 17: Signature and date
- Notification Attachment: A B C D

Section 6 and 10: CEC and the Department require a final description of pipeline crossing installation methods. Please provide additional details regarding horizontal directional drilling, including but not limited to the depth and length of the boring and whether drilling fluids will be used.

The Notification includes water bodies that are not jurisdictional and can be removed from the Project description. Only the Kern River Flood Channel and Outlet Canal are jurisdictional, and it is not clear whether Project activities would impact both of those water bodies. More information about the locations of those water bodies relative to the Project area might be necessary.

To calculate the appropriate fees for the Notification, each individual activity (i.e., each crossing) is considered a separate Project. Please revise the fee section to itemize each jurisdictional crossing with the associated cost of the crossing and appropriate Notification fee. If it is determined that only one jurisdictional water body requires Notification, the fee would be based on the cost of that individual activity.

Section 17: In order for the Department to assist CEC in processing your application, the Notification needs to have an original, ink signature and not a photocopy or facsimile.

If you have any questions regarding this matter or need additional information, please consult the "Notification Instructions" and/or "Questions and Answers" that were included in the Notification materials. You may also contact Kyle Stoner, Environmental Scientist, at (559) 243-4014 extension 352 or kyle.stoner@wildlife.ca.gov.

Sincerely,



Linda Connolly
Senior Environmental Scientist Supervisor

cc: Dale Shileikis, URS
Kyle Stoner, Environmental Scientist

John Heiser
Eric Knight
Carol Watson
California Energy Commission (CEC)
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