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| Docket Number: | 08-AFC-08A |
| Project Title: | Hydrogen Energy Center Application for Certification Amendment |
| TN #: | 200549 |
| Document Title: | CEC Response to CA State Assembly Regarding their Request to Delay Public Workshops for HECA |
| Description: | N/A |
| Filer: | Diane Scott |
| Organization: | California Energy Commission |
| Submitter Role: | Commission Staff |
| Submission Date: | 9/20/2013 4:14:37 PM |
| Docketed Date: | 9/20/2013 |

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



September 17, 2013

Honorable Shannon Grove
California State Assembly
State Capitol, Suite #4208
Sacramento, CA 94249

Regarding: Request to delay public workshops for the Hydrogen Energy California (HECA) project (08-AFC-8A)

Dear Assembly Member Grove:

Thank you for your letter expressing concerns about the timing of the September workshops due to the crop harvesting constraints of farmers who live near the project site and wish to participate in the project review. Chair Weisenmiller has asked me to respond to you on his behalf.

The California Energy Commission welcomes the participation of your constituents in the power plant licensing process. Public input is also an important part of the National Environmental Policy Act (NEPA) process for the U.S. Department of Energy (DOE). Thus Energy Commission staff, in coordination with DOE, began to schedule workshops in Kern County to discuss and work to resolve issues, receive comments concerning potential impacts of the HECA project, and discuss mitigation measures. Please note that as Commission staff began to schedule the workshops that customarily follow the publication of the Preliminary Staff Assessment/Draft Environmental Impact Statement (PSA/DEIS), they received feedback from interveners participating in the project review requesting the PSA/DEIS workshops be moved from August to September to accommodate summer vacation schedules.

In part to accommodate the interveners' request, as well as the schedules of Energy Commission and DOE staff, other participating agencies and the applicant, the dates of September 17, 18, and 19 were scheduled for workshops in Buttonwillow. Unfortunately, delaying the workshops from August to September resulted in conflicts with harvesting time and the Kern County Fair. Due to this conflict, staff has decided to hold additional PSA/DEIS workshops in late October or November in Kern County to allow additional opportunities for the public to participate in the project review process. The Committee overseeing the Energy Commission review will also delay the Committee Conference on the PSA/DEIS to coincide with the second set of staff workshops.

It is pertinent to note that the purpose of these workshops is not only to receive public input, but to also facilitate communication between the staff of the Energy Commission, DOE, the applicant, and other agencies, regarding outstanding information requests and unresolved issues. During the course of an Energy Commission proceeding, the staff is only able to have these discussions with the project developer in noticed public workshops. Please also note that the DOE, for NEPA purposes on the DEIS, had already published the September workshop dates in the Federal Register and has extended the public comment period following the publication of the PSA/DEIS from September 3, 2013 to October 1, 2013, in part to include public comments from these workshops. Due to all of the above factors, I believe it would be more productive not to postpone the September workshops, but to hold additional workshops and a Committee Conference on the PSA/DEIS in late October or November. All comments received at the latter workshops and Committee Conference will be included and addressed in the Energy Commission's and DOE's Final Staff Assessment/Final Environmental Impact Statement (FSA/FEIS).

The Energy Commission and DOE very much appreciate the participation and input from your constituents in this project review. We hope that the schedule described above can work for everyone and help in some way to alleviate the concerns expressed in your September 13, 2013 letter.

Respectfully,

A handwritten signature in black ink, appearing to read "Roger E. Johnson", with a long horizontal flourish extending to the right.

Roger E. Johnson
Deputy Director
Siting, Transmission and Environmental Protection Division